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**APPENDIX E.11: COMMENTS AND RESPONSES TRAIL  
FOR COMMENTS RECEIVED DURING THE 30-DAY  
REVIEW OF THE DRAFT SCOPING REPORT**

*App. E.11/...*

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province

An integrated Public Participation Process is being undertaken for the proposed projects, which include the 12 Solar Photovoltaic (PV) Facilities, as well as associated infrastructure and Electrical Grid Infrastructure (EGI). The EGI projects (i.e. Projects 13 to 26) will be undertaken at a later stage, and the current focus and subject of the Draft Scoping Reports are the Solar PV projects (Projects 1 to 12).

The tables below include the comments and/or issues raised by stakeholders and Interested and Affected Parties (I&APs) following the release of the Draft Scoping Report for a 30-day comment period, extending from 9 December 2022 to 30 January 2023, together with the responses from the project team. The original comments received (emails and letters) are included in Appendix E.10 of this Scoping Report. **Please note that the comments are verbatim as provided by the stakeholders and I&APs.**

The comments included in this appendix only apply to the Kudu Solar Facility 4 project (hereafter referred to as the proposed project in the responses provided), however in some cases, comments relating to the other PV Facilities have been included for context or background purposes (where necessary). Comments and responses for the remaining Kudu Solar Facilities are included in the respective Scoping Reports. The comments received have been grouped per organisation, based on the structure recommended by the Department of Forestry, Fisheries and the Environment (DFFE).

**1. Comments Received from the Department of Forestry, Fisheries and the Environment (DFFE)**

**1.1 The DFFE Directorate: Integrated Environmental Authorisation**

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	09/12/2022 Email Department of Forestry, Fisheries and the Environment: Integrated Environmental Authorisations (Ephron Maradwa)	14/12/16/3/3/2/2247  ACKNOWLEDGEMENT OF RECEIPT OF THE NEW APPLICATION AND DRAFT SCOPING REPORT FOR ENVIRONMENTAL AUTHORISATION FOLLOWING A SCOPING ASSESSMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF A SOLAR PHOTOVOLTAIC (PV) FACILITY (KUDU SOLAR FACILITY 4) AND ASSOCIATED INFRASTRUCTURE, NEAR DE AAR, NORTHERN CAPE PROVINCE.  The Department confirms having received the Application form and Draft Scoping Report for Environmental Authorisation for the abovementioned project on 09 December 2022. You have submitted these documents to comply with the Environmental Impact Assessment (EIA) Regulations, 2014, as amended.	<b>CSIR:</b> The acknowledgement of receipt of the Application Form for Environmental Authorisation (EA) and Draft Scoping Report (DSR) is noted with thanks.  The subsequent comments are noted.  <ul style="list-style-type: none"> <li>Regulation 21 of the 2014 National Environmental Management Act (Act 107 of 1998, as amended) (NEMA) Environmental Impact Assessment (EIA) Regulations (as amended) is noted. The timeframes in Regulation 21 (1) have been adhered to in the submission of this Final Scoping Report. The Application Form for EA was submitted to the DFFE, together with the DSR for comment, on 9 December 2022. In line with Regulation 21 (1) of the 2014 EIA Regulations (as amended), the Final Scoping Report needed to be</li> </ul>

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NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<p>Kindly note that your application for Environmental Authorisation falls within the ambit of an application applied for in terms of Part 3 of Chapter 4 of the EIA Regulations, 2014, as amended. You are therefore referred to Regulation 21 of the EIA Regulations, 2014 as amended.</p> <p>Please take note of Regulation 40(3) of the EIA Regulations, 2014, as amended, which states that potential Interested &amp; Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.</p> <p>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 time-frames prescribed in terms of these Regulations, unless an extension has been granted by the Department in terms of Regulation 3(7) of the EIA Regulations, 2014, as amended.</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>Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p>	<p>submitted to the DFFE for decision-making within 44 days of receipt of the application by the Competent Authority.</p> <p>In addition, the Final Scoping Report complies with all the requirements in terms of the content of Scoping Reports in accordance with Appendix 2 of the 2014 NEMA EIA Regulations (as amended). Refer to Chapter 1 of the Final Scoping Report for additional information on compliance with Appendix 2.</p> <ul style="list-style-type: none"> <li>▪ The potential Interested and Affected Parties (I&amp;APs) were provided with an opportunity to comment on the DSR for a period of 30 days, i.e., from 9 December 2022 to 30 January 2023. This complies with Regulation 40 (3) of the 2014 NEMA EIA Regulations (as amended). The proof of correspondence, such as emails, text messages, letters, and placement of newspaper advertisements, as well as relevant follow up emails sent in order to remind stakeholders of the comment period closure, in order to seek comments is included in Appendix E.7 and E.8 of this Final Scoping Report.</li> <li>▪ The reminder regarding failure to meet any timeframes stipulated in Regulation 45 of the 2014 NEMA EIA Regulations (as amended) is noted.</li> <li>▪ The Project Developer is aware of Section 24F of the NEMA.</li> <li>▪ The reference number for the Application for EA is noted and acknowledged and will be used in future correspondence with the DFFE and I&amp;APs.</li> </ul>
2.	20/01/2023 Email Department of Forestry, Fisheries and the	Please find herein the attached letters for the above mentioned.	<b>CSIR:</b> Thank you for the comments received on the DSR for the proposed project.

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	Environment: Integrated Environmental Authorisations: Priority Infrastructure Developments (Lydia Kutu)	<p>Please do not respond to this mailbox with any queries related to the decision been issued. All queries on the attached decision must be directed to official whose contact details is listed as enquiries.</p> <p>I hope you find all in order.</p> <p>Thank you.</p>	
3.	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)</p> <p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations</p>	<p>COMMENTS ON THE DRAFT SCOPING REPORT (DSR) FOR THE PROPOSED DEVELOPMENT OF AN UP TO 50MWac SOLAR PHOTOVOLTAIC (PV) FACILITY (KUDU SOLAR FACILITY 4) AND ASSOCIATED INFRASTRUCTURE, NEAR DE AAR, NORTHERN CAPE PROVINCE</p> <p>The Application for Environmental Authorisation and DSR dated December 2022 and received and acknowledged by the Department on 9 December 2022, refer.</p> <p><b><u>This letter serves to inform you that the following information must be included to the final SR (FSR):</u></b></p> <p><b>1. Competent Authority</b> Clarify the reason for this department being the competent authority in terms of S24C of NEMA. This must be expanded on and updated in the application form.</p>	<p><b>CSIR:</b> Thank you for the comments received on the DSR for the proposed project. The responses are provided below to each comment raised.</p> <p><b>CSIR:</b> Chapter 1 of the DSR and Original Application Form for EA state that the National DFFE is the Competent Authority (CA) based on the Government Gazette 40110, Government Notice 779, dated 1 July 2016. The reason for the National DFFE serving as the CA for the proposed project has been clarified, expanded and updated in Chapter 1 of the Final Scoping Report (FSR) and the Amended Application Form for EA, which will be submitted to the DFFE with the FSR. This is highlighted below.</p>

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	(Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)		<p>The 2014 NEMA EIA Regulations, as amended in GN 517 on 11 June 2021 states that the CA in respect of activities listed as part of the schedule (i.e. Listing Notices) “is the CA in the province in which the activity is to be undertaken, unless: (a) it is an application for an activity contemplated in Section 24C(2) of the Act, in which case the CA is the Minister or an organ of state with delegated powers in terms of Section 42(1) of the Act; or (b) the application is a mining application in which case the CA is the Minister responsible for mineral resources”.</p> <p>With relevance to the proposed project, Section 24C (2) (a) (i) states “(2) the Minister must be identified as the competent authority in terms of subsection (1), unless otherwise agreed to in terms of section 24C (3), if the activity (a) has implications for international environmental commitments or relations, and where (i) it is identified by the Minister by notice in the Gazette”.</p> <p>Related to this, GN 779 states that, in terms of Sections 24C(1), 24C(2)(a)(i) and 24D of the NEMA, the Minister of Environmental Affairs (now Forestry, Fisheries and the Environment) is the CA for activities which are identified as activities in terms of Section 24(2)(a) of NEMA, which may not commence without an EA, and which relates to the Integrated Resources Plan (IRP) 2010 - 2030 and any updates thereto.</p> <p>GN 779 therefore fulfils Section 24C (2) (a) (i), as it serves as a gazette that documents such listed activities have implications for international commitments or relations (e.g. commitments regarding climate change), and that these activities also include activities related to the IRP.</p> <p>The proposed Kudu Solar Facility triggers various listed activities and thus requires EA. The proposed project will be bid into a future bidding program of the Renewable Energy Independent Power Producer Procurement Programme (REIPPPP). The REIPPPP was launched in</p>

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			2011 to implement the vision of the IRP and it included several bidding rounds (called "Bidding Windows"). To submit a Bid in terms of the REIPPPP, the Project Applicant is required to have obtained an EA in terms of the 2014 NEMA EIA Regulations (as amended), as well as several additional authorisations or consents. Based on the above, the National DFFE serves as the CA for the proposed project.
	20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)	<p><b>2. Listed Activities</b></p> <p>a) It is noted that the proposed solar facility does not fall within any renewable energy development zones.</p> <p>b) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. Only activities (and sub-activities) applicable to the development must be applied for and assessed.</p> <p>c) Activity 11 LN1: clarify whether the IPP substation will be included as part of the application for the PV or as a separate application in terms of the EGI standard. The IPP substation may be included as part of the PV application, should the applicant wish to include it.</p>	<p><b>CSIR:</b> Yes, as indicated in various sections of the FSR, the proposed project does not occur within any of the gazetted Renewable Energy Development Zones (REDZs).</p> <p><b>CSIR:</b> Section 4.2 of the FSR has been updated, where possible, to ensure that the applicability of the listed activities is more specific and to describe how the listed activities applied for are linked to the project description. In addition, all relevant listed activities triggered by the proposed project have been applied for. However, it must also be noted that at Scoping Phase there are some project aspects that are still to be confirmed during the EIA Phase, and it is necessary to follow the maximum development scenario or precautionary approach. In such instances, the applicability of the listed activities will be confirmed during the EIA Phase, and an Amended Application for EA will be submitted accordingly.</p> <p><b>CSIR:</b> Thank you for the guidance provided. The IPP Substation is required to facilitate connection of the proposed Kudu Solar Facility to the national grid. Based on the feedback received, Activity 11 of Listing Notice 1 will be retained in the current application for the proposed project (i.e. the PV and associated infrastructure application). Therefore, the IPP Substation will not be subjected to a separate registration process in terms of the Electricity Grid Infrastructure (EGI) Standard published in Government Gazette (GG) 47095; Government Notice (GN) 2313, dated 27 July 2022. This has been updated in the FSR and the Amended Application for EA.</p>

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			However as noted in Chapter 1 of the FSR, Projects 13 to 26 (the rest of the proposed EGI) will require Basic Assessment (BA) Processes or will be subjected to separate registration processes in terms of the EGI Standard.
		d) It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process, as the development property possibly falls within geographically designated areas in terms of Listing Notice 3 Activities. Written comments must be obtained from the relevant authorities (or proof of consultation if no comments were received) and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.	<p><b>CSIR:</b> The following listed activities were included in the Application Form for EA from Listing Notice 3:</p> <ul style="list-style-type: none"> <li>▪ <b>Activity 4 (g) (ii) (ee):</b> The development of a road wider than 4 meters with a reserve less than 13.5 meters. g. Northern Cape; ii. Outside urban areas; <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> <li>▪ <b>Activity 12 (g) (ii):</b> The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. g. Northern Cape; ii. <u>Within critical biodiversity areas identified in bioregional plans.</u></li> <li>▪ <b>Activity 14 (ii) (a) and (c); (g), (ii) (ff):</b> The development of – (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape; ii. Outside urban areas; <u>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> <li>▪ <b>Activity 18 (g) (ii) (ee) (ii):</b> The widening of a road by more than four meters, or the lengthening of a road by more than one kilometre. g. Northern Cape. ii. Outside urban areas. <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u> (ii) Areas within a</li> </ul>



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			<p>watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</p> <ul style="list-style-type: none"> <li>▪ <b>Activity 23 (ii) (a) (g) (ii) (ee):</b> The expansion of (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs. (a) within a watercourse; if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape. ii. Outside urban areas; <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> </ul> <p>The Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (DAEARDLR) is the main relevant authority with regards to the geographical areas listed above e.g. Critical Biodiversity Areas (CBAs) and Ecological Support Areas (ESAs). The Northern Cape DAEARDLR was identified as a key stakeholder and included in the initial Project I&amp;AP database. Therefore, they have been communicated with throughout the process thus far (Refer to Appendix D of this FSR for the I&amp;AP database). They will be continuously involved in the process. The Northern Cape DAEARDLR was also contacted during the 30-day comment period to confirm the above listed activities in Listing Notice 3. The Northern Cape DAEARDLR has confirmed in writing that the Northern Cape CBA Map has been accepted by the Department as an environmental tool. Furthermore, DAEARDLR has confirmed that the province currently does not have any bioregional plans. Refer to Appendix E.10 of this FSR for a copy of this correspondence, as well as Section 2 of this Comments and Responses Report. This means that the <b>CBAs as identified in bioregional plans does not apply to the above listed activities.</b> Therefore, Activity 12 (g) (ii) of Listing Notice 3 has been removed from the Application Form for EA, and an Amended Application has been submitted with the FSR.</p>

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			<p>However, Listing Notice 3 defines a “systematic biodiversity plan” as a “<i>plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes</i>”. Therefore, it is believed that the Northern Cape CBA Map, a systematic biodiversity plan developed through systematic conservation planning approach, and accepted by the Department as an environmental tool, fulfils this definition. A follow up email was sent to the Department in this regard. The Department further confirmed via email that the Northern Cape CBA map was signed off by the Head of Department as an "instrument for informing decisions and priorities on biodiversity". Furthermore, based on the above definition of a systematic biodiversity plan, the CBA map meets both the criteria as important biodiversity areas were identified and targets for both terrestrial and freshwater systems were determined (Holness &amp; Oosthuysen, 2016<sup>1</sup>). Thus, the relevant triggers regarding CBAs and ESAs based on systematic biodiversity plans would still apply.</p> <p>Therefore, in relation to the listed activities, <b>CBA areas as identified in systematic biodiversity plans adopted by the competent authority is regarded as applicable</b>, and thus retained in the Application Form for EA.</p> <p>Other relevant authorities with regards to the geographical areas included in Listing Notice 3 include the Local and District Municipality, as well as the Department of Water and Sanitation. This is in terms of outside urban areas and water courses or wetlands. These authorities have been</p>

<sup>1</sup> Holness, S., & Oosthuysen, E. (2016). Critical Biodiversity Areas of the Northern Cape: Technical Report

