

Appendix C6:
Comments and Responses Report

GRID CONNECTION INFRASTRUCTURE INCLUDING A 132KV OVERHEAD POWER LINE, SWITCHING STATION AND ANCILLARIES FOR THE GREAT KAROO WIND FARM, NORTHERN CAPE PROVINCE (DEFF Ref. No.: 14/12/16/3/3/1/2253)

COMMENTS AND RESPONSE REPORT

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The Great Karoo Grid Infrastructure Basic Assessment Process was announced on Monday, 02 November 2020 together with the announcement of the availability of the Basic Assessment (BA) Report. The BA Report was made available for a 30-day review and comment period from **Tuesday, 03 November 2020** to **Thursday, 03 December 2020**. This Comments and Responses Report (C&RR) includes comments received during the process to date and is included as **Appendix C6** of the Final BA Report.

LIST OF ABBREVIATIONS / ACRONYMS

APM	Archaeology, Palaeontology and Meteorites	BAR	Basic Assessment Report
BGG	Burial Grounds and Graves	CBA	Critical Biodiversity Area
DEFF	Department of Environment, Forestry and Fisheries	EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme	NHRA	National Heritage Resources Act
I&APs	Interested and Affected Parties	SAHRIS	South African Heritage Resources Information System
SAHRA	South African Heritage Resources Agency		

1. COMMENTS RECEIVED DURING THE 30-DAY COMMENTING PERIOD ON THE DRAFT BAR

1.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>This letter serves to inform you that the following information must be included to the final BAR:</p> <p>Listed Activities</p> <p>a) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed.</p>	<p>Samkelisiwe Dlamini Case Officer DEFF</p> <p>Letter: 02 December 2020</p>	<p>Only activities applicable to the development have been applied for and assessed.</p> <p>Please note: due to minor corrections in terms of listed activity description, a revised application form is submitted along with the Final Basic Assessment. Please further note: no addition or removal of listed activities occurred, only minor rewording of the activity description, where applicable.</p>
	<p>b) If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p>		<p>All listed activities in the BAR are aligned with those in the application form. Please note: due to minor corrections in terms of listed activity description, a revised application form is submitted along with the Final Basic Assessment. Please further note: no addition or removal of listed activities occurred, only minor rewording of the activity description, where applicable.</p>
	<p>c) It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of GN R. 985 Activities. Written comments, or proof of the attempt to obtain comments, from the relevant authorities must be submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.</p>		<p>Proof of notification of the application and availability of the BAR for the relevant authorities review and comment, and attempts to obtain their written comments are included in Appendix C3 of the final BAR.</p> <p>Please further refer to "Figure 5.4. Map illustrating the locations of Critical Biodiversity Areas proximal to the Great Karoo OHL and Switching Station" for a map showing the project location within the context of CBA/ESAs. Please also refer to Figure 1.1 of the Basic Assessment report for an overview of the project infrastructure and location.</p>
	<p>Alternatives</p> <p>d) Please note that you are required to provide a full description of the process followed to reach the proposed preferred alternative within the site, in terms of</p>		<p>Please refer to Chapter 2.3 of the Basic Assessment report for a detailing of the alternatives considered for the project.</p>

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	<p>Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended.</p> <p><u>Coordinates</u></p> <p>e) The BAR must include coordinates of the proposed switching station.</p> <p><u>Public Participation Process</u></p> <p>f) The following information must be submitted with the final BAR:</p> <p>i. A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;</p> <p>ii. Copies of all comments received during the draft BAR comment period; and</p> <p>iii. A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report.</p>		<p>Please refer to the Table 2.1 of the Basic Assessment report, which contains coordinates for the grid connection corridor and location of the 500m assessment region within which the switching station is proposed.</p> <p>Please also note that – as agreed with DEFF at the pre-application meeting – the Applicant requests that – should EA be granted - the assessed corridor be approved as the approved layout (rather than specific co-ordinates), and that the final co-ordinates within the approved corridor be submitted to DEFF for approval prior to construction as a condition of the EA. Please refer to the minutes of the DEFF Pre-Application meeting attached to the application form, in particular page 3 and 4 under 'notes' for the discussion and record around the assessment corridor being suitable for approval.</p> <p>Please also refer to Table 2.1 of the final BAR for the coordinate of the centre point of the 500m switching station assessment area within which the switching station is proposed to be located (outside of environmental sensitivities).</p> <p>The list of registered interested and affected parties (I&APs) is included in Appendix C1 of the final BAR containing full contact details.</p> <p>Comments received during the legislated 30-day review and comment period are included in this C&RR, which is attached as Appendix C6 of the final BAR.</p> <p>All comments received during the BA process have been included within this C&RR, which is included as Appendix C6 of the final BAR. All comments received have been responded to, and where necessary the BAR and/or EMPr have been revised so as to address the received comments.</p>

