

GRID CONNECTION INFRASTRUCTURE FOR AGGENEYS 2, NORTHERN CAPE PROVINCE
(DEA Ref.No.: 14/12/16/3/3/1/2024)
COMMENTS AND RESPONSES REPORT

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The Grid Connection Infrastructure for Aggeneys 2 Solar PV facility's Basic Assessment process was announced on Monday, 08 April 2018. All written comments received since the announcement of the Basic Assessment process are included in this Comments and Responses Report (CR&R). The C&RR has been updated with the written comments received on the Basic Assessment Report (BAR) which was made available for a 30-day review and comment period from **Thursday, 02 May 2019** to **Monday, 03 June 2019**.

NOTE:

In terms of Regulation 44(1) of the EIA Regulations of December 2014 (as amended on 07 April 2017), comments raised at meetings held during the BAR review period have been recorded in minutes of the meeting, and appended as **Appendix C7**, and not captured in the C&RR.

Abbreviations:

APM	Archaeology, Paleontology and Meteorites	ATNS	Air Traffic and Navigation Services
BGG	Burial Grounds and Graves	DEA	Department of Environmental Affairs
EIA	Environmental Impact Assessment	EMPr	Environmental Management Programme
GC	Group Capital	NEMA	National Environmental Management Act
SAHRA	South African Heritage Resources Agency	SAHRIS	South African Heritage Resources Information System
NHRA	National Heritage Resources Act (Act No. 25 of 1999)		

1. WRITTEN COMMENTS RECEIVED DURING BAR REVIEW PERIOD: Organs Of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	Please send me KMZ files of the proposed grid connection corridors.	John Geeringh Snr Consultant: Environmental Management Eskom GC: Land Development E-mail: 02-05-2019	The KMZ files were e-mailed on Friday, 03 May 2019 to Mr Geeringh.
2.	<p><u>The application form and draft Basic Assessment Report (BAR) dated May 2019 as received by this Department on 30 April 2019 refers:</u></p> <p>This Department has the following comments on the abovementioned application:</p> <p><u>The project description</u></p> <ul style="list-style-type: none"> The Department has noted that the total length of the access road/tracks in section 5, page 6 of 30 of the application form has not been provided. Please ensure that such information is included in the amended application form to be submitted with the final BAR. <p><u>The Activity/ies applied for</u></p> <ul style="list-style-type: none"> The Department further noted that in section 7, page 12 of 30 of the application form, you applied for the listed activity 14 (ii) (a) (c) (a) (ii) (bb) and the portion of activity description relates to sections of the power line corridor alternatives which are located within a Critical Biodiversity Area (CBA). However, the applicable sub-activity relates to a Critical Biodiversity Area (CBA) i.e. sub - activity (ff) is not included in the listed activity applied for, therefore, you must ensure that this sub-activity is included in the amended application form. <p><u>Sensitivity Map</u></p>	<p>Thando Booï Case Officer: DEA Letter: 22-05-2019</p>	<p>An updated application form will be submitted to the Department together with the final BA Report with the inclusion of the length required through this application for the access road/tracks for the grid connection infrastructure for the Aggeneys 2 solar PV facility.</p> <p>An updated application form will be submitted to the Department with the applicable sub activity (ff) of GN R324 (Listing Notice 3) included in Section 7 of the updated application form.</p>

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	<ul style="list-style-type: none"> Ensure that the sensitivity map is inclusive of identified Critical Biodiversity Areas in the project site as illustrated in the Northern Cape Critical Biodiversity Areas map on page 28 of the flora and fauna specialist study dated April 2019 and prepared by 3 Foxes Biodiversity Solutions. 		<p>A map illustrating the sensitivities identified within the two alternative corridors is included in Appendix L of the final BA Report and includes Critical Biodiversity Areas as identified within the Northern Cape Critical Biodiversity Areas.</p>
	<p>Public Participation Process</p>		
	<ul style="list-style-type: none"> Ensure that you make the draft BAR available for comments to the Biodiversity and Conservation Directorate of the Department of Environmental Affairs and Northern Cape Department of Environmental and Nature Conservation (DENC). 		<p>Proof of all correspondence and requests for comments from the Biodiversity Conservation Directorate of the Department of Environmental Affairs and the Northern Cape Department of Environment and Nature Conservation (DENC) is included in Appendix C4 of the final BA Report. Further, proof of delivery of the reports to the officials of the DENC and DEA: Biodiversity and Conservation Directorate is also included in Appendix C4 of the final BA Report.</p>
	<ul style="list-style-type: none"> Further, ensure that all issues raised, and comments received during the circulation of the BAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR. 		<p>Comments and issues raised and submitted by registered I&APs during the circulation of the BAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in Appendix C5 of the final BA Report.</p>
	<ul style="list-style-type: none"> Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. 		<p>Proof of correspondence with the various stakeholders to the project is included in Appendix C5 of the final BA Report.</p>
	<ul style="list-style-type: none"> The Departmental comments must form part of your correspondence and must be attached into the report. 		<p>Correspondence and comments from the Department are included in the final BA Report as Appendix B.</p>
	<p>General Comments</p>		
	<p>The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>The public participation process has been conducted in terms of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended. Proof of this is provided in Section 6.3.2 and Appendix C of the final BA Report.</p>