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			<p>communicated with since the inception phase of the Scoping and EIA, however, have not provided comment. Refer to Appendix E.8 of this FSR for proof of correspondence with these stakeholders. They will be contacted again during the EIA Phase.</p> <p>A graphical representation of the proposed project in relation to CBAs, ESAs and aquatic features is provided in Chapter 3 of this FSR.</p>
		e) If the activities applied for in the application form differ from those mentioned in the final SR (FSR), 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 <a href="https://www.dffe.gov.za/documents/forms">https://www.dffe.gov.za/documents/forms</a> .	<b>CSIR:</b> An Amended EA Application Form with the updated applicability of the listed activities applied for will be submitted to the Competent Authority with the FSR. The latest available Application Form template has been downloaded from the DFFE website provided.
	<p>20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)</p>	<p><b>3. <u>Layout &amp; Sensitivity Maps</u></b></p> <p>a) Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> <li>• the PV development area;</li> <li>• Position of all infrastructure e.g. panels, BESS, substations, grid connection etc.;</li> <li>• Permanent laydown area footprint;</li> <li>• All supporting onsite infrastructure e.g. roads (existing and proposed);</li> <li>• Substation(s) and/or transformer(s) sites including their entire footprint;</li> <li>• Connection routes (including pylon positions) to the distribution/transmission network; and</li> <li>• All existing infrastructure on the site.</li> <li>• The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</li> <li>• Buffer areas; and</li> <li>• All "no-go" areas.</li> </ul>	<p><b>CSIR:</b> A layout and sensitivity map (i.e. including the Revised Scoping Buildable Area for the PV Facility, On-Site Substation Complex, and Environmental Sensitivities) for the proposed project was provided in Chapter 7 of the DSR. The maps have been updated in Chapter 7 of the FSR to include the features requested by the DFFE, where possible.</p> <p>As indicated in the chapters of the FSR, the grid connection, consisting of the following projects, will be subject to separate Basic Assessment and/or Standard Registration processes, which have not commenced yet:</p> <ul style="list-style-type: none"> <li>▪ <b>PROJECTS 13 TO 24:</b> The proposed development of switching stations and collector stations at each on-site substation complex at each of the 12 Kudu Solar Facilities, and up to 12 x 132 kV overhead power lines running from each Solar PV Facility to the proposed collector stations or up to the proposed Main Transmission Substation (MTS).</li> <li>▪ <b>PROJECT 25:</b> The proposed development of an independent 400/132 kV MTS, including associated infrastructure at the MTS.</li> </ul>

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			<p>▪ <b>PROJECT 26:</b> The proposed development of a 400 kV LILO from the existing Hydra-Perseus 400 kV overhead power line to the proposed MTS.</p> <p>Therefore, it is not possible to provide the “grid connection” or the “connection routes (including pylon positions) to the distribution/transmission network”, as requested by the DFFE. Refer to Chapter 7 of this FSR for updated layout and sensitivity maps.</p>
		b) The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure. All available biodiversity information must be used in the finalisation of the map and infrastructure must not encroach on highly sensitive areas as far as possible.	<p><b>CSIR:</b> The updated layout map has been overlain with a sensitivity map as requested by the DFFE and included in Chapter 7 of this FSR.</p> <p>Please note that the fine scale sensitivities mapped by the specialists within the study area, and the fine scale project layout cannot be easily seen when combined with a 30 km radius cumulative map. Scale needs to be considered in terms of the 30 km radius cumulative map. A feature map and sensitivity map have been provided in Chapter 3 of this FSR to cover these points. A separate cumulative map is also provided in Chapter 7 of the FSR.</p> <p>Relevant available biodiversity information has been used by the specialists and the CSIR and thus in the mapping. None of the proposed development footprints / Revised Scoping Buildable Areas intersect with any of the no-go or very high sensitivity areas identified by the specialists. All the relevant specialists have confirmed, as documented in their Scoping Level Assessments or Inputs (Appendix G of the FSR) that the development footprints / Revised Scoping Buildable Areas are acceptable.</p>
		c) Ensure that similar colours are not used to differentiate between infrastructure. i.e. items must be easily distinguishable in the Legend.	<b>CSIR:</b> The updated layout map and sensitivity map included in Chapter 7 of this FSR, has taken this into consideration.
		d) Google maps will not be accepted for decision-making purposes.	<b>CSIR:</b> Maps compiled by the CSIR in the FSR are not produced using Google Maps.

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	<p>20/01/2023</p> <p>Letter (received via email on 20/01/2023)</p> <p>Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)</p>	<p><b>4. Public Participation Process</b></p> <p>a) Please ensure that all issues raised, and comments received on the DSR from registered I&amp;APs and organs of state which have jurisdiction (including this Department's Biodiversity Section: BCAdmin@dffe.gov.za) in respect of the proposed activity are adequately addressed in the FSR. Proof of correspondence with the various stakeholders must be included in the FSR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended.</p>	<p><b>CSIR:</b> In line with Regulation 41 (2) (b) of the 2014 NEMA EIA Regulations (as amended) and prior to the commencement of the Scoping and EIA Process (and advertising the EA Processes in the local print media), an initial database of I&amp;APs (including key stakeholders and Organs of State) was developed for the Scoping and EIA Processes. This was undertaken based on research. Appendix D of this FSR includes a copy of the I&amp;AP Database, which has been updated to indicate stakeholders and I&amp;APs that have been added to the project database based on requests, submission of comments or based on research following the release of the DSR for a 30-day comment period.</p> <p>Reminder emails were sent to all I&amp;APs during the 30-day review of the DSR, in order to seek comments. Correspondence and proof of correspondence sent to stakeholders for the DSR release are included in Appendix E.8 of this FSR. Reminder text messages were also sent to these stakeholders, where cell phone numbers are available, and proof of such is included in Appendix E.8 of this FSR.</p> <p>Copies of all comments received from various stakeholders, including registered I&amp;APs, organs of state that have jurisdiction (including the DFFE Biodiversity Conservation Directorate), during the 30-day comment period of the DSR have been captured in Appendix E.10 of this FSR; as well as Appendix E.11 (i.e. this Comments and Responses Report). All issues raised and comments received during the review of the DSR have been adequately addressed in this Comments and Responses Report, and the FSR, where applicable and necessary.</p> <p>Refer to Chapter 4 of the FSR, for background on the Public Participation Process, including feedback on compliance with the relevant regulations relating to Public Participation. Kindly note that the proposed Public Participation Plan was discussed at the Pre-Application Meeting on 26 April 2022, and the plan was submitted via email to the assigned DFFE</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province

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			Case Officers on 6 May 2022. However, the DFFE confirmed via email on 16 May 2022 that Public Participation Plans are no longer required for Applications for EA. Refer to Appendix E.1 of this FSR for a copy of this email correspondence, confirming that no Public Participation Plan is required for the proposed project.
		b) A comments and response trail report (C&R) must be submitted with the FSR. The C&R report must incorporate all historical comments (pre and post submission of the draft SR) for this development. The C&R report must be a separate document from the main report and the format must be in the table format which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.	<p><b>CSIR:</b> A detailed Comments and Responses Report (i.e. this Report, Appendix E.11 of this FSR) is included as part of this FSR. This Comments and Responses Report includes all comments received during the 30-day comment period on the DSR, as well as responses provided to all these comments and issues raised. All comments received have been duly considered and adequately addressed in this Comments and Responses Report.</p> <p>The Comments and Responses Report is a separate document from the main FSR document i.e. it serves as Appendix E.11, and the format used is as per the recommended format prescribed by the DFFE.</p> <p>Note that the comments received from stakeholders during the 30-day review of the Background Information Document (i.e. pre-application phase) is included in Appendix E.4 of this FSR.</p> <p>All issues raised and comments received during the 30-day comment period of the DSR have been adequately and comprehensively captured (i.e. copied verbatim in most cases), and have been adequately, fully and clearly responded to in this Comments and Responses Report (Appendix E.11 of this FSR).</p>
	20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief	<p><b>5. Specialist Assessments to be conducted in the EIA Phase</b></p> <p>a) Ensure that the avifaunal assessment consults the guideline: "BirdLife South Africa. 2017. Birds &amp; Solar Energy: Guidelines for assessing and monitoring the impact of solar power generating facilities on birds in Southern Africa (compiled by Jenkins AR, Ralston-Paton S and Smit-Robinson HA)."</p>	<p><b>CSIR:</b> This comment is noted. The Avifauna Scoping Level Assessment (Appendix G.4 of the FSR) has taken into consideration the BirdLife South Africa (BLSA) Guidelines for assessing and monitoring the impact of solar power generating facilities on birds in southern Africa (Jenkins, A.R., Ralston-Patton, Smit-Robinson, A.H. 2017). This will also be carried through into the EIA Phase.</p>

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	Directorate: Integrated Environmental Authorisations (Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)	b) Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of PV arrays, and all other associated infrastructures that they have assessed and are recommending for authorisations.	<p><b>CSIR:</b> The specialist studies to be undertaken during the EIA Phase, where relevant, will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended) and/or the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150).</p> <p>The specialist studies to be conducted during the EIA Phase will therefore comply with the relevant legislation and will accordingly provide a detailed description of the methodology, limitations, as well as indicate the location and description of the proposed infrastructure (including the PV array and associated infrastructure) that will be assessed and recommended for authorisation.</p>
		c) The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.	<p><b>CSIR:</b> The Scoping Level Specialist Assessments and Inputs (Appendix G of the FSR) include Site Sensitivity Verifications, where relevant and required, as per the requirements of the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150). They also include a detailed description of the limitations of their Scoping Level Inputs report, as well as feedback on the season that the field work and Site Sensitivity Verifications were undertaken. The relevant specialists have complied with the protocols in terms of the undertaking of the field surveys in the correct season. Details on the suitability of the season for fieldwork will be provided in the Specialist Assessments during the EIA Phase. In addition, the specialist assessments completed in the EIA Phase will include a detailed description of all limitations that apply.</p>
		d) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.	<p><b>CSIR:</b> The Environmental Assessment Practitioner (EAP) will clearly indicate the most reasonable recommendation substantiated by defensible reasons should any of the appointed Specialists specify contradicting recommendations in their assessments during the EIA Phase. Further expert advice will be sought to substantiate such recommendations, if and where required.</p>
		e) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National	<p><b>CSIR:</b> The specialist studies to be undertaken during the EIA Phase, where relevant, will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended) and/or the Assessment Protocols published in</p>

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		<p>Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols.</p>	<p>March 2020 (GN 320) and October 2020 (GN 1150). Specifically, Agriculture, Terrestrial Biodiversity, and Aquatic Biodiversity will comply with GN 320. The Visual; Heritage (Archaeology and Cultural Heritage); Palaeontology; Socio-Economic; Traffic; Geohydrology; and Geotechnical Assessments will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended), and where relevant, Part A of GN 320 which contains site sensitivity verification requirements where a Specialist Assessment is required but no specific assessment protocol has been prescribed. However, in some instances there are no themes on the Screening Tool that relate to some of these studies and as such sensitivities cannot be verified against the Screening Tool. The Terrestrial Biodiversity and Species, and Avifauna specialist assessments will comply with the Assessment Protocols published in GN R1150 on 30 October 2020. The Battery Energy Storage System (BESS) High Level Safety, Health and Environment Risk Assessment will serve as a technical report, and the aforementioned legislation will thus not be applicable.</p>
		<p>f) Additionally, the protocols specify that an assessment must be prepared by a specialist who is an expert in the field and is SACNASP registered for e.g. an aquatic assessment must be prepared by a specialist registered with SACNASP, with expertise in the field of aquatics sciences.</p>	<p>This is also noted in the Plan of Study for the EIA (Chapter 7 of the FSR).</p> <p><b>CSIR:</b> Cognizance has been taken of the specific professional registration (SACNASP) requirements of specialists undertaking work in terms of the Assessment Protocols, and this has been complied with.</p> <p>The Specialist Declaration of Interest Forms that were originally included in the DSR and retained in this FSR (relevant appendices of the Scoping Level Assessments in Appendix G) indicate the scientific organisation registration/member number and status of registration/membership for each specialist. Registration has also been verified on the SACNASP database website.</p>
		<p>g) The screening tool output:</p> <ul style="list-style-type: none"> <li>The screening tool and the gazetted protocols (GN R320 of 20 March 2020 and GN R 1150 of 30 October 2020) require a site sensitivity</li> </ul>	<p><b>CSIR:</b> These comments are noted and responded to below:</p>



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		<p>verification to be completed to either confirm or dispute the findings and sensitivity ratings of the screening tool.</p> <ul style="list-style-type: none"> <li>• Site sensitivity verifications for all the identified specialist studies (according to the screening tool) must be provided.</li> <li>• The screening tool (Application form) identifies thirteen (13) Specialist assessments. It is the responsibility of the EAP to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist study including the provision of photographic evidence of the site situation. The site sensitivity verification for each of the recommended studies, as per the protocols, must be compiled and attached. If the findings of the site verification differed from the screening tool and was found to be of a different sensitivity level, then a compliance statement would be acceptable.</li> <li>• Please include a table in the report, summarising the specialist studies required by the Department's Screening Tool, a column indicating whether these studies were conducted and a column with motivation for any studies not conducted. Please note that if any of the specialists' studies and requirements/protocols recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Scoping Level Specialist Assessments and Inputs (Appendix G of the FSR) include Site Sensitivity Verifications, where relevant and required, as per the requirements of the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150). These will also be included and retained in the EIA Phase.</li> <li>▪ Noted, as indicated above, Site Sensitivity Verifications have been undertaken for all identified specialist assessments. However, the Visual; Heritage (Archaeology and Cultural Heritage); Palaeontology; Socio-Economic; Traffic; Geohydrology; and Geotechnical Assessments will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended), and where relevant, Part A of GN 320 which contains site sensitivity verification requirements where a Specialist Assessment is required but no specific assessment protocol has been prescribed. However, in some instances (i.e. Socio-Economic; Traffic; Geohydrology; and Geotechnical Assessments) there are no themes on the Screening Tool that relate to these studies and as such sensitivities cannot be verified against the Screening Tool. This has been documented in the Site Sensitivity Verifications accordingly.</li> <li>▪ The EAP has confirmed the list of specialist studies identified by the Screening Tool and motivated for one study not to be undertaken (refer to the response below). As noted above, the Site Sensitivity Verification for each of the recommended studies has been compiled and will be also included as an appendix to the EIA Report.</li> <li>▪ Section 4.3 of Chapter 4 of the DSR did include a table listing the specialist studies required by the Screening Tool, whether the study would be undertaken in the Scoping and EIA Process, the type of assessment to be undertaken in the Scoping and EIA Process, as well as feedback or motivation as to why a certain study would not be commissioned, and a reference to where the study can be found in the DSR. This has been retained in the FSR and will be retained in the EIA Report. As indicated in Section 4.3 of the FSR, all studies</li> </ul>

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			recommended by the Screening Tool will be undertaken in the EIA Phase, except for the Radio Frequency Interference (RFI) Study. A clear motivation is included in the aforementioned table, as well as Section 4.3.2 of the chapter. To ensure all relevant project related environmental impacts are addressed, four additional studies that were not listed or required by the Screening Tool have been commissioned and will be detailed during the EIA Phase. These include an Avifauna Assessment, Traffic Impact Assessment, Geohydrology Assessment and Battery High-Level Safety, Health and Environment Risk Assessment. Refer to Appendix G of the FSR for the relevant Scoping Level Specialist Assessments and Inputs.
		h) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.	<b>CSIR:</b> The EAP will clearly indicate the most reasonable recommendation substantiated by defensible reasons should any of the appointed Specialists specify contradicting recommendations in their assessments during the EIA Phase. Further expert advice will be sought to substantiate such recommendations, if and where required.
	20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations (Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)	<b>6. Environmental Management Programme</b> The EMPr must include the following: a) It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the Generic Environmental Management Programme, must be used and submitted with the final report over and above the EMPr for the facility i.e. separate EMPr for the substation, powerline and the facility.	<b>CSIR:</b> Activity 11 of the Listing Notice 1 states:  <ul style="list-style-type: none"> <li>“The development of facilities or infrastructure for the transmission and distribution of electricity: (i) outside urban areas or industrial complexes with a capacity of <b>more than 33 but less than 275 kilovolts</b>”.</li> </ul> <p>The internal reticulation (medium voltage power lines) within the Solar PV Facility would be <b>22 or 33 kV</b>, and most likely underground. However, in the isolated event of crossing a feature hindering underground cabling (for example, a road, or a topographical or environmental constraint) the reticulation line could be better suited as above ground on certain sections. Therefore, such an above ground activity should also be covered and addressed in this Application for EA. The project description in Chapter 2 of the FSR has been updated accordingly. However, it must be noted that the internal reticulation will not have “a capacity of more</p>