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	<p>g) Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the final BAR.</p>		<p>Comments received from the DEFF and the Department's Biodiversity Conservation Directorate are captured in this C&RR and the letters included in Appendix C5 of the final BAR.</p>
	<p>h) 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. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>Proof of correspondence with the various stakeholders and proof of attempts to obtain comments from the stakeholders on the project database are included in Appendix C4 of the final BAR.</p> <p>Proof of correspondence with organs of state and proof of attempts to obtain comments are included in Appendix C3 of the final BAR.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C7).</p> <p>I&APs and organs of state were notified of the commencement of the BA process as follows:</p> <ul style="list-style-type: none"> » The commencement of the BA process was announced via email to those I&APs identified and the relevant organs of state on 02 November 2020 (refer to Appendices C3 & C4 of the final BAR.) » I&APs and organs of state were notified of the availability of the BAR in the BA process announcement letter dated 02 November 2020. » An advertisement was placed in Die Noordwester newspaper on 30 October 2020 (legible tearsheet included in Appendix C2 of the final BAR) <p>The BAR was made available for the legislated 30-day review and comment period from, Tuesday, 03 November 2020 until Thursday, 03 December 2020 and the availability of the report was announced through the means below.</p>

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			<p>Opportunity for consultation was also provided during the 30-day review and comment period.</p> <ul style="list-style-type: none"> » The details of the availability of the report were included in the advertisement placed in Die Noordwester newspaper on 30 October 2020 (legible tearsheet included in Appendix C2 of the final BAR). » A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the final BAR) informing them of the availability of the draft BAR for review and comment and the details of where the report could be accessed for review. <p>The BAR was made available for download from Savannah Environmental's website and could also be sent via other file transfer services (i.e. We Transfer, Dropbox, etc.) or on CD, on request.</p> <p>Site notices were placed at the proposed development site on 24 October 2020. Proof of the placement of the site notices are included in Appendix C2 of the final BAR.</p>
	<p><u>Environmental Management Programme</u> The EMPr must also include the following:</p> <p>a) All the recommendations as proposed by the impact assessment specialist.</p>		<p>All recommendations proposed by the specialists have been incorporated into the BAR and the two generic EMPrs compiled for the project (please refer to Section C in both EMPrs).</p>
	<p>b) Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.</p>		<p>The National Environmental Management Act, 1998 (Act No. 107 of 1998) (NEMA) requires that an environmental management programme (EMPr) be submitted where an environmental impact assessment (EIA) has been identified as the environmental instrument to be utilised as the basis for a decision on an application for environmental authorisation (EA). The content of an EMPr must either contain the information set out in Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended, (EIA Regulations) or must be a generic EMPr relevant to an application as identified and gazetted by the Minister in a government notice. Once the Minister has identified, through a government notice, that a generic EMPr is relevant to an</p>

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			<p>application for EA, that generic EMPr must be applied by all parties involved in the EA process, including, but not limited to, the applicant and the competent authority (CA).</p> <p>As the application is comprised of grid connection infrastructure, including a switching station, the following generic EMPrs are applicable:</p> <ul style="list-style-type: none"> • Generic Environmental Management Programme (EMPr) for the development and expansion for overhead electricity transmission and distribution infrastructure; and • Generic Environmental Management Programme (EMPr) for the development and expansion of substation infrastructure for the transmission and distribution of electricity; <p>The content for both these is prescribed by the gazetted template and therefore complies with regulatory requirements.</p>
	<p>c) Please be informed that the following content must be incorporated within the EMPrs as indicated in Appendix 4 of the EIA Regulations 2014, as amended:</p>		<p>Comment noted, please see responses below.</p>
	<p>i. Details of the EAP who prepared the EMPr; and the expertise of that EAP to prepare an EMPr, including a curriculum vitae.</p>		<p>Please refer to Sections 7.1.2 of the respective generic EMPrs for the details of the EAP. Please also refer to Appendix 2 of the EMPrs for the CV of the EAP.</p>
	<p>ii. A <u>map</u> at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided, including buffers.</p>		<p>Please refer to Figure 2 of the respective generic EMPrs for the project for a sensitivity map including the assessment corridors superimposed with the environmental no-go areas or buffers as may be applicable. Please note, as the location of the infrastructure may be placed within the corridor shown, the precise location of the infrastructure has not currently been determined and can therefore not be superimposed onto the map. Coordinates of the final routing of the powerline will be provided to the case officer in accordance with the pre-application meeting held for the project.</p>
	<p>iii. A description of the <u>impact management outcomes</u>, including management statements, identifying the impacts and risks that need to be avoided,</p>		<p>The EMPr provides clear outcomes, with concomitant actions across all the project phases. Please refer to various outcome headings provided for in both</p>