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	<p>You must note that the final BAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of BAR in accordance with Appendix 1 and Regulation 19 (1)(a) and 19(3) of the EIA Regulations, 2014 as amended.</p> <p>Further, note that in terms of Regulation 45 of the EIA Regulations 2014 as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations unless an extension has been granted in terms of Regulation 3(7).</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.</p>		<p>The final BA Report submitted to the Department on 07 June 2019 complies with the requirements in terms of the scope of assessment and content of the BA Report in accordance with Appendix 1 and Regulation 19 (1)(a) and 19(3) of the EIA Regulations, 2014 as amended.</p> <p>The comment is acknowledged, and the applicant for the proposed activity/development is aware that the application will lapse in terms of Regulation 45 of the EIA Regulations of 2014 as amended if any of the timeframes prescribed in terms of the Regulations are not met, unless an extension has been granted in terms of Regulation 3 (7).</p> <p>The comment is acknowledged, and the applicant is cognisant of the prescriptions of Section 24F of the National Environmental Management Act (Act No. 107 of 1998), as amended. .</p>
3.	<p>The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:</p> <ul style="list-style-type: none"> • 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development; • 38(4)b – Specific conditions for the development include: <ul style="list-style-type: none"> i. The recommendations of the heritage specialists and the recommendations contained within the EMPr with regards to heritage resources are supported; ii. A Fossil Finds Procedure must be developed for the construction phase of the development as per the recommendations of the SAHRIS PalaeoSensitivity map; 	<p>Natasha Higgitt Heritage Officer SAHRA</p> <p>Letter: 30-05-2019</p>	<p>It is acknowledged that the SAHRA APM Unit and the BGG Unit has no objections to the proposed development.</p> <p>The recommendations made by the heritage specialists are included in <i>Objective 9: Protection of Heritage Resources</i> of the construction management programme in the EMPr (Appendix K) of the final BA Report.</p> <p>A Fossil Chance Finds Procedure is included in the EMPr (Appendix K) of the final BA Report as Appendix M.</p>

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	<ul style="list-style-type: none"> 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule; 		<p>The requirements of SAHRA regarding archaeological sites and unmarked burial sites and/or graves are included under <i>Objective 9: Protection of Heritage Resources</i> of the construction management programme in the EMPr (Appendix K of the final BA Report).</p>
	<ul style="list-style-type: none"> 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule; 		
	<ul style="list-style-type: none"> 38(4)d – See above' 		
	<ul style="list-style-type: none"> 38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA; 		<p>The requirement of SAHRA pertaining to the appointment of a specialist should heritage resources be uncovered within the project site during the course of development is included under <i>Objective 9: Protection of Heritage Resources</i> of the construction management programme in the EMPr (Appendix K of the final BA Report).</p>
	<ul style="list-style-type: none"> The Final BAR and EMPr must be uploaded to the SAHRIS application for record purposes; 		<p>The final BAR and EMPr will be uploaded onto SAHRIS, Case Number 13730.</p>
	<ul style="list-style-type: none"> The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application. 		<p>The decision on the application for Environmental Authorisation for the Grid Connection Infrastructure for Aggeneys 2 Solar PV facility will be uploaded to the SAHRIS, Case Number 13730, once received and communicated to SAHRA</p>

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4.	<p>The proposed falls in close vicinity to Aggeneys Air strip (FAAG), which is within the boundaries of the ICAO Annex 14 surfaces associated with the airport.</p> <p>We would have to conduct a formal assessment to determine whether it will affect the line of sight in any way.</p> <p>It may include a glint and glare impact assessment to be done as per SACAA requirement (refer to: Obstacle Notice 4/2017 (17/11/2017): Additional Requirements for Solar Project Applications) on the SACAA website.</p>	<p>Simphiwe Masilela Obstacle Evaluator COO – Air Traffic Services ATNS</p> <p>E-mail: 03-06-2019</p>	<p>The comment is acknowledged and has been forwarded to the applicant for consideration. Further, the final BA Report submitted to the Department of Environmental Affairs on 31 May 2019 include a ground-truthed and detailed visual impact assessment which included the glint and glare impact associated with the development of the Aggeneys 2 solar PV facility. The visual specialist concluded that the impacts would be a low significance during the project life cycle following the implementation of the recommended mitigation measures.</p>

2. WRITTEN COMMENTS RECEIVED PRIOR TO THE BA REVIEW PERIOD: Interested And Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>The dunes in the power line corridor is in an area where Red Larks breed and care need to be taken.</p>	<p>Pieter Venter Environmental Manager Vendanta Resources (Black Mountain Mine)</p> <p>E-mail: 23-04-2019</p>	<p>The Ecological Impact Assessment (Appendix D) of the final BA Report identified the red dune habitat as a highly sensitive area, as such, no development will be undertaken within this habitat/area.</p>
	<p>Area indicated for the power line will cross the current 66kv power line from the Eskom station to Gamsberg mine.</p>		<p>The comment has been forwarded to the applicant for consideration.</p>
	<p>Care in placement of the power lines need to be taken to avoid calcrete and quartzite patches as they contain succulent species of concern and regional endemism.</p>		<p>The grid connection infrastructure proposed for the Aggeneys 2 solar PV facility will be located within areas of a medium and high sensitivity. However, a walk – through survey prior to the commencement of the construction phase of the development has been prescribed under <i>Objective 1: Ensure the design of the facility responds to identified environmental constraints and opportunities</i> of the</p>

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			planning and design management programme of the EMPr included in the final BA Report (Appendix K)