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			<p>than 33 kV but less than 275 kV". Therefore, in this regard, Activity 11 of Listing Notice 1 is not triggered by the internal reticulation lines.</p> <p>Furthermore, in terms of the proposed project, the Generic Environmental Management Programme (EMPr) for <b>power lines</b> (GN 435 published in March 2019) only applies to <b>aboveground power lines and those that have a capacity of more than 33 kV (i.e. triggering Listed Activity 11 of GN 327 or Listed Activity 9 of GN 325)</b>. Therefore, it is understood that the Generic EMPr for the development and expansion of (a) <b>overhead electricity transmission and distribution infrastructure</b> will not apply to the proposed project, as the medium-voltage power lines (internal reticulation) within the footprint of the Solar PV Facility are planned to have a capacity of 22 or 33 kV (i.e. not more than 33 kV).</p> <p>With regards to the IPP Substation, as noted in the project description, the proposed project will entail the construction of an on-site substation complex at the Solar PV Facility. The on-site substation complex will include various infrastructure, as well as an On-site Independent Power Producer (IPP) or Facility Substation. This will include the relevant section that will be maintained by the IPP (i.e. the high voltage infrastructure leading up to the Point of Connection (the Project Applicant's section of the proposed on-site substation complex)). This constitutes facilities for the distribution and transmission of electricity. The on-site substation complex will be up to 4 ha in area and will have a height of up to 10 m, with a <b>capacity stepping up to 132 kV</b>.</p> <p>It was noted that the applicability of this listed activity will be discussed with the DFFE to clarify if the IPP Substation can be included in this EIA or whether a separate process is required under the EGI Standard (similar to Projects 13 to 26). Based on the feedback received from the DFFE, Activity 11 of Listing Notice 1 will be retained in the current</p>

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			<p>application for the proposed project. This has been updated in the FSR and the Amended Application for EA.</p> <p>In line with the above, the Generic EMPr for the development and expansion of substation infrastructure for the transmission and distribution of electricity (GN 435 published in March 2019) will be complied with during the EIA Phase and will be provided as an appendix to the Draft EIA Report. Appendix 2 (Scoping Report) of the 2014 NEMA EIA Regulations (as amended) does not stipulate the requirement to provide an EMPr in the Scoping Phase, whilst Appendix 3 (EIA Report) does. Furthermore, the Generic EMPr (GN435) notes that the relevant information must be provided in the BA or EIA Phase. Therefore, the Generic EMPr for substations, as well as an EMPr that complies with Appendix 4 of the 2014 NEMA EIA Regulations (as amended) for the remaining components proposed at the Solar PV Facility, will be provided during the EIA Phase.</p> <p>The approach towards this has been updated in the FSR.</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.	<b>CSIR:</b> Noted, kindly refer to the response provided above. The Generic EMPr for substations, as well as an EMPr that complies with Appendix 4 of the 2014 NEMA EIA Regulations (as amended) for the remaining components proposed at the Solar PV Facility, will be provided during the EIA Phase.
	20/01/2023 Letter (received via email on 20/01/2023) Department of Forestry, Fisheries and the Environment: Chief Directorate: Integrated Environmental Authorisations	<p><b>General</b> You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:</p> <p><i>"If S&amp;EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"</i></p>	<p><b>CSIR:</b> Regulation 21 of the 2014 NEMA EIA Regulations (as amended) is noted. The timeframes in Regulation 21 (1) have been adhered to in the submission of this FSR. The Application Form for EA was submitted to the DFFE, together with the DSR for comment, on 9 December 2022. In line with Regulation 21 (1) of the 2014 EIA Regulations (as amended), the Final Scoping Report needed to be submitted to the DFFE for decision-making within 44 days of receipt of the application by the Competent Authority.</p>

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NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
	(Mr Vusi Skosana; Acting Chief Director: Integrated Environmental Authorisations; Letter signed by: Mr Wayne Hector; Enquiries: Azrah Essop)	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.	<p><b>CSIR:</b> The FSR complies with all the requirements in terms of the content of Scoping Reports in accordance with Appendix 2 of the 2014 NEMA EIA Regulations (as amended). Refer to Chapter 1 of the FSR for additional information on compliance with Appendix 2.</p> <p>Refer to the response above regarding compliance with Regulation 21 (1).</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).	<b>CSIR:</b> The reminder regarding failure to meet any timeframes stipulated in Regulation 45 of the 2014 NEMA EIA Regulations (as amended) is noted.
		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.	<b>CSIR:</b> The Project Developer is aware of Section 24F of the NEMA.

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**1.2 The DFFE Directorate: Biodiversity Conservation**

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1.	12/12/2022 Email Department of Forestry, Fisheries and the Environment: Biodiversity Conservation (Kamogelo Mathetja)	DFFE Directorate: Biodiversity Conservation hereby acknowledge receipt of the invitation to review and comment on the project mentioned on the subject line. Kindly note that the project has been allocated to Mrs P Makitla and Ms M Mudau (Both copied on this email).  Please note: All Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries will be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota	<b>CSIR:</b> This comment is noted, and the DFFE Directorate: Biodiversity Conservation is thanked for their inputs into this Scoping and EIA Process.  The DFFE Directorate: Biodiversity Conservation ( <i>BCAdmin@dffe.gov.za</i> ) was included on the I&AP database at the outset of the Scoping and EIA Phase and will be retained on the database and provided with reports as they become available for comment during the EIA Phase. Refer to Appendix D of this Scoping Report for a copy of the I&AP database.
2.	17/01/2023 Email Department of Forestry, Fisheries and the Environment: Biodiversity Conservation (Mashudu Mudau)	Thank you for the reminder, kindly note the aforementioned project is still under review and we will be providing comments within the legislative timeframe (latest by 30/01/2023).	<b>CSIR:</b> This comment is noted and was received from the DFFE Directorate: Biodiversity Conservation following the release of a reminder email by the CSIR on 17 January 2023 to request for comments on the DSR.
3.	30 January 2023 (Letter signed) 31 January 2023 (email sent with the letter) Letter sent via email Department of Forestry, Fisheries and the Environment: Biodiversity Conservation / CBO: Biodiversity Mainstreaming & EIA (Mr. Seoka Lekota and	Email:  Please find the attached comments for your consideration.  Letter:  COMMENTS ON THE DRAFT SCOPING REPORT PROPOSED DEVELOPMENT OF THE PROPOSED DEVELOPMENT OF 12 SOLAR PHOTOVOLTAIC (PV) FACILITIES (I.E. KUDU SOLAR FACILITIES) AND VARIOUS ASSOCIATED INFRASTRUCTURE, NEAR DE AAR, NORTHERN CAPE	<b>CSIR:</b> The DFFE Biodiversity Conservation / Biodiversity Mainstreaming & EIA Directorate is thanked for their comments and no objection to the Scoping Report.  The Scoping Level Specialist Assessments and Inputs (Appendix G of the FSR) are intended for the Scoping Phase, and to capture high level assessments and to identify if there are any fatal flaws, as well as to capture the findings of the Site Sensitivity Verifications in line with the Assessment Protocols of GN 320 and GN 1150 (as applicable). However, the specialist studies to be undertaken during the EIA Phase, where relevant, will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended) and/or the Assessment Protocols published in March 2020 (GN 320) and October 2020 (GN 1150). Specifically, Agriculture,

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COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
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	Mashienyane Portia Makitla)	<p>The Directorate: Biodiversity Conservation has reviewed and evaluated the reports and does not have any objection to the Scoping Report and the Plan of Study, however, must comply with the procedures for the assessment and minimum criteria for reporting on identified environmental themes in terms of sections 24(5)(A) and (H) and 44 of the National Environmental Management Act, 1998.</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 Best Practice Guideline for Birds &amp; Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p> <p>In conclusion, the Public Participation Process documents related to Biodiversity EIA for review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@dffe.gov.za for the attention of Mr. Seoka Lekota.</p>	<p>Terrestrial Biodiversity, and Aquatic Biodiversity will comply with GN 320. The Visual; Heritage (Archaeology and Cultural Heritage); Palaeontology; Socio-Economic; Traffic; Geohydrology; and Geotechnical Assessments will comply with Appendix 6 of the 2014 NEMA EIA Regulations (as amended), and where relevant, Part A of GN 320 which contains site sensitivity verification requirements where a Specialist Assessment is required but no specific assessment protocol has been prescribed. However, in some instances there are no themes on the Screening Tool that relate to some of these studies and as such sensitivities cannot be verified against the Screening Tool. The Terrestrial Biodiversity and Species, and Avifauna specialist assessments will comply with the Assessment Protocols published in GN R1150 on 30 October 2020. The Battery Energy Storage System (BESS) High Level Safety, Health and Environment Risk Assessment will serve as a technical report, and the aforementioned legislation will thus not be applicable.</p> <p>The Avifauna Scoping Level Assessment (Appendix G.4 of the FSR) has taken into consideration the BirdLife South Africa (BLSA) Guidelines for assessing and monitoring the impact of solar power generating facilities on birds in southern Africa (Jenkins, A.R., Ralston-Patton, Smit-Robinson, A.H. 2017). This will also be carried through into the EIA Phase.</p> <p>The DFFE Environmental Impact Assessment (EIA) guideline for renewable energy projects will be taken into consideration in the EIA Phase and captured in the Draft EIA Report, where applicable.</p> <p>The DFFE Directorate: Biodiversity Conservation (BCAdmin@dffe.gov.za) was included on the I&amp;AP database at the outset of the Scoping and EIA Phase and will be retained on the database and provided with reports as they become available for comment during the</p>

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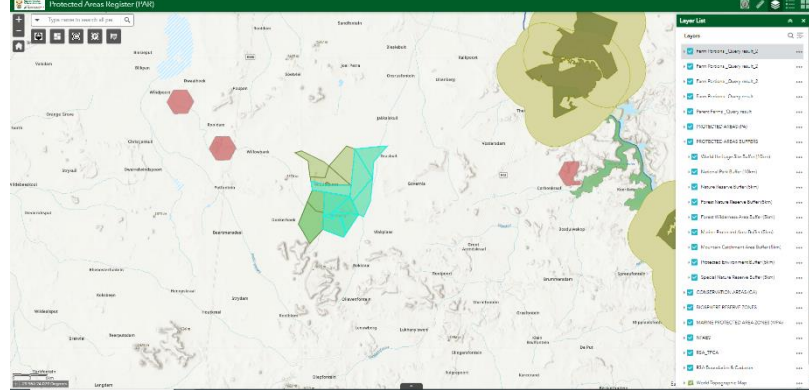
<b>COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
			EIA Phase. Refer to Appendix D of this Scoping Report for a copy of the I&AP database.



**1.3 The DFFE Directorate: Protected Areas Planning and Management Effectiveness**

COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	24/01/2023 Email Department of Forestry, Fisheries and the Environment: Protected Areas Planning and Management Effectiveness (Thivhulawi Nethononda)	<p>The Directorate: Protected Areas Planning and Management Effectiveness, would like to thank you for the opportunity to review the Scoping Report and supporting documents for the proposed development of 12 solar photovoltaic (PV) facilities (i.e., Kudu solar facilities) and various associated infrastructure, near De Aar, Northern Cape.</p> <p>After conducting the review of the submitted documents, we have noted that the proposed developments will not take place within any kind of protected areas in terms of Section 9 of the National Environmental Management: Protected Areas Act (NEMPAA), Act No. 57 of 2003. Subsequently, this directorate provides comments or input on the projects which are affecting the protected areas.</p> <p>However, the EAP must consult and get comments (if not yet consulted) from the Biodiversity and Conservation Directorate of the Department of Forestry, Fisheries and the Environment (DFFE) which can be contacted at <i>BCAdmin@environment.gov.za</i> for the attention of Mr. Seoka Lekota. Further, also notify the provincial departments, local municipality, and other associated entities for comments.</p> <p>Note: The following image was attached to the email:</p>	<p><b>CSIR:</b> The DFFE Directorate: Protected Areas Planning and Management Effectiveness is thanked for the inputs and comments on the proposed project. It is concurred that according to the South African Protected Areas Database (SAPAD), the study area does not include any formally Protected Areas, as defined by the National Environmental Management: Protected Areas Act (Act 57 of 2003) (NEM: PAA). This is noted in Chapter 3 of the FSR.</p> <p>The DFFE Directorate: Biodiversity Conservation (<i>BCAdmin@dffe.gov.za</i>) was included on the I&amp;AP database at the outset of the Scoping and EIA Phase and follow up emails were sent to seek comments from this Directorate, and comments were accordingly submitted on 31 January 2023. Refer to Appendix D of this FSR for a copy of the I&amp;AP database, Appendix E.8 for proof of correspondence with stakeholders, and Appendix E.10 for copies of the comments received.</p> <p>Provincial departments, the local municipality, and other associated entities were also included on the project I&amp;AP database and sent a notification on the release of the DSR for comment.</p>

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COMMENTS RECEIVED FROM THE DEPARTMENT OF FORESTRY, FISHERIES AND THE ENVIRONMENT (DFFE)			
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**2. Comments received from the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform**

COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	25/01/2023 Email Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	Thank you for your email. We will reply to your question. Ito the developments, could you please provide me with the spatial kml/ gis file of the site.	<b>CSIR:</b> This comment is noted and was received from the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (NC DAEARDLR) following the submission of reminder emails by the CSIR on 17 and 25 January 2023 to request for comments on the DSR. A query was also sent to the Department on 25 January 2023 to enquire on the legislative status of Critical Biodiversity Areas and Ecological Support Areas in the Northern Cape i.e. whether such areas included in are systematic biodiversity plans adopted by the competent authority or in approved bioregional plans. The Department then responded on 25 January 2023 requesting for a copy of the mapping files of the proposed project. These were provided to the Department via email on 25 January 2023.
2.	02/02/2023 Email Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	My sincere apologies for the delay in my reply. I am still catching up on all the work and emails since being back from maternity leave.  Our EO who deals with the Pixley comments has left the department and it is currently just me giving comments on all the developments.  Please find attached general comments for your consideration on the proposed developments  I.t.o. your question regarding the CBA map, the CBA map has been adopted by our department as an environmental tool.	<b>CSIR:</b> The CSIR is appreciative of the comments received from the NC DAEARDLR considering the workload of the Department. These comments have been noted and responded to accordingly in this Comments and Responses Report and included in Appendix E.10 of this FSR.  The CSIR is appreciative of the feedback received on the query submitted to enquire on the legislative status of Critical Biodiversity Areas and Ecological Support Areas in the Northern Cape. A further response is detailed below.
3.	02/02/2023 (Letter received via email) Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and	<b>RE: Availability of Draft Scoping Reports for Comment - Kudu Solar PV</b>  1. Please take note that these are general comments relating to the development footprint. Our capacity is severely limited at this stage to work through all the 12 x Kudu PV draft scoping reports and their	<b>CSIR:</b> This comment is noted. Note that an Executive Summary was also provided with the DSR which provided a summary of the key findings of the Scoping Phase.