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	<p>managed and mitigated as identified through the environmental impact assessment process for all phases of the development including —</p> <p>a) Planning and design;</p> <p>b) Pre-construction activities;</p> <p>c) Construction activities;</p> <p>d) Rehabilitation of the environment after construction and where applicable post closure; and</p> <p>e) Where relevant, operation activities.</p>		<p>Sections A, B and C of the respective generic EMPRs applicable to the application.</p>
	<p>iv. A description of proposed <u>impact management actions</u>, identifying the manner in which the impact management outcomes contemplated in paragraph (d) of Appendix 4 of the EIA Regulations 2014, as amended, will be achieved, and must, where applicable, include actions to —</p>		<p>The EMPr provides clear outcomes, with concomitant impact management actions across all the project phases towards impact mitigation, avoidance, remedy, modification control or stop action and which complies with prescribed environmental management standards or practices.</p>
	<p>v. Avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;</p>		<p>Please refer to "Impact Management Actions" column provided under the respective objectives in both Sections A, B and C of the respective generic EMPRs applicable to the application.</p>
	<p>vi. Comply with any prescribed environmental management standards or practices;</p>		
	<p>vii. Comply with any applicable provisions of the Act regarding closure, where applicable; and</p>		<p>This application is for the development and operation of grid connection infrastructure including a switching station, and is therefore not related to closure.</p>
	<p>viii. Comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable.</p>		
	<p>ix. The <u>method of monitoring</u> the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.</p>		<p>Please refer to "Monitoring" columns, indicating timeframe, frequency and compliance evidence, as well as the impact management actions provided under the respective objectives in both Sections A, B and C of the respective generic EMPRs applicable to the application.</p>
	<p>x. The <u>frequency of monitoring</u> the implementation of the impact management actions contemplated in</p>		

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	paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		
	xi. An <u>indication of the persons</u> who will be responsible for the implementation of the impact management actions.		
	xii. The <u>time periods</u> within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented.		
	xiii. The <u>mechanism for monitoring compliance</u> with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		
	xiv. A <u>program for reporting on compliance</u> , taking into account the requirements as prescribed by the Regulations.		Please refer to Chapter 4 of Section A of the respective generic EMPRs applicable to the application.
	<p>General</p> <p>Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.</p>		Please refer to Section 7.7 of the BAR for a determination of the period for which an Environmental Authorisation is requested. A 10-year validity period is requested for the Environmental Authorisation if approved by the competent authority.
	<p>You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "<i>Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority -</i></p> <p><i>(a) a basic assessment report, inclusive of specialist reports, an EMPr, and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments</i></p>		The final Basic Assessment Report is hereby submitted to the Department in accordance with Regulation 19(1)(a).

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	<i>received, including any comments of the competent authority."</i>		
	Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(b) of the NEMA EIA Regulations, 2014, as amended, which states: <i>"the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority — (b) a notification in writing that the basic assessment report, inclusive of specialist reports an EMPr, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days"</i> .		No significant changes or new information has been added to the BAR or EMPr.
	Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.		Comment noted, no further action required.
	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.		Comment noted, no further action required.