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COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
	Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	appendices. In light of the before mentioned, would it be possible for you to please provide an overview document / presentation from the next phase of the project from results from the EIA studies showing environmental sensitivities and new layouts.	The CSIR will provide the NC DAEARDLR with an overview document or presentation including the findings of the EIA Phase, including the specialist studies, environmental sensitivities and finalised layouts.
		2. Please include Birdlife South Africa and Endangered Wildlife Trust (EWT) in your stakeholder list.	<b>CSIR:</b> Birdlife South Africa and EWT were pre-identified and included as stakeholders on the I&AP database from the project initiation phase (i.e. during the release of the Background Information Document). Refer to Appendix D of this FSR for a copy of the I&AP database.
		3. I.t.o. the question asked regarding the CBA, the Northern Cape Critical Biodiversity Areas Map has been accepted by the department as an environmental tool. The province currently does not have any bioregional plans.	<p><b>CSIR:</b> This comment is noted with thanks. The following listed activities were included in the Application Form for Environmental Authorisation (EA) from Listing Notice 3:</p> <ul style="list-style-type: none"> <li>▪ <b>Activity 4 (g) (ii) (ee):</b> The development of a road wider than 4 meters with a reserve less than 13.5 meters. g. Northern Cape; ii. Outside urban areas; (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> <li>▪ <b>Activity 12 (g) (ii):</b> The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan. g. Northern Cape; ii. <u>Within critical biodiversity areas identified in bioregional plans.</u></li> <li>▪ <b>Activity 14 (ii) (a) and (c); (g), (ii) (ff):</b> The development of – (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs (a) within a watercourse; (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape; ii. Outside urban areas; (ff) <u>Critical biodiversity areas or ecosystem service areas as identified in</u></li> </ul>

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NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<p><u>systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></p> <ul style="list-style-type: none"> <li>▪ <b>Activity 18 (g) (ii) (ee) (ii):</b> The widening of a road by more than four meters, or the lengthening of a road by more than one kilometre. g. Northern Cape. ii. Outside urban areas. <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u> (ii) Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</li> <li>▪ <b>Activity 23 (ii) (a) (g) (ii) (ee):</b> The expansion of (ii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more; where such expansion occurs. (a) within a watercourse; if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse. g. Northern Cape. ii. Outside urban areas; <u>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</u></li> </ul> <p>Since the NC DAEARDLR confirmed that the Northern Cape Critical Biodiversity Areas (CBA) Map has been accepted by the Department as an environmental tool. Furthermore, DAEARDLR has confirmed that the province currently does not have any bioregional plans; it means that the CBAs as identified in <b>bioregional plans does not apply to the above listed activities</b>. However, Listing Notice 3 defines a “systematic biodiversity plan” as a “<i>plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes</i>”. Therefore, it is believed</p>

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COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
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			<p>that the Northern Cape CBA Map, a systematic biodiversity plan developed through systematic conservation planning approach, and accepted by the Department as an environmental tool fulfils this definition. A follow up email was sent to the Department in this regard. The Department further confirmed via email that the Northern Cape CBA map was signed off by the Head of Department as an "instrument for informing decisions and priorities on biodiversity". Furthermore, based on the above definition of a systematic biodiversity plan, the CBA map meets both the criteria as important biodiversity areas were identified and targets for both terrestrial and freshwater systems were determined (Holness &amp; Oosthuysen, 2016).</p> <p>Therefore, in relation to the listed activities, CBA areas as identified in systematic biodiversity plans adopted by the competent authority is regarded as applicable, and thus included in the Application for EA.</p>
		4. Fauna and flora permits will be needed from the department for handling/ removing/ relocating/ destroying all specially protected and protected flora and fauna. Estimated numbers for species that need to be removed must be provided for permit approval.	<b>CSIR:</b> The need for fauna and flora permits has been addressed in the Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) and will be considered in detail in the EIA Phase. Estimated numbers of species that need to be removed will be provided for permit approval. All relevant permits will be applied for prior to construction, after EA is issued, should such authorisation be granted.
		5. <i>Boscia albitrunca</i> is protected under both the National Forest Act and under the Northern Cape Nature Conservation Act. Estimated densities must be calculated or the actual number of trees to be removed must be provided for permit purposes. Contact person for DFFE Forestry in the Northern Cape is Jacoline Mans, Jmans@dffe.gov.za.	<b>CSIR:</b> This comment is noted. The Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) explains that a permit for the removal of <i>Boscia albitrunca</i> from the Northern Cape DFFE under the National Forest Act will be required should the proposed development impact on any individuals. This will be considered in detail in the EIA Phase. Estimated densities will be calculated or the actual number of trees to be removed will be provided for permit purposes. The relevant contact person (as indicated) will be contacted as necessary. All relevant permits will be applied for prior to construction, after EA is issued, should such authorisation be granted.

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		6. Please take note that <i>Olea europaea subsp. africana</i> is a protected tree under the Northern Cape Nature Conservation Act.	<b>CSIR:</b> This comment is noted with thanks. The Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) explains that this is one of the species recorded associated with the Koppies habitat. The Koppies, however, will be avoided by the proposed project, and more specifically related to Kudu Solar Facility 6.
		7. Alien and invasive species management must be done throughout the lifetime of the projects. Please take note that cacti species such as <i>Opuntia</i> spp cannot dumped at general waste sites without prior treatment (drying/chemical). Please liaise with Dr Thabiso Mokotjomela, 073 324 6118, mokotjomela@sanbi.org.za, on the management and disposal of cacti.	<b>CSIR:</b> The Terrestrial Biodiversity and Species Scoping Level Assessment (Appendix G.2 of this FSR) explains that in terms of current impacts on site, impacts include the presence of alien invasive species, mainly <i>Prosopis</i> species and planted <i>Eucalyptus</i> and <i>Opuntia</i> species. In some areas, <i>Opuntia</i> has spread into the grassland. These specific recommendations regarding the management of cacti species such as <i>Opuntia</i> spp is noted and will be included in the Project Environmental Management Programme (EMPr) during the EIA Phase.
		8. The availability of foundational and baseline data for the Northern Cape is limited and as a result the Screening Tool has limitations and shortcomings when assessing impacts for this area. Proper site surveys are for that reason critically important and always recommended.	<b>CSIR:</b> The specialists involved in this Scoping and EIA Process are aware of this and have undertaken proper site surveys as noted in the various Site Sensitivity Verifications in Appendix G of this FSR. Additional detail will be provided during the EIA Phase, where required. In terms of the Terrestrial Biodiversity and Species Scoping Level Assessment, a detailed survey was carried out by the specialist. The Screening Tool report is a guideline which was used along with available literature and other data for the area to inform the Site Sensitivity Verification and field survey.
		9. The initial vegetation map generated for the site reflects the limitations as mentioned before reflecting the gaps in the National Vegetation Map.	<b>Terrestrial Biodiversity Specialist:</b> The comment is unclear and does not have a significant impact on the outcome of the assessment. Any limitations that exist within existing tools or datasets can be rectified after the site surveys, but the data collected did not change the status of the vegetation unit and no sensitive species were recorded during the survey.
		10. The 1km around the Verreaux eagle nests are questioned in light of the associated power lines that will be constructed for the each of these PV developments. It is recommended that habitat fragmentation must be looked at during the assessment for this	<b>CSIR and Avifauna Specialist:</b> The Avifauna Scoping Level Assessment (Appendix G.4 of this FSR) notes that a Very High sensitivity, no go area, has been demarcated around the Verreaux's Eagle nest. Specifically, a 1 km all infrastructure exclusion zone is

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		<p>species. Verreaux eagle habitat mapping is also recommended. Please liaise with Birdlife South Africa in this regard, contact person Samantha Ralston-Paton, energy@birdlife.org.za.</p>	<p>recommended to prevent the displacement of the breeding pair during the construction phase due to disturbance. In addition, the buffer area will reduce the risk of injury to the juvenile bird due to collision with the solar panels, when it starts flying and practicing its hunting technique around the nest. Note that the power lines from the PV Facilities will be subjected to separate Environmental Assessment processes. However, this 1 km exclusion zone will be abided by for the placement of the power lines also. The exclusion zone recommended by the specialists is in line with exclusion zones for Solar PV and associated electricity grid infrastructure, such as power lines. Wind energy developments usually have larger exclusion zones for such species. Habitat fragmentation and mapping of Verreaux's Eagle habitat will be considered during the EIA Phase for this species.</p> <p>As noted above, Birdlife South Africa was included on the project database, however, has not commented on the projects yet. They will be contacted during the EIA Phase, as required.</p>
		<p>11. I.t.o. the terrestrial biodiversity please assess, mitigate and make provision for in the EMPR the following:</p> <p>a) Please take note that tortoise populations are affected by the following:</p> <ol style="list-style-type: none"> <li>i. electrocutions with electric fences.</li> <li>ii. predations by crows – (relates to waste management).</li> </ol> <p>b) Giant bull frogs were found in De Aar area in pans after the recent rains. Most of the injuries and mortalities to this species occurs from collision with vehicles when moving between their breeding sites (pans) and their burrows. Their burrows can range from 200m to 1km from the pans and they are capable of estivating underground for 7 years. Herbicide and pesticide use should also be restricted near the sites (Yetman, undated). Please liaise with EWT in this regard.</p>	<p><b>CSIR:</b> These comments are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Response to Comment (a) from the CSIR and Terrestrial Biodiversity Specialists:</b> The Animal Compliance Statement included as an appendix to the Terrestrial Biodiversity and Species Assessment (Appendix G.2 of the FSR) notes that Leopard tortoise (a generalist tortoise) is found in a variety of habitats including arid and mesic savannah, thorn scrub and grasslands. The species was recorded in the south and north of the study area, and it can be deduced that the species occurs throughout the study area. Various impact management actions have been included in the compliance statement with regards to faunal management. Littering and general pollution is also identified as a potential impact, with various mitigation measures, which will be included in the EMPR during the</li> </ul>



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		<p>c) The following are concerns i.t.o. of the cumulative footprint of the 12 x PV's and should be assessed:</p> <ul style="list-style-type: none"> <li>i. The heat island effect (local warming, impacts on reptiles etc.).</li> <li>ii. Lake effect on birds (mortalities and injuries on birds) as the site is located in an Important Bird Area.</li> <li>iii. Lake effect on insects (e.g. insects have been laying eggs on panels instead of pans).</li> <li>iv. Insect mortalities (security lights at these sites at night attract insects).</li> <li>v. Bat impacts (bats are attracted to by the security lights). Various bat species have been recorded around Vanderkloof and in De Aar.</li> </ul>	<p>EIA Phase. This will ensure that the construction site is managed appropriately in terms of waste, and therefore reduce the likelihood of predation by crows. However, this will be considered in the EIA Phase, along with the potential impact of electrocution.</p> <ul style="list-style-type: none"> <li>▪ <b>Response to Comment (b) from the CSIR and Terrestrial Biodiversity Specialists:</b> The aspect regarding herbicide and pesticide use being restricted is noted and will be investigated in the EIA Phase.</li> </ul> <p>The Animal Compliance Statement included as an appendix to the Terrestrial Biodiversity and Species Assessment (Appendix G.2 of the FSR) made use of the Frog Atlas of Southern Africa (FrogMAP, 2022), and Amphibian Species of Conservation Concern (SCC) information was obtained from Du Preez and Carruthers (2017). Various impact management actions have been included in the compliance statement with regards to faunal management, including road mortalities, such as:</p> <ul style="list-style-type: none"> <li>○ All vehicle speeds associated with the project should be monitored and should be limited to 40 km/h (maximum) during the construction phase.</li> <li>○ As roadkills are currently considered high for this area, a roadkill monitoring programme (inclusive of wildlife collisions record keeping) should be established. Where needed, Animex fences must be installed to direct animals to safe road crossings. Finally, mitigation should be adaptable to the onsite situation which may vary over time.</li> </ul> <p>The various mitigation measures will be included in the EMPr during the EIA Phase.</p>

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			<p>Furthermore, neither the Screening Tool Report nor the FrogMap data indicates the presence of the species in the area. This will be considered in the EIA Phase, by potentially adding additional mitigation measures (e.g. chance find procedure, restriction of construction activities to autumn and winter, where possible; installation of drift fences to prevent mortalities) should the species be recorded on site (during construction or operational phases of the project).</p> <p>The aspect regarding herbicide and pesticide use being restricted is noted and will be investigated in the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <b>Response to Comment (c):</b> <ul style="list-style-type: none"> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Heat island effect (local warming) impacts on reptiles etc.:</u> This can be addressed in more detail during the EIA Phase.</li> <li>○ <b>Response from the Avifauna Specialists:</b> <u>Lake effect on birds:</u> The lake effect has so far proven not to be a major cause of avifaunal impact mortality and seems to be associated with large permanent waterbodies in close proximity to the proposed development. The unusually high percentage of waterbird mortalities at the Desert Sunlight PV facility (44%) in California in the USA may support the “lake effect” hypothesis (West 2014). Although in the case of Desert Sunlight, the proximity of evaporation ponds may act as an additional risk increasing factor, in that birds are both attracted to the water feature and habituated to the presence of an accessible aquatic environment in the area. This may translate into the misinterpretation of diffusely reflected sky or horizontal polarised light source as a body of water. However, due to limited data it would be</li> </ul> </li> </ul>

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COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<p>premature to make any general conclusions about the influence of the lake effect or other factors that contribute to fatality of water-dependent birds. None of the proposed PV developments are situated near a large waterbody. Reference: <i>WEST (Western EcoSystems Technology, Inc.), 2014, Sources of Avian Mortality and Risk Factors Based on Empirical Data from Three Photovoltaic Solar Facilities, prepared by Western EcoSystems Technology, Inc., June 17.</i></p> <ul style="list-style-type: none"> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Lake effect on insects:</u> This can be addressed during the EIA Phase; however, this hypothesis has never been proven.</li> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Insect mortalities:</u> This can be addressed in more detail during the EIA Phase, however the Animal Compliance Statement (included as an appendix to the Terrestrial Biodiversity and Species Assessment (Appendix G.2 of the FSR)) provides various proposed impact management actions. One of the impact management actions that relates to this comment is the recommendation to “reduce exterior lighting to that necessary for safe operation and implement operational strategies to reduce spill light. Use down-lighting from non-UV lights where possible, as light emitted at one wavelength has a low level of attraction to insects. This will reduce the likelihood of attracting insects and their predators. Insects generally see three colours of light, Ultraviolet (UV), blue and green. Bright white or bluish lights (mercury vapor, white incandescent and white florescent) are the most attractive to insects. Yellowish, pinkish, or</li> </ul>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<p>orange (sodium vapor, halogen, dichroic yellow) are the least attractive to most insects.</p> <ul style="list-style-type: none"> <li>○ <b>Response from the Terrestrial Biodiversity Specialists:</b> <u>Bat impacts:</u> Assessing bats is not a requirement for solar facilities, and there are no formal guidelines in this regard. No Species of Conservation Concern were identified by the Screening Tool or during the initial site verification. The watercourses have been buffered accordingly by the Aquatic Specialist, which is the most important foraging habitat for bats. Further clarification can be provided during the EIA Phase, if required.</li> </ul>
		12. In the EMPR, please make provision for the correct disposal and possible recycling of PV panels during construction, operation and closure phases. There have been cases in the past where broken panels arrived at the construction sites that were illegally disposed at a site in a burrow pit.	<b>CSIR:</b> These comments are noted and will be addressed in the EIA Phase, and relevant management actions included in the EMPR.
4.	03/02/2023 Email Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform: Environmental Research and Development (ERD) (Natalie Uys)	<p>Thank you for the consideration of our comments.</p> <p>I had to double check our documents and liaise with our biodiversity planner regarding your question, therefore delay in my reply.</p> <p>You provided the following definition from L3: "systematic biodiversity plan" is a plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes;"</p> <p>Our CBA map was signed off by the head of the department as an "instrument for informing decisions and priorities on biodiversity". Based</p>	<b>CSIR:</b> The NC DAEARDLR is greatly thanked for the information and confirmation. As such, the listed activities relating to CBAs as identified in systematic biodiversity plans adopted by the competent authority is regarded as applicable, and thus included in the Application for EA.

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<b>COMMENTS RECEIVED FROM THE NORTHERN CAPE DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, RURAL DEVELOPMENT AND LAND REFORM</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
		<p>on the above definition of a systematic biodiversity plan, our CBA map meets both the criterias as important biodiversity areas were identified and targets for both terrestrial and freshwater systems were determined (Holness &amp; Oosthuysen, 2016). Thus, the triggers we mentioned for LN3 regarding CBAs and ESAs would still apply.</p> <p>Reference: Holness, S., &amp; Oosthuysen, E. (2016). Critical Biodiversity Areas of the Northern Cape : Technical Report.</p>	

**3. Comments received from Eskom**

COMMENTS RECEIVED FROM ESKOM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	17/01/2023 Email Eskom (John Geeringh)	Please send me KMZ files of the affected properties, proposed layouts and proposed grid connection. Please find attached Eskom requirements for work at or near Eskom infrastructure and servitudes, as well as a renewable energy setbacks guideline.	<p><b>CSIR:</b> This request is noted. The requested kmz files were sent to John Geeringh via email on 25 January 2023. A separate Environmental Assessment Process will be undertaken for the proposed development of the Electrical Grid Infrastructure (EGI) in support of the proposed Kudu Solar Facilities, and hence does not form part of the current Scoping and EIA Process.</p> <p>The following specifications provided by Eskom were sent to the Project Developer for consideration:</p> <ul style="list-style-type: none"> <li>▪ Eskom requirements for work in or near Eskom servitudes; and</li> <li>▪ Renewable Energy Generation Plant Setbacks to Eskom Infrastructure.</li> </ul> <p>The above Eskom requirements are duly noted and will be adhered to by the Project Developer during the relevant project stages.</p>

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4. Comments received from Telkom

COMMENTS RECEIVED FROM TELKOM			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	19/12/2022 Email Mvelaphande Trading, Telkom (Chris Schutte)	<b>Kudu Solar Facility 4 (Telkom Reference Number: CPLT0800-22)</b>  Hereby do we acknowledge your proposed project.  For future reference please quote CPLT0800-22.	<b>CSIR:</b> This comment is noted with thanks.
2.	16/01/2023 Email Mvelaphande Trading, Telkom (Chris Schutte)	<b>Kudu Solar Facility 4 (Telkom Reference Number: CPLT0800-22)</b>  <b>Email and Cover Letter<sup>2</sup></b>  With reference to your above- mentioned application, I hereby confirm that the proposed work installation is approved in terms of Section 29 of the Electronic Communications Act No. 36 of 2005 as amended.  No infrastructure of our Client (Openserve) will be affected by this proposal. We did our utmost to ensure that we indicate our route as accurate as possible and should you discover any of our cables that is not on the sketch please stop and contact us immediately to arrange a site meeting. In the event that our cables are exposed and damaged/stolen by a third party the damages will be repaired at the customer's account. Please make use of pilot holes in order not to damage our infrastructure. Therefore any damages occurred during construction of work will be repaired at the customer's account.  Although we are not affected by this proposal, Mr Vivian Groenewald must be contacted at telephone number 081 362 6738 from our Network Field Services. Two (2) weeks prior to commencement of proposed work.	<b>CSIR:</b> This approval in terms of Section 29 of the Electronic Communications Act (Act 36 of 2005, as amended) is noted with thanks. Relevant information from the approval will be incorporated into the project Environmental Management Programme (EMPr) during the Environmental Impact Assessment (EIA) Phase. In addition, Mr Vivian Groenewald will be contacted by the relevant parties prior to the commencement of the proposed project, should Environmental Authorisation be granted.

<sup>2</sup> The first four paragraphs of the letter were also copied into the covering email. To avoid duplication, it has not been repeated here. Refer to Appendix E.10 for a copy of the email and letter in this regard.

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province

		<p>Approval of the proposed route is valid for six months. If construction has not yet commenced within this period, then the file must be resubmitted for approval.</p> <p>Any changes / deviations from the original planning during or prior to construction must immediately be communicated to this office.</p> <p>On completion of this project, please certify that all requirements as stipulated in this letter have been met. Please note that should any of our Client (Openserve) infrastructure has to be relocated or altered as a result of your activities the cost for such alteration or relocation will be for your account in terms of section 25 of the Electronic Communication Act.</p> <p>Mr Vivian Groenewald must be contacted at telephone number 081 362 6738. Two (2) weeks prior to commencement of proposed work. It's important that all services are shown on site before construction starts.</p> <p>Approval of the proposed route is valid for six months. If construction has not yet commenced within this period, then the file must be resubmitted for approval. Any changes / deviations from the original planning during or prior to construction must immediately be communicated to this office.</p> <p>Please notify this office and forward an as built plan, within 30 days of completion of construction.</p> <p>Mr Vivian Groenewald must be contacted at telephone number 081 362 6738. Two (2) weeks prior to commencement of proposed work. It's important that all services are shown on site before construction starts.</p>	
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**5. Comments received from the South African Heritage Resources Agency (SAHRA)**

<b>COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)</b>			
<b>NO.</b>	<b>DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&amp;AP</b>	<b>COMMENT</b>	<b>RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST</b>
1.	09/12/2022 Email SAHRA (Natasha Higgitt)	<p>Hi there,</p> <p>Upload the DSR and I will have a look at what appendices you have. I will let you know what we need after that.</p> <p>Reports that we will definitely need are Social, Visual, Consultation reports, appendices with maps and layouts and any draft EMPr type documents.</p> <p>I might only be able to look at the cases on Monday, but will let you know what we need.</p> <p>Kind regards,</p> <p>Please note that I will be on leave from the 19th December 2022 and I will return on the 9th January 2023.</p>	<p><b>CSIR:</b> This email was sent in response to a query from the CSIR on which specialist scoping level inputs need to be uploaded onto SAHRIS.</p>
2.	12/12/2022 Email SAHRA (Natasha Higgitt)	<p>Good morning,</p> <p>Thank you for the email. I have assigned myself to the cases and added them to my schedule.</p> <p>I will ask the SAHRIS Admin team to delete that report file. You must just link to the other PIA report file (which is linked to all the others cases) to PV 2 case.</p> <p>We are not able to provide editing rights to more than one profile. I would recommend creating a company profile, that everyone in your company will have access to. This way more than one person may use the profile. This will also help when people leave companies and we don't need to transfer authorship to someone else.</p>	<p><b>CSIR:</b> This email was sent in response to the project team informing SAHRA that the cases have been created on SAHRIS. The project team also enquired whether it is possible to delete a file that was erroneously uploaded twice, as well as grant an additional person editing and upload rights to the cases.</p>

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		Kind regards,  Please note that I will be on leave from the 19th December 2022 and I will return on the 9th January 2023.	
3.	15/12/2022 Email SAHRA (Natasha Higgitt)	Good morning,  Please upload the Visual Scoping Reports and Appendix F for each development application. I assume that Appendix E Public Participation has no information at this stage in the Scoping Phase. If there is any public comments at this stage and they form part of that Appendix, please upload them to each case.  Kind regards,  Please note that I will be on leave from the 19th December 2022 and I will return on the 9th January 2023.	<b>CSIR:</b> This email was sent in response to the project team's inquiry as to whether additional appendices need to be uploaded onto SAHRIS.
4.	25/01/2023 Email SAHRA (Natasha Higgitt)	I am currently drafting comments on the cases which I hope to issue by Friday.	<b>CSIR:</b> This comment is noted with thanks.
5.	25/01/2023 SAHRIS messaging system SAHRA (Natasha Higgitt)	Good afternoon,  Please note that Interim Comments have been issued on SAHRIS Case ID 20336 - 20347. Please see links to the cases.  Kind regards, Natasha Higgitt  CaseReference: Kudu Solar Facility 1 Kudu Solar Facility 2	<b>CSIR:</b> This comment is noted with thanks. The comments were successfully accessed from SAHRIS.

SCOPING REPORT: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic (PV) Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province

COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		Kudu Solar Facility 3 Kudu Solar Facility 4 Kudu Solar Facility 5 Kudu Solar Facility 6 Kudu Solar Facility 7 Kudu Solar Facility 8 Kudu Solar Facility 9 Kudu Solar Facility 10 Kudu Solar Facility 11 Kudu Solar Facility 12	
6.	25/01/2023 Letter (received via SAHRIS) SAHRA (Natasha Higgitt)	<p><b>Interim Comment</b></p> <p>In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)</p> <p>Attention: Kudu Solar Facility 4 (Pty) Ltd</p> <p>ABO Wind renewable energies (Pty) Ltd is proposing to develop 12 Solar Photovoltaic (PV) power generation facilities and associated Electrical Grid Infrastructure (EGI), north-east of the town of De Aar, in the Renosterberg Local Municipality and Pixley Ka Seme District Municipality, in the Northern Cape Province. Scoping and Environmental Impact Assessment (EIA) Processes are currently being undertaken for the 12 Solar PV facilities. Separate Basic Assessment (BA) and/or EGI Standard Registration processes will be commissioned separately, once finalised, for the EGI projects. This case is for the proposed Kudu Solar Facility 4.</p> <p>The Council for Scientific and Industrial Research (CSIR) has been appointed by ABO Wind renewable energies (Pty) Ltd to undertake an Environmental Authorisation Application for the proposed Kudu Solar Facility 4 and associated infrastructure, near De Aar, Northern Cape Province.</p>	<p><b>CSIR, Heritage and Palaeontology Specialists:</b> SAHRA is thanked for the comments and inputs made on the proposed project.</p> <p>In terms of heritage and archaeology, the comments have been noted and will be factored into the Heritage Impact Assessment (HIA) during the <u>EIA Phase</u>, as applicable. This includes adding a map of the track logs, indication of the all the project components (once finalised in the EIA Phase), as well as updating Table 2 (i.e. the list of heritage resources recorded during the survey) to indicate in which Kudu project each heritage resource is located within and any specific mitigation and/or management measures required. This can only be undertaken during the EIA Phase based on the latest development footprints. Furthermore, note that the Heritage Assessment included in Appendix G.6 of the FSR is a Scoping Level Assessment intended for the Scoping Phase in terms of the 2014 National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations (as amended), to capture high level assessments and to identify if there are any fatal flaws, as well as to capture the findings of the Site Sensitivity</p>

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COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<p>A Draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the NEMA Environmental Impact Assessment (EIA) Regulations. The proposed activities will include the construction of solar panels, auxiliary buildings, inverter/transformer stations, on-site substation complex, battery energy storage system (BESS), underground cables, access roads, internal roads, fencing, storm water channels, panel cleaning and maintenance area, laydown areas with an overall application area of 50 ha.</p> <p>Natura Viva CC and ASHA Consulting (Pty) Ltd were appointed to provide heritage specialist input as part of the EA process as per section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).</p> <p><i>Almond, J. E. 2022. Site Sensitivity Verification Report: Proposed Development of the Kudu Solar Photovoltaic Facilities and Associated Infrastructure near Philipstown and De Aar, Pixley Ka Seme District, Northern Cape Province.</i></p> <p>A report that combines the assessment of all 12 Kudu Solar Projects has been submitted.</p> <p>The proposed development footprint is underlain by the Waterford Formation, the Tierberg Formation and are overlain by the Late Caenozoic calcrete hardpans, alluvial deposits, surface gravels and soils of low sensitivity. A Chance Finds Procedure is recommended to be implemented.</p> <p><i>Orton, J. 2022. Heritage Specialist Scoping Report Inputs: Scoping and Environmental Impact Assessment (EIA) Process for the Proposed Development of a Solar Photovoltaic Facility (Kudu Solar Facility 4) and associated infrastructure, near De Aar, Northern Cape Province</i></p>	<p>Verifications in line with the Assessment Protocols of GN 320. Thus, the requirements of the National Heritage Resources Act (Act 25 of 1999) (NHRA) (and Appendix 6 of the 2014 NEMA EIA Regulations, as amended) will be fulfilled in the EIA Phase, during which the formal HIA will be compiled.</p> <p>In terms of Palaeontology, a desktop- and field-based Site Sensitivity Verification (not palaeontological assessment reports) has been undertaken, as per the requirements of Part A of the Assessment Protocols published in GN 320. Based on the low to very low palaeo-sensitivity of the entire combined project area, there is a motivation that further palaeontology work is not required, provided that a chance find procedure is implemented during the construction phase. This overall approach has been discussed between the specialist and the palaeontologist officer at SAHRA on various occasions.</p> <p>In addition, the specialist has noted that an addendum providing site specific information is not the intention of the Site Sensitivity Verification. GPS locality details for the very few fossil remains found during the site visit have been provided in the Site Sensitivity Verification report (figure legends). They are all of very low scientific and conservation value and have no bearing on project layout or authorisation.</p>

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COMMENTS RECEIVED FROM THE SOUTH AFRICAN HERITAGE RESOURCES AGENCY (SAHRA)			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
		<p>No heritage resources were identified within the Kudu Solar Facility 4. A Chance Finds Procedure is recommended, and the recommendations of the Visual Impact Assessment must be followed.</p> <p><b>Interim Comment</b></p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit requests that the HIA must be revised to include a map of the track logs and must be revised to show all project components such as the access roads etc. The table of identified heritage resources i.e. Table 2, must be revised to indicate in which Kudu project each heritage resources is located within and any specific mitigation and/or management measures required. An addendum to the PIA must be provided with specific results for the Kudu Solar 4 project.</p> <p>Further comments will be issued upon receipt of the above revised reports and draft EIA inclusive of appendices.</p> <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	

6. Comments received from General Stakeholders and I&APS

COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
1.	12/12/2022 Email Frans Jooste Library, Philipstown (████)	Have received the documents and place on the Notice Board	<b>CSIR:</b> Communications were held between the EAP and the Frans Jooste Library in Philipstown to ensure that an electronic copy of the Draft Scoping Report is kept at the library for reference purposes. This is an acknowledgment of receipt of the notice of the availability of the Draft Scoping Report for comment.
2.	24/01/2023 Email Landowner (████)	Ons het probleme met kommunikasie netwerke.  In 'n neutedop: waarom gaan die verslae waarop kommentaar gelewer moet word? (Voor ek nou alles download en in elk geval nie gaan verstaan nie)  <i>Translation:</i>  <i>We have problems with communication networks.</i>  <i>In a nutshell: What are the reports about that need to be commented on? (Before I download everything and won't be able to understand anyway)</i>	<b>CSIR:</b> The project team attempted to contact affected landowners via phone call as a means of personally reminding them of the closure of the Kudu Solar Facilities comment period. This query followed after the project team was unable to reach the affected landowner, instead opting to send an email detailing where the reports can be accessed, as well as informing the landowner that the any questions, comments, or inputs are welcome and appreciated.  The project team informed the affected landowner that ABO Wind renewable energies (Pty) Ltd appointed the CSIR to conduct the Scoping and EIA process for the proposed Kudu Solar Facilities to be constructed on their land. The project team explained that the reports contain summaries of the specialists' findings regarding the proposed Kudu Solar Facilities and that the reports are lengthy, however, Executive Summaries are available on the CSIR EMS website and Google Drive.
3.	24/01/2023 Email Landowner (████)	Baie dankie vir jou spoedige terugvoer.  <i>Translation:</i>  <i>Thank you very much for your swift response.</i>	<b>CSIR:</b> This email was sent in response to project team's response to the affected landowner's first email. This comment is noted with thanks.
4.	30/01/2023 Email Adjacent Landowner (████)	Attached my comments on the Kudu Development as an I&AP. Also note that my email changed from █████ to █████.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR. The change of email address for this stakeholder is noted and has been updated in the I&AP database, as captured in Appendix D of this FSR.