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2.	<p>The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report. Based on the information provided in the report, the entire extent of the corridor is located within the Komsberg Renewable Energy Development Zone (REDZ) and within the central corridor of the Strategic Transmission Corridors. Furthermore, the proposed development overlaps within a Critical Biodiversity Area (CBA 1 and CBA 2) as well as a National Protected Areas Expansion Strategy (NPAES) focus area. Developments within these areas are not supported without proper mitigation measures.</p> <p>However, the relatively low overall footprint of the proposed development is unlikely to significantly compromise the ecological functioning of the affected area and is regarded as a 'Low' risk. There are no impacts or risks identified to be of a high significance or considered as unacceptable with the proposed development. In addition, no impacts that will result in whole-scale change are expected to occur.</p> <p>Notwithstanding the above, the following recommendations must be implemented in the final report:</p> <ul style="list-style-type: none"> • An ecologist must be appointed to perform a final walkthrough prior to finalisation of the final phase of the EIA, to identify all sensitive plant species and assist in identifying the areas that require protection; • The breeding site of a Verreaux's Eagle, Southern Black Korhaan and Ludwig's Bustard on site must be demarcated as a NO-GO Zone; and 	<p>Mmatlala Rabothata / Ms Tsholofelo Sekonko Case Officers DEFF: Biodiversity Conservation Directorate</p> <p>Letter: 03 December 2020</p>	<p>Comment noted, no further action required.</p> <p>Please refer to the objectives under avifauna and ecology of the respective generic EMPs applicable to the application, which require a pre-construction ecological walk-through towards permitting and search and rescue (where possible) for the development.</p> <p>The avifaunal specialist noted only one nest on site, that of the Spotted Eagle-Owl (<i>Bubo africanus</i>). Southern Black Korhaan and Ludwig's Bustard were observed in-flight however no nests were located during the field assessment. Consequently, the following recommendations were provided by the avifaunal specialist towards the Spotted Eagle-Owl (<i>Bubo africanus</i>) nest only:</p>

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			<p><i>It is recommended that construction and installation within this portion of the OHL be undertaken in late August to avoid disturbance. If this is not possible, a 50 m buffer around the nest site should be maintained to ensure no construction activity occurs within the buffer. Although, the risk of collision for owls tend to be minimal due to their eyesight, the species is at risk of electrocution (Prinsen et al, 2011). No pylons are to be erected within 100 m of the nest site to reduce the risk of electrocution. Where technically feasible, the distance between the nest and the nearest pylons should be increased to 200m.</i></p> <p>The requirement towards a 50m buffer and a 100m pylon exclusion zone have been incorporated into the final BAR and respective EMPrs. Please refer to "Buffer zones, no-go zones or exclusion zones" under section 7.2 of Section C (of the respective generic EMPrs applicable to the application) for prescriptions around buffer areas. Please also refer to Chapter 6.7 and 6.8 of the final BAR for identical prescriptions.</p>
	<ul style="list-style-type: none"> The Avifaunal specialist must determine the final pylon positions prior to construction and where bird flight diverters are required and the installation of power line pylons must be away from ecological sensitive systems. 		<p>Please refer to the avifaunal measures provided in Section C of the respective generic EMPrs applicable to the application for requirements towards an avifaunal pre-construction walkthrough to inform placement and bird flight diverters (if deemed necessary).</p>
	<ul style="list-style-type: none"> A rehabilitation and alien vegetation control program within all sensitive areas must be developed. 		<p>Please refer to Appendix 3 and 4 of the respective generic EMPrs applicable to the application, for a rehabilitation plan and an alien vegetation control plan respectively.</p>
	<p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Revised Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p>		<p>The application is for a power line. Therefore, the Environmental Impact Assessment (EIA) guideline for renewable energy projects is not applicable. This application is not related to that of Solar Energy Facilities and therefore the guidelines do not apply.</p>

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	<p>NB: Please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.</p>		<p>The contact details of the Directorate: Biodiversity Conservation has been updated on the project database and all communication will be send to the requested e-mail address.</p>
3.	<p>Final Comment 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 BAR 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 amendment to the authorised development; • 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows; <ul style="list-style-type: none"> • The conditions included in the Final Comment for SAHRIS Case ID 15452 are valid for this development and must be adhered to; • 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- 	<p>Natasha Higgitt Heritage Officer and Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit SAHRA Letter: 30 November 2020</p>	<p>Comment noted, no further action required.</p> <p>Comment noted, no further action required.</p> <p>The specialist report (refer Appendix F – Heritage Impact Assessment) reviewed the proposed project in the context of the mentioned case, and therefore included the measures applicable from this case to the proposed project. All measures specified by the heritage impact assessment were included into the EMPrs and BAR and therefore the applicable requirements from the case detailed have been incorporated into this application.</p> <p>Please refer to the heritage impact management actions contained Section C of the respective generic EMPrs applicable to the application for this application, which now includes these requirements verbatim.</p>

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	<p>compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;</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 offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; • 38(4)d – See section 51(1) of the NHRA; • 38(4)e – The following conditions apply with regards to the appointment of specialists: <ul style="list-style-type: none"> 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; • The Final BAR and EMPr must be submitted to SAHRA for record purposes; • The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application. 		<p>The Final BAR and EMPr will be uploaded to the SAHRIS Case once submitted to the DEFF for decision making, to ensure record keeping.</p> <p>The Environmental Authorisation will be uploaded to the SAHRIS case once received from the Competent Authority.</p>