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COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
5.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p>INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>I registered as an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As a neighbour who has been farming for my entire life in the Karoo, I want to know what the water use of this project will be. Further, I also request information on measures that you have put into place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company’s viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p> <p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>I also register my objection against the development as it does not enhance agricultural sustainability.</p> <p>(Note my email changed from ██████ to ██████).</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b><u>I&amp;AP Registration:</u></b> This I&amp;AP was pre-identified and included on the initial project I&amp;AP database during the Project Initiation Phase (i.e. for the release of the Background Information Document), and maintained for the release of the Draft Scoping Report. Refer to Appendix D of this FSR for a copy of this database.</li> <li>▪ <b><u>Interest in the approval or refusal of the proposed Kudu Solar Facility Application:</u></b> Research has been undertaken to determine the farm property that is owned / in control by this stakeholder. Based on research undertaken, it is understood that another Solar PV Facility (proposed by another Applicant) is planned on the aforementioned said property (i.e. Phase 3 of the Crossroads Green Energy Cluster of Renewable Energy Facilities, Savannah Environmental, 2023. Scoping Report Tafelkop Solar PV Facility, Northern Cape Province<sup>3</sup>). The Scoping and EIA Process for Phase 3 of the above development has not commenced yet. In line with the above, this stakeholder is reminded of Regulation 43 (1) of the 2014 NEMA EIA Regulations (as amended) which states that “<i>a registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application</i>”.</li> </ul>

<sup>3</sup> <https://savannahsa.com/public-documents/energy-generation/hydra-b-cluster/>

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COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
			<ul style="list-style-type: none"> <li>▪ <b>Number of Farm Portions Affected:</b> The Kudu Solar Facility development consists of 12 Solar Facilities and associated infrastructure. Refer to Chapter 2 of the FSR for a full description of the affected properties per project, as summarised below:               <ul style="list-style-type: none"> <li>○ <b>Kudu Solar Facility 1:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of the Farm Bas Berg No. 88</li> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 2:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of the Farm Bas Berg No. 88</li> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 3:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 4:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 5:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 3 of the Farm Bas Berg No. 88</li> </ul> </li> <li>○ <b>Kudu Solar Facility 6:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 2 (Middel Plaats) (a Portion of Portion 1) of the Farm Grasspan No. 40</li> </ul> </li> <li>○ <b>Kudu Solar Facility 7:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of Portion 2 (Middel Plaats) (a Portion of Portion 1) of the Farm Grasspan No. 40</li> </ul> </li> <li>○ <b>Kudu Solar Facility 8:</b> <ul style="list-style-type: none"> <li>▪ Remaining Extent of the Farm Annex Wolve Kuil No. 41</li> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> </ul> </li> </ul> </li> </ul>



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			<ul style="list-style-type: none"> <li>○ <b>Kudu Solar Facility 9:</b> <ul style="list-style-type: none"> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> </ul> </li> <li>○ <b>Kudu Solar Facility 10:</b> <ul style="list-style-type: none"> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> </ul> </li> <li>○ <b>Kudu Solar Facility 11:</b> <ul style="list-style-type: none"> <li>▪ Portion 1 (Wolve Kuil West) of the Farm Annex Wolve Kuil No. 41</li> <li>▪ Portion 2 of the Farm Wolve Kuil No. 43</li> </ul> </li> <li>○ <b>Kudu Solar Facility 12:</b> <ul style="list-style-type: none"> <li>▪ Portion 2 of the Farm Wolve Kuil No. 43</li> </ul> </li> </ul> <p>Therefore, all twelve Solar PV Facilities are planned to occur on up to six farm properties (not two). The total development footprint for all twelve Solar PV Facilities based on the Revised Scoping Buildable Areas is estimated at 3 132 ha. The total extent of the affected farm properties listed above is approximately 8 176 ha. Therefore, the proposed estimated development footprint of the proposed projects comprises 38 % of the total extent of the affected properties.</p> <ul style="list-style-type: none"> <li>▪ <b>Water Usage:</b> With regards to water usage, the relevant information was provided in Chapter 2 of the DSR, as well as the Geohydrology Scoping Level Assessment (Appendix G.11) and has been retained in the FSR. Note that <b>each</b> Kudu Solar Facility will require the following water volumes. <u>This specifically applies to Kudu Solar Facility 1, 2, 3, 4, 6, 9, 10, and 12.</u> Each facility listed here will require the amount of water below: <ul style="list-style-type: none"> <li>○ Approximately 9 000 m<sup>3</sup> of water is estimated to be required per year for the construction phase.</li> <li>○ Approximately 1 000 m<sup>3</sup> of water is estimated to be required per year for the operational phase.</li> </ul> </li> </ul>

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			<p>The following water usage applies to <u>Kudu Solar Facilities 5, 7, 8 and 11</u> each (i.e. each facility listed here will require the amount of water below):</p> <ul style="list-style-type: none"> <li>○ Approximately 18 000 m<sup>3</sup> of water is estimated to be required per year for the construction phase.</li> <li>○ Approximately 2 000 m<sup>3</sup> of water is estimated to be required per year for the operational phase.</li> </ul> <p>For all the proposed Kudu Solar Facilities, water requirements during the decommissioning phase are unknown at this stage.</p> <p>Water required for the construction, operational and decommissioning phases will either be sourced from the following sources (<b><u>in order of priority and likelihood</u></b>):</p> <ul style="list-style-type: none"> <li>○ Local municipality i.e. most likely trucked in or made available for collection at the Local Municipal Water Treatment Plant via a metered standpipe;</li> <li>○ Investigation into a third-party water supplier which may include private services companies. This would most likely be trucked in;</li> <li>○ Existing boreholes on site to source groundwater (if available and if suitable); or</li> <li>○ New boreholes that will be drilled on site to source groundwater (if available and if suitable), which will be subject to complete geohydrological testing and an assessment, as well as a Water Use Licence Application process. This will be undertaken as a separate process, once more detailed information becomes available, <u>outside of the current Application for EA for the Solar PV Facility and associated infrastructure.</u></li> </ul>

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			<p>As noted in Chapter 2 of the FSR and the Geohydrology Scoping Level Assessment (Appendix G.11), therefore the use of existing boreholes on site to source groundwater (if available and if suitable) is <u>only one of the potential water sources (and it is only the third most likely option, as noted above. Water from the municipality is the first option in terms of viability but consideration of other options is vital).</u></p> <p>A hydrocensus was undertaken as part of the Geohydrology Scoping Level input in order to visit selected boreholes and landowners to obtain information such as yields and to measure the field chemistry to assess the groundwater quality (pH, total dissolved solids (TDS) and electrical conductivity (EC)). An analysis of the hydrocensus chemistry results was also undertaken in terms of the SANS 241-1: 2015 and the Department of Water Affairs and Forestry (DWAF) (1998) Standards. Based on this, the groundwater quality in the study area is generally of good quality in terms of pH, TDS and EC. It is possible that the groundwater can be used for potable and domestic purposes with only minor treatment however a full laboratory analysis will be required. With regards to the cleaning of panels, salts could be removed from the groundwater by thermal distillation (i.e. boiling since salt has a much higher boiling point than water) or by membrane separation (commonly reverse osmosis). Both of these techniques are possible but financial viability would have to be determined before commissioning as both techniques are costly on a large scale. Water pipelines may need to be constructed to transfer groundwater from existing boreholes or they may be transported by trucks from the boreholes to the site. Groundwater may also need to be stored on site in suitable containers or reservoir tanks during the construction and operational phases. Ground water storage may trigger the need for a Water Use Licence. This will be investigated during the EIA Phase.</p>

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			<ul style="list-style-type: none"> <li>▪ <b>Water Availability:</b> With regards to the measures in place to test the availability of water resources, as noted above, a hydrocensus was conducted to confirm the quality of various existing boreholes in the region. However, no drill records or yield test data exists for production or wind pump boreholes to clarify yields and geological logs. Therefore, estimations for groundwater supply capacity for the area are based on regional datasets. For each PV Facility, the anticipated demands are less than the regional yield potential of the underlying aquifer (0.5 – 2.0 L/s). This is considered appropriate for a study undertaken as part of an EIA Process.</li> </ul> <p>The study area is located mainly within quaternary catchment D33B with small sections within quaternary catchment D62F. Both of these quaternary catchments form part of the Lower Orange Water Management Area in the Northern Cape. The groundwater General Authorisation (GA) for both of the catchments is 45 m<sup>3</sup>/ha/a (published on 2 September 2016, in GG 40243, GN 538 (i.e. Revision of GA for the taking and storing of water). If the proposed projects are timed and planned appropriately with regards to groundwater use, all the water can be obtained from groundwater, with the use being Generally Authorised.</p> <p>In the Scoping Level Geohydrology Assessment, the impact of the proposed abstraction on groundwater is predicted to be of low significance, with effective implementation of mitigation actions (i.e. to adhere to the borehole's safe yield and to monitor water levels and flow).</p> <ul style="list-style-type: none"> <li>▪ <b>Coverage of the Affected Farm Properties:</b> During the construction phase, one of the main activities will include removal of vegetation for the proposed infrastructure, where necessary, within the approved development footprint to facilitate the construction and/or</li> </ul>

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			<p>establishment of infrastructure. Note that vegetation is planned to be trimmed within the PV array area (and not removed completely). Therefore, even though it appears that the majority of certain farms will be covered by Solar PV panels, not all the vegetation will be removed completely.</p> <p>In addition, with regards to the concern about the use of large areas of agricultural land and its impact on farming, the Agricultural Specialist has also noted that in order for South Africa to develop the renewable energy generation that it urgently needs, agriculturally zoned land will need to be used for renewable energy generation. It is far more preferable to incur a cumulative loss of agricultural land that is of limited agricultural potential in a region such as the one being assessed, which has no crop production potential, and low grazing capacity, than to lose agricultural land that has a higher potential, and that is much scarcer, to renewable energy development elsewhere in the country.</p> <ul style="list-style-type: none"> <li>▪ <b>Implications of SALA:</b> An Agricultural Compliance Statement was undertaken during the Scoping Phase in line with the requirements of the Assessment Protocols published in GN 320. The Compliance Statement is included in Appendix G.1 of the FSR. It provides feedback on the relevant legislation and permits required for the proposed project. It states that a renewable energy facility requires approval from the National Department of Agriculture, Land Reform and Rural Development (DALRRD) if the facility is on agriculturally zoned land. There are two approvals that apply. The first is a No Objection Letter for the change in land use issued by the Deputy Director General (Agricultural Production, Health and Food Safety, Natural Resources and Disaster Management). The second required approval is a consent for long-term lease in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970) (SALA). If DALRRD approval</li> </ul>

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			<p>for the development has already been obtained in the form of the No Objection letter, then SALA approval should not present any difficulties. Note that SALA approval is not required if the lease is over the entire farm portion. SALA approval (if required) can only be applied for once the Municipal Rezoning Certificate and EA is in hand. The Applicant has taken cognisance of this and will apply for the relevant approval in terms of SALA once the necessary pre-requisite permits are obtained.</p> <ul style="list-style-type: none"> <li>▪ <b>Benefits to the Farming Community:</b> In terms of potential benefits that the proposed Kudu Solar Facilities will have on the farming community of Philipstown district, it is acknowledged that the proposed projects (at its closest point) are located about 20 km from Phillipstown. Nevertheless, the Agriculture Compliance Statement (Appendix G.1 of this FSR) has noted that one of the positive impacts of the proposed projects is the improved security against stock theft and other crime due to the presence of security infrastructure and security personnel at the proposed Solar PV Facilities. It is believed that this positive impact will extend to the surround farms also. Furthermore, a Socio-Economic Scoping Level Assessment was also undertaken during the Scoping Phase, which is included in Appendix G.8 of this FSR. The study identified the following positive socio-economic impacts as a result of the proposed projects: <ul style="list-style-type: none"> <li>○ <b>Construction Phase:</b> <ul style="list-style-type: none"> <li>▪ Creation of employment and business opportunities, and the opportunity for skills development and on-site training.</li> </ul> </li> <li>○ <b>Operational Phase:</b> <ul style="list-style-type: none"> <li>▪ The establishment of infrastructure to generate renewable energy.</li> </ul> </li> </ul> </li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Creation of employment and business opportunities. The operational phase will also create opportunities for skills development and training.</li> <li>▪ Benefits associated with the establishment of a Community Trust.</li> <li>▪ Generation of income for affected landowner/s.</li> </ul> <p>As noted in the FSR, the construction phase will create various employment opportunities. Based on the Socio-Economic Scoping Level Assessment, the majority of the employment opportunities, specifically the low and semi-skilled opportunities, are likely to be available to local residents in the area. The majority of the beneficiaries are likely to be historically disadvantaged (HD) members of the community. This would represent a significant positive social benefit in an area with limited employment opportunities. In addition, the sector of the local economy that is most likely to benefit from the proposed development is the local service industry, linked to accommodation, catering, cleaning, transport, and security, etc. associated with the construction workers on the site.</p> <p>In addition, during the operational phase, the majority of low and semi-skilled beneficiaries are likely to be HD members of the community. Procurement during the operational phase will also create opportunities for the local economy and businesses. Furthermore, the establishment of a community benefit structure (typically, a Community Trust) also creates an opportunity to support local economic development in the area. Therefore, potential benefits of the proposed projects to the surrounding communities have been identified.</p>

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			<ul style="list-style-type: none"> <li>▪ <b>Agricultural Sustainability:</b> The concern regarding the proposed development not viewed as enhancing agricultural sustainability is noted. This will be further addressed during the EIA Phase. However, the Agricultural Compliance Statement (Appendix G.1) of this FSR has confirmed that the proposed projects are acceptable from an agricultural perspective, and that the agricultural sensitivity of the site is less than high (mainly low and medium). The Compliance Statement also discusses the allowable development limits for renewable energy developments of more than 20 MW, as per the Agriculture Assessment Protocol of GN320, which essentially refers to the area of a particular agricultural sensitivity category that can be directly impacted (i.e. taken up by the physical footprint) by a renewable energy development. The agricultural footprint is defined in the protocol as the area that is directly occupied by all infrastructure, including roads, hard standing areas, buildings etc., that are associated with the renewable energy facility during its operational phase, and that result in the exclusion of that land from potential cultivation or grazing. It excludes all areas that were already occupied by roads and other infrastructure prior to the establishment of the energy facility but includes the surface area required for expanding existing infrastructure (e.g. widening existing roads). It therefore represents the total land that is actually excluded from agricultural use as a result of the renewable energy facility (the agricultural footprint). The allowable development limit for non-cropland with a land capability value of less than 8, as this site has been confirmed to be, is 2.5 ha per MW. The proposed facilities are very likely to be within this limit, but the finalised footprint will be assessed in the EIA Phase. If the total development footprint (i.e. ~3132 ha) and generation capacity (i.e. ~2180 MW) based on the Revised Scoping Buildable Areas are used for all 12 projects, this is well within the 2.5 ha per MW limit. However, this will be confirmed during the EIA Phase.</li> </ul>



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			<p>The above being said, as noted in the Agriculture Compliance Statement, the proposed development will provide reliable and predictable income to the owners of the land on which the proposed project will be constructed and operated on. This income is likely to increase their financial security and could improve farming operations and productivity through increased investment into farming - therefore improved agricultural sustainability. For neighbouring landowners, the proposed project will potentially create various impacts that will be detailed during the EIA Phase, such as visual impacts. However, as indicated by the Agricultural specialist, the proposed project will have no impact on the agricultural production potential of adjacent farms, and therefore, no impact on agricultural sustainability. From a national food security / agricultural sustainability point of view, it is more agriculturally sustainable to utilise the country's lower potential agricultural land for renewable energy than its higher potential agricultural land. The site under question is some of the country's lowest potential agricultural land.</p> <ul style="list-style-type: none"> <li>▪ <b>Update of I&amp;AP Contact Details:</b> As indicated above, the change of email address for this stakeholder is noted and has been updated in the I&amp;AP database, as captured in Appendix D of this FSR.</li> </ul>
6.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p>INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>I registered as an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As a neighbour who has been farming for my entire life in the Karoo, I want to know what the water use of this project will be. Further, I</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ This I&amp;AP was pre-identified and included on the initial project I&amp;AP database during the Project Initiation Phase (i.e. for the release of the Background Information Document), and maintained for the release of the Draft Scoping Report. Refer to Appendix D of this FSR for a copy of this database.</li> <li>▪ The comments raised here are the same as that raised above in Row 5. Kindly refer to the responses provided above in Row 5, specifically with regards to the Number of Farm Portions Affected; Water Usage;</li> </ul>

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		<p>also request information on measures that you have put into place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company's viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p> <p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>I also register my objection against the development as it does not enhance agricultural sustainability.</p>	<p>Water Availability; Coverage of the Affected Farm Properties; Implications of SALA; Benefits to the Farming Community; and Agricultural Sustainability.</p>
7.	30/01/2023 Letter (Received via email) (██████)	<b>Note from the CSIR:</b> The comments raised are the same as those raised above in Row 6.	<b>CSIR:</b> A copy of the above letter was sent to the EMS email address, most likely erroneously. Nevertheless, kindly refer to the responses provided above in Rows 5 and 6.
8.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p>INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT – PHILIPSTOWN DISTRICT</p> <p>I/We submit the following questions regarding the Kudu Development:</p> <p>I/We understand that projects of this nature need to have an approved water license for each borehole. What measures have you put into place to adhere to this requirement?</p> <p>According to your documents and proposed layout received, it seems your development will only benefit two landowners. Do you</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Interest in the approval or refusal of the proposed Kudu Solar Facility Application:</b> Research has been undertaken to determine the farm property that is owned / in control by this stakeholder. Based on research undertaken, it is understood that another Solar PV Facility (proposed by another Applicant) is planned on the aforementioned said property (i.e. Phase 3 of the Crossroads Green Energy Cluster of Renewable Energy Facilities, Savannah Environmental, 2023. Scoping Report Tafelkop Solar PV Facility, Northern Cape Province<sup>4</sup>). The Scoping and EIA Process for Phase 3 of the above development has not commenced yet. In line with the above, this stakeholder is reminded of Regulation 43 (1) of the 2014 NEMA EIA Regulations (as</li> </ul>

<sup>4</sup> <https://savannahsa.com/public-documents/energy-generation/hydra-b-cluster/>

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		<p>believe it's fair and equitable to the surrounding farmers and landowners?</p> <p>How do you intend to maintain the infrastructure, such as road and water courses, during construction? Can you provide a plan on how you will manage the dust pollution that will be created by the heavy trucks and increased traffic?</p> <p>I/We also object to the entire project given the fact that we believe that the approach followed by the developer is against the letter and spirit of current legislation and regulatory frameworks that ensure agricultural sustainability especially in the Karoo.</p>	<p>amended) which states that “a <i>registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application</i>”.</p> <ul style="list-style-type: none"> <li>▪ <b>Water Use Licence Requirements for Ground Water:</b> Information regarding Water Use Authorisation requirements for the use of existing boreholes was provided in Chapter 4 of the DSR, as well as the Geohydrology Scoping Level Assessment (Appendix G.11) and has been retained in the FSR. For all the proposed Kudu Solar Facilities, the potential sources of water, in order of priority and likelihood, include the: Local municipality, third-party water supplier, existing boreholes or drilled boreholes on site. Therefore, the use of existing boreholes on site to source groundwater is only one of the potential water sources (and it is only the third most likely option, as noted above. Water from the municipality is the first option in terms of viability but consideration of other options is vital).</li> </ul> <p>In terms of measurements, the Geohydrology Scoping Level Assessment undertook a hydrocensus of the existing boreholes in the area and an analysis of the data, and based on this, the groundwater quality in the study area is generally of good quality in terms of pH, TDS and EC.</p> <p>The study area is located mainly within quaternary catchment D33B with small sections within quaternary catchment D62F. Both of these quaternary catchments form part of the Lower Orange Water</p>

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			<p>Management Area in the Northern Cape. The groundwater General Authorisation (GA) for both of the catchments is 45 m<sup>3</sup>/ha/a (published on 2 September 2016, in GG 40243, GN 538 (i.e. Revision of GA for the taking and storing of water)). If the proposed projects are timed and planned appropriately with regards to groundwater use, all the water can be obtained from groundwater, with the use being Generally Authorised. Registration of the usage in terms of the GA with the Department of Water and Sanitation (DWS) would be required.</p> <ul style="list-style-type: none"> <li>▪ <b><u>Benefit of Affected Landowners:</u></b> Refer to the response provided to the comment regarding the “Number of Farm Portions Affected” in Row 5 above. As noted in Chapter 5 of the DSR and FSR, various factors were considered by the Project Developer in selecting the preferred site / study area. These factors include land availability, environmental sensitivities, irradiation levels, distance to the national grid, site accessibility, topography, current land use and landowner willingness. The Project Developer also considered adjacent farm portions and approached the landowners; however, this exercise was unsuccessful as the land had already been secured by other developers. Note that whilst income generation for the affected landowners is listed as a positive impact in the Agriculture Compliance Statement and Socio-Economic Scoping Level Assessment, other wider community benefits have also been identified, as noted above in the response to the comment raised in Row 5 on “Benefits to the Farming Community”.</li> <li>▪ <b><u>Infrastructure Maintenance and Dust Pollution Management:</u></b> Maintenance of existing infrastructure that is impacted by the proposed project during the construction and operational phase will be undertaken by the Project Developer. The requirements for maintenance will be detailed in the EIA Phase, as these will also be informed by the specialist assessments to be undertaken at that stage.</li> </ul>

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			<p>Such requirements will also be included in the Environmental Management Programme (EMPr), as relevant. Similarly, mitigation measures to control and manage dust pollution that occurs as a result of the proposed project will be provided in the EIA Phase and EMPr. Once approved, the EMPr becomes legally binding, therefore the Applicant will place a significant emphasis on ensuring compliance with the management measures included. Furthermore, the Visual Scoping Level Assessment (Appendix G.5 of this FSR) identified the potential impact of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area. This impact has been rated with a low significance before and after mitigation measures. The following mitigation measures have been recommended:</p> <ul style="list-style-type: none"> <li>○ Locate construction camps, batching plants and stockpiles in visually unobtrusive areas, away from public roads; and implement the EMPr with the Environmental Control Officer (ECO) during the construction phase.</li> </ul> <p>Dust pollution has also been identified as a potential impact in the Traffic Scoping Level Assessment (Appendix G.9 of the FSR), with a low significance before and after mitigation, and various mitigation measures such as ensuring that speed control is implemented by means of a stop and go system and speed limit road signage within the construction site. Further detail will be provided in the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <b><u>Agricultural Sustainability:</u></b> Kindly refer to the response provided above in Row 5, specifically with regards to “Agricultural Sustainability”. Furthermore, it is also important to note that the Agriculture Compliance Statement (Appendix G.1 of this FSR) has been undertaken in compliance with the Protocol for the Specialist Assessment and Minimum Report Content Requirements of</li> </ul>

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			Environmental Impacts on Agricultural Resources by Onshore Wind and/or Solar Energy Generation Facilities where the Electricity Output is 20 MW or more, as published in March 2020 (GN 320). The Protocols were gazetted by the National Department of Environmental Affairs to ensure that the correct information and methodologies are adopted by specialists undertaking assessments as part of the EIA Process. Complying with the protocols therefore shows that relevant legislation has been adhered to in this regard. Additional information will be provided in the Agriculture Compliance Statement in the EIA Phase, where required.
9.	30/01/2023 Email Adjacent Landowner (██████)	Please find attached my objections towards the planned KUDU development.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.
10.	30/01/2023 Letter (Received via email) Adjacent Landowner (██████)	<p style="text-align: center;">INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>I registered as an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As a neighbour who has been farming for my entire life in the Karoo, I want to know what the water use of this project will be. Further, I also request information on measures that you have put into place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company's viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ This I&amp;AP was pre-identified and included on the initial project I&amp;AP database during the Project Initiation Phase (i.e. for the release of the Background Information Document), and maintained for the release of the Draft Scoping Report. Refer to Appendix D of this FSR for a copy of this database.</li> <li>▪ The comments raised here (excluding the comment raised under point 4) are the same as that raised above in Row 5. Kindly refer to the responses provided above in Row 5, specifically with regards to the Number of Farm Portions Affected; Water Usage; Water Availability; Coverage of the Affected Farm Properties; Implications of SALA; Benefits to the Farming Community; and Agricultural Sustainability.</li> <li>▪ <b><u>Benefit of Socio-Economic Upliftment of Farmers in the Greater Region:</u></b> Refer to the response provided to the comment regarding the "Number of Farm Portions Affected" in Row 5 above. As noted in Chapter 5 of the DSR and FSR, various factors were considered by</li> </ul>

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		<p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>4) What benefits would your proposed development have for the socio-economic upliftment of the farmers and their employees (including their families/ dependents) of the greater area rather than the proposed two farms and owner/beneficiary there-of?</p> <p>I also register my objection against the development as it does not enhance agricultural sustainability.</p>	<p>the Project Developer in selecting the preferred site / study area. These factors include land availability, environmental sensitivities, irradiation levels, distance to the national grid, site accessibility, topography, current land use and landowner willingness. The Project Developer also considered adjacent farm portions and approached the landowners; however, this exercise was unsuccessful as the land had already been secured by other developers. Note that whilst income generation for the affected landowners is listed as a positive impact in the Agriculture Compliance Statement and Socio-Economic Scoping Level Assessment, other wider community benefits have also been identified, as noted above in the response to the comment raised in Row 5 on "Benefits to the Farming Community".</p>
11.	<p>30/01/2023 Letter (Received via email) Adjacent Landowner (██████)</p>	<p>Objection to the Kudu in its current format and layout development</p> <p>To whom it may concern:</p> <p>My name is ██████ I am the owner of the farm ██████. My farm is next to the Kudu Development.</p> <p>Please consider and respond to the following issues of serious concern to me.</p> <p>1) The Kudu development appears to be an enormous, concentrated development of several thousands of hectares, laying in one massive block.</p> <p>*Please indicate what impact this development will have to the underground water resources of the area.</p> <p>*How much water will be withdrawn from the underground resources to service the development?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Extent of the development:</b> The Kudu Solar Facility development consists of 12 Solar Facilities and associated infrastructure. Refer to Chapter 2 of the FSR for a full description of the affected properties per project. Note that during the construction phase, vegetation is planned to be trimmed within the PV array area (and not removed completely). Therefore, even though it appears that a large area will be covered by the Solar PV array, not all the vegetation will be removed completely.</li> <li>▪ <b>Impact on Groundwater:</b> Note that a Geohydrology Scoping Level Assessment (Appendix G.11 of the FSR) was commissioned for the Scoping Phase and will be expanded on for the EIA Phase. The assessment provides feedback on the suitability of the groundwater for usage during the construction and operational phases of the project, and also identifies various potential impacts of the proposed project on the geohydrology, as noted below: <ul style="list-style-type: none"> <li>○ Construction Phase:</li> </ul> </li> </ul>

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		<p>How long will the withdrawing of such an amount of water, to serve the maintenance of the development, be sustainable?</p> <p>What will the effect be to the windmills/ boreholes on my farm that I use to supply drinking water to my sheep and cattle.</p> <p>I am living for more than 47 years in this area. A part of my daily life and daily bread is an ongoing effort to serve the area with drinking water for the sheep and cattle. My way crossed with a lot of hydrologists, discussing the underground water of this specific huge plains of the Upper Karoo. The most of the farmers around me. Does the same by just supply enough drinking water to sheep and cattle.</p> <p>I want to make the following remarks that I would like your specialists to respond on.</p> <ul style="list-style-type: none"> <li>• The most of the windmills and boreholes on the farm is just enough for the sheep. Some off the boreholes even dried up in the drought season.</li> <li>• The point I am making is that the underground water is slow running.</li> <li>• The underground water is moving in this area from south to north.</li> <li>• That the depth of the water surface in this area differs from 10 to 40 meters and is slowly sinking deeper as the time go by and the drought Seasons get closer.</li> <li>• Almost all the boreholes feeding windmills to provide drinking water stops on the dolerite bank (differs from 50-80meter from the surface) and were made by the old bore machines of the previous century.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Potential lowering of the groundwater level.</li> <li>▪ Potential impact on groundwater quality as a result of accidental oil spillages or fuel leakages.</li> <li>○ Operational Phase <ul style="list-style-type: none"> <li>▪ Potential lowering of the groundwater level.</li> <li>▪ Potential impact on groundwater quality as a result of using cleaning agents for cleaning the solar panels.</li> <li>▪ Potential impact on groundwater quality as a result of electrolyte that will be used for the BESS.</li> </ul> </li> <li>○ Decommissioning Phase <ul style="list-style-type: none"> <li>▪ Potential impact on groundwater quality as a result of accidental oil spillages or fuel leakages.</li> </ul> </li> </ul> <p>All the impacts have been rated with a low to very low significance with the implementation of mitigation measures. Additional detail will be provided in the EIA Phase, and all mitigation measures will be captured in the Environmental Management Programme (EMPr).</p> <ul style="list-style-type: none"> <li>▪ <b><u>Water Usage and Groundwater Implications:</u></b> Please refer to the responses entitled “water usage” and “water availability” in Row 5 of this section of the Comments and Responses Report.</li> <li>▪ <b><u>Sustainability of Groundwater Usage:</u></b> <u>Response from the Geohydrology Specialist and CSIR:</u> The impact of the usage of the ground water during the relevant project phases has been addressed in the Geohydrology Scoping Level Assessment and will be assessed in further detail during the EIA Phase, along with the identification of various management actions to address such usage of water, which will be carried over the EMPr, which is legally binding once approved. Any historical groundwater monitoring by the Department of Water and Sanitation (DWS) should be sourced and assessed during all phases</li> </ul>



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		<p>2. This farm belongs to my family since 1893. We as children were always told to work responsible with the underground water and overgrazing fields because of the low underground water levels. Given the huge area that will be covered by the panels in a block of several thousands of hectares, how will this proposed development contribute to, and ensure long term agriculture sustainability in this semi-arid Upper Karoo?</p> <p>3. Visual impact. Please provide me with information and sketches about the visual impact that this development will have on my farm and farming. I hereby want to register an objection in the Kudu development in its current format and layout.</p>	<p>of development, and a monitoring program should be instated (water level, chemistry and volumes abstracted). This will be included in the EMPr during the EIA Phase.</p> <ul style="list-style-type: none"> <li>▪ <b><u>Effect on Windmills/Boreholes used to Supply Drinking Water to Sheep and Cattle:</u></b> Response from the Geohydrology Specialist: The Geohydrology Scoping Level Assessment (Appendix G.11 of the FSR), assessed the impact of the water required for the proposed development on the environment. It will be further detailed during the EIA Phase (such as the specific impact of ground water usage of the proposed project in relation to existing usage for the ground water). Note that the Scoping Level Assessment (Appendix G.11 of the FSR) has identified the lowering of groundwater levels as a result of over-abstraction as a potential impact, of low significance, with the implementation of recommended mitigation measures (i.e. adhere to the borehole's safe yield and to monitor water levels and flow; and boreholes must be correctly yield tested according to the National Standard (SANS 10299-4:2003, Part 4 – Test pumping of water boreholes). This includes a Step Test, Constant Discharge Test and recovery monitoring). This will be included as a requirement in the EMPr. In addition, an appropriate monitoring program will need to be instated to ensure over abstraction of groundwater is not taking place, and/or to ensure that no contamination of groundwater is taking place. This will allow the Environmental Control Officer / Environmental Manager of the proposed project (appointed post EA should authorisation be granted, and the proposed project progresses to the commencement phase) to determine the observed effect on the groundwater resources in the area.</li> <li>▪ <b><u>Additional Remarks on Groundwater:</u></b> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comments regarding the majority of existing windmills and boreholes being just adequate for sheep; and the impact on</li> </ul> </li> </ul>

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			<p>water levels due to the drought season, are noted. The Geohydrology Specialist notes that testing of boreholes, that are planned to be used, will be required to determine the yields can actually deliver the required volumes. In addition, droughts are seasonal and will occur. The more information that is collected (e.g. monitoring prior to construction) the more certainty there will be on the actual observed effect on the proposed development on the groundwater resources. Therefore, groundwater monitoring is crucial for the protection of the regional groundwater resources.</p> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding the ground water being slow running is noted. As noted above, this will need to be scientifically yield tested. The impact of the usage of such water will be addressed in this EIA Process and assessed in during in the Geohydrology Assessment.</li> <li>○ <u>Response from Geohydrology Specialist:</u> The comment regarding ground water moving from south to north is agreed with, based on the available information. Groundwater movement is driven by gravity and (generally speaking) flows from high elevations to low elevations.</li> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding the depth of the water surface in this area, and its gradual sinking over time and as drought seasons approach is noted. However, this can only be confirmed by instatement of an appropriate monitoring program. The requirements for such a program will be documented in the EMPr during the EIA Phase.</li> <li>○ <u>Response from Geohydrology Specialist:</u> Feedback on the depth of the borehole (and link to the dolerite bank) and the history around the boreholes is noted. Anecdotal evidence suggests that many of the boreholes were drilled using</li> </ul>

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			<p>'stamper boor' apparatus. It appears this is the average depth of the boreholes (50 – 80 m) in the region. It is agreed that boreholes are typically shallow in the region. This is not to say there is absolutely no water deeper than the average depth of the boreholes in the region. Only several deep boreholes could prove this.</p> <ul style="list-style-type: none"> <li>▪ <b>Agricultural Sustainability:</b> Refer to the response provided above about the vegetation clearing and extent of the development. In addition, kindly refer to the response provided above in Row 5 and Row 8, specifically with regards to "Agricultural Sustainability".</li> <li>▪ <b>Visual Impact:</b> An email was sent to this stakeholder to confirm the actual location of the affected farm property and farmstead in question, as this does not appear on topographical maps. At the time of finalisation of this report, no response was received from the stakeholder. This will be addressed in the VIA that will be undertaken during the EIA Phase. The Visual Scoping Level Assessment (Appendix G.5 of this FSR) has identified the following potential impacts of the proposed project at the Scoping Phase: <ul style="list-style-type: none"> <li>○ Construction Phase: <ul style="list-style-type: none"> <li>▪ Potential effect of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area.</li> <li>▪ Potential visual effect of haul roads, access roads, stockpiles and construction camps in the visually exposed landscape.</li> </ul> </li> <li>○ Operational Phase: <ul style="list-style-type: none"> <li>▪ Potential visual intrusion of solar arrays and related infrastructure on receptors including glint and glare.</li> </ul> </li> </ul> </li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Potential visual impact of an industrial type activity on the pastoral / rural character and sense of place of the area.</li> <li>○ Decommissioning Phase:                             <ul style="list-style-type: none"> <li>▪ Potential visual effect of any remaining structures, platforms and disused roads on the landscape.</li> </ul> </li> </ul> <p>Therefore, impacts on adjacent farmsteads have been identified and will be further expanded on during the EIA Phase.</p>
12.	30/01/2023 Email Adjacent Landowner (████)	Please find the letter consist out of three pages that are attached.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.
13.	30/01/2023 Letter (Received via email) Adjacent Landowner (████)	<p>Objection to the Kudu in its current format and layout development</p> <p>To whom it may concern: My name is █████. I am the owner of the farm █████. My farm is a neighbor farm of the Kudu Development, bordering it for █████ to the █████.</p> <p><u>Please consider and respond to the following issues of serious concern to me.</u></p> <p>1) The Kudu development appears to be an enormous, concentrated development of several thousands of hectares, laying in one massive block.</p> <p>*Please indicate what impact this development will have to the underground water resources of the area.</p> <p>*How much water will be withdrawn from the underground resources to service the development?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b>Extent of the development:</b> Please refer to the response entitled “extent of the development” in Row 11 of this section of the Comments and Responses Report.</li> <li>▪ <b>Impact on Groundwater:</b> Please refer to the response entitled “impact on groundwater” in Row 11 of this section of the Comments and Responses Report.</li> <li>▪ <b>Water Usage and Groundwater Implications:</b> Please refer to the responses entitled “water usage” and “water availability” in Row 5 of this section of the Comments and Responses Report.</li> <li>▪ <b>Sustainability of Groundwater Usage:</b> Please refer to the response entitled “sustainability of groundwater usage” in Row 11 of this section of the Comments and Responses Report.</li> </ul>

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		<p>*How long will the withdrawing of such an amount of water, to serve the maintenance of the development, be sustainable?</p> <p>*What will the effect be to the windmills/ boreholes that I use to serve my extensive sheep and game farm activities with drinking water.</p> <p>I am no hydrologist but am living for more than 50 years in this area. A part of my daily life and daily bread is an ongoing effort to serve the area with drinking water for the sheep and game. My way crossed with a lot of hydrologists, discussing the underground water of this specific huge plains of the Upper Karoo.</p> <p>I want to make the following remarks that I would like your specialists to respond on.</p> <ul style="list-style-type: none"> <li>• The most of the underground water in this area is fossil water. Stored for many years underground.</li> <li>• The little supplement of underground water is slow and occur only once every few years.</li> <li>• The underground water is moving in this area from south to north.</li> <li>• That the depth of the water surface in this area differs 10 to 30 meters and is slowly sinking deeper as the time go by.</li> <li>• Almost all the boreholes feeding windmills to provide drinking water stops on the dolerite bank (differs from 30-50 meter from the surface) and were made by the old bore machines of the previous century.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b><u>Effect on Windmills/Boreholes used to Supply Drinking Water to Sheep and Cattle and Game Farm Activities:</u></b> Please refer to the response entitled “effect on windmills/boreholes used to supply drinking water to sheep and cattle” in Row 11 of this section of the Comments and Responses Report.</li> <li>▪ <b><u>Additional Remarks on Groundwater:</u></b> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding status of the ground water (i.e. fossil water and stored underground for many years) is noted. This could be confirmed by isotopic dating of the ground water. There is evidence in the southern portion of the Karoo basin that there are several sources of ground water at variable depths, with variable ages. Deeper groundwater was typically found to be saline, and older (Harkness et al., 2018<sup>5</sup>). However, this is not within the scope of the current assessment, nor is it required to assess the overall impacts of ground water usage associated with the proposed project.</li> <li>○ <u>Response from Geohydrology Specialist:</u> The comment regarding the supplement of ground water is noted. As noted above, this can be confirmed by yield testing boreholes in the area and implementing monitoring to observe actual effects of groundwater removal/abstraction. The impact of the usage of such water will still be addressed in this EIA Process and assessed in during in the Geohydrology Assessment</li> <li>○ <u>Response from Geohydrology Specialist:</u> The comment regarding ground water moving from south to north is agreed</li> </ul> </li> </ul>

<sup>5</sup> Harkness, J.S., Swana, K., Eymold, W.K., Miller, J., Murray, R., Talma, S., Whyte, C.J., Moore, M.T., Maletic, E.L., Vengosh, A. and Darrah, T.H., 2018. Pre-drill groundwater geochemistry in the Karoo Basin, South Africa.

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		<p>2. This farm belongs to my family since 1867. We always stoved to practice responsible farming activities to enhance agricultural sustainability in the Karoo. Given the huge area that will be covered by the panels in a block of several thousands of hectares, how will this proposed development contribute to, and ensure long term agriculture sustainability in this semi-arid Upper Karoo?</p> <p>3. Visual impact. Please provide me with information and sketches about the visual impact that this development will have on my farm and farming activities like the offering of hunting- and photographic safaris to clients from all over the world?</p> <p><b><u>I hereby want to register an objection in the Kudu development in its current format and layout.</u></b></p> <p>Footnote: In the Karoo is the overuse of underground water the same sin to nature as the overgrazing of the natural pasture.</p>	<p>with, based on the available information. Groundwater movement is driven by gravity and (generally speaking) flows from high elevations to low elevations.</p> <ul style="list-style-type: none"> <li>○ <u>Response from Geohydrology Specialist and CSIR:</u> The comment regarding the depth of the water surface in this area, and its gradual sinking over time is noted. However, this can only be confirmed by instatement of an appropriate monitoring program. The requirements for such a program will be documented in the EMP during the EIA Phase.</li> <li>○ <u>Response from Geohydrology Specialist:</u> Feedback on the depth of the borehole (and link to the dolerite bank) and the history around the boreholes is noted. Anecdotal evidence suggests that many of the boreholes were drilled using 'stamper boor' apparatus. It appears this is the average depth of the boreholes (50 – 80 m) in the region. It is agreed that boreholes are typically shallow in the region. This is not to say there is absolutely no water deeper than the average depth of the boreholes in the region. Only several deep boreholes could prove this.</li> </ul> <ul style="list-style-type: none"> <li>▪ <b><u>Agricultural Sustainability:</u></b> Refer to the response provided above about the vegetation clearing and extent of the development. In addition, kindly refer to the response provided above in Row 5 and Row 8, specifically with regards to "Agricultural Sustainability".</li> <li>▪ <b><u>Visual Impact:</u></b> The Jakkalskuil farmstead is more than 5 km from the proposed project area, and therefore the visibility will be marginal. Refer to Appendix E of the Visual Scoping Level Assessment (Appendix G.5 of this FSR) for a Google Earth View of would potentially be seen from the Jakkalskuil farmstead. However, from the</li> </ul>

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			<p>farm boundary, which is directly adjacent to the Kudu Solar Facility 12, the visibility would be very high at a 360 m distance. The viewshed, or zone of visual influence, potentially extends for some 5 km, hence the Jakkalskuil farmstead was not included in the Visual Scoping Level Assessment (Appendix G.5 of this FSR). This will be considered during the EIA Phase, as applicable, including the potential impact on farming activities, hunting and photographic safaris.</p> <p>The Visual Scoping Level Assessment has identified the following potential impacts of the proposed project at the Scoping Phase:</p> <ul style="list-style-type: none"> <li>○ Construction Phase: <ul style="list-style-type: none"> <li>▪ Potential effect of dust and noise from trucks and construction machinery during the construction period, and the effect of this on nearby farmsteads and visitors to the area.</li> <li>▪ Potential visual effect of haul roads, access roads, stockpiles and construction camps in the visually exposed landscape.</li> </ul> </li> <li>○ Operational Phase: <ul style="list-style-type: none"> <li>▪ Potential visual intrusion of solar arrays and related infrastructure on receptors including glint and glare.</li> <li>▪ Potential visual impact of an industrial type activity on the pastoral / rural character and sense of place of the area.</li> </ul> </li> <li>○ Decommissioning Phase: <ul style="list-style-type: none"> <li>▪ Potential visual effect of any remaining structures, platforms and disused roads on the landscape.</li> </ul> </li> </ul> <p>Therefore, impacts on adjacent farmsteads have been identified and will be further expanded on during the EIA Phase.</p>

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COMMENTS RECEIVED FROM GENERAL STAKEHOLDERS AND I&APS			
NO.	DATE OF COMMENT, FORMAT OF COMMENT, NAME OF ORGANISATION/ I&AP	COMMENT	RESPONSE FROM THE ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP) / APPLICANT / SPECIALIST
14. & 15.	30/01/2023 Email and Letter (Received via email) Adjacent Landowner (██████)	<b>Note from the CSIR:</b> The comments raised are the same as those raised above in Rows 12 and 13.	<b>CSIR:</b> A copy of the above email and letter was sent to the EMS email address, most likely erroneously.
16.	31/01/2023 Email ██████ Prokureurs / Attorneys / Igqwetha (██████)	Kindly find herewith a letter for your urgent attention and feedback.	<b>CSIR:</b> The comments received are noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.
17.	31/01/2023 Letter (Received via email) ██████ Prokureurs/ Attorneys / Igqwetha (██████)	<p>Re: INPUT AND OBJECTION TOWARDS THE KUDU DEVELOPMENT</p> <p>We refer to the abovementioned matter and confirm that we are acting on behalf of ██████ and ██████ who are both an interested and affected party to the proposed Kudu development in the Philipstown district.</p> <p>1) We understand according to documents at our disposal that your development is a massive one proposed on only two farms. As neighbours our clients have been farming for their entire life in the Karoo, and we want to know what the water use of this project will be. Further, we also request information on measures that you have put in place to test the availability of water resources.</p> <p>2) According to the layouts of the solar farms, it appears the majority of certain farms will be covered almost entirely under panels. What is your company's viewpoint and understanding of the subdivision of agricultural land act (Act 70 of 1970)? How would the act impact on your proposed developments?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b><u>I&amp;AP Registration:</u></b> The I&amp;AP details are noted and have been included on the project I&amp;AP database.</li> <li>▪ The comments raised here (excluding the comment raised regarding the submission date of the comments) are the same as that raised above in Row 5. Kindly refer to the responses provided above in Row 5, specifically with regards to the Number of Farm Portions Affected; Water Usage; Water Availability; Coverage of the Affected Farm Properties; Implications of SALA; Benefits to the Farming Community; and Agricultural Sustainability.</li> <li>▪ <b><u>Submission Date of the Comments:</u></b> The submission date of the comments is noted and fully understood. The comments received are definitely noted and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR. The comments have been responded to in detail in Row 5 of this section of the Comments and Responses Report. Based on the sameness of comments raised by other adjacent landowners, the responses have been cross referenced instead of repeated. As noted in the FSR, this</li> </ul>



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		<p>3) What benefits would your proposed development have for the farming community of Philipstown district?</p> <p>4) We also register our objection on behalf of my clients against the development as it does not enhance agricultural sustainability.</p> <p>5) I take note that this objection had to be filed on/before 30 January 2023. I kindly request that you condone the late filing of this objection as we are of the opinion there will be no prejudice of filing this objection 1 day late.</p> <p>6) If you fail to condone the late filing of this objection and respond in detail to our objections we hold instruction to bring a court application in order to stop the development.</p> <p>We trust you find the above in order.</p>	<p>Comments and Responses will be submitted to the Competent Authority to facilitate decision-making. This is in line with Regulation 44 of the 2014 NEMA EIA Regulations (as amended), which states "Comments of interested and affected parties to be recorded in reports and plans. (1) The applicant must ensure that the comments of interested and affected parties are recorded in reports and plans and that such written comments, including responses to such comments and records of meetings are attached to the reports and plans that are submitted to the competent authority in terms of these Regulations".</p>
18.	<p>31/01/2023 Email Adjacent Landowner (██████)</p>	<p>Good day, I tried to submit this letter yesterday, 30 January 2023 but had no wifi signal and internet.</p> <p>I hope you still accept this letter of interest as it is one day late. sorry for the delay but it was out of my hands.</p> <p>PLEASE FIND ATTACHED THE LETTER OF CONCERN.</p>	<p><b>CSIR:</b> The submission date of the comments is noted and fully understood. The comments received are definitely noted, responded to below, and have been captured in this Comments and Responses Report, as well as Appendix E.10 of this FSR.</p>
19.	<p>31/01/2023 (Letter received via email) Adjacent Landowner (██████)</p> <p>Note from the CSIR: Note that this stakeholder provided a letter via email.</p>	<p>INPUT AND OBJECTION TO THE PROPOSED KUDU DEVELOPMENT – PHILIPSTOWN DISTRICT</p> <p>I/we submit the following questions regarding the Kudu Development:</p> <p>I/We understand that projects of this nature need to have an approved water license for each borehole. What measures have you put in place to adhere to this requirement?</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>The comments raised here are similar as that raised above in Row 8. Kindly refer to the responses provided above in Row 8, specifically with regards to the Water Use Licence Requirements for Ground Water; Benefit of Affected Landowners; Infrastructure Maintenance and Dust Pollution Management; and Agricultural Sustainability.</li> </ul>

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	The <u>file name</u> of the letter included the names of five stakeholders (i.e. [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]). It is unclear if the response issued is on behalf of on these stakeholders, as the email and letter was only signed off by [REDACTED].	<p>According to your documents and proposed layout received, it seems your development will only benefit to two landowners. Do you believe it's fair and equitable to the surrounding farmers and landowners?</p> <p>How do you intend to maintain the infrastructure, such as road and water courses, during construction? Can you provide a plan on how you will manage the dust pollution that will be created by the heavy trucks and increased traffic?</p> <p>I/We also object to the entire project given the fact that we believe that the approach followed by the developer is against the letter and spirit of current legislation and regulatory frameworks that ensure agricultural sustainability especially in the Karoo.</p> <p>As the direct neighbour I am concerned about the dust pollution over the long term in years to come due to the very large area that wont have any vegetation. All the roads goes past and threw my farm and dust piles on to my vegetation and the animals eats the dust with the vegetation which piles up into their stomachs and causes illness and leads to death.</p>	<ul style="list-style-type: none"> <li>▪ <b>Dust Pollution:</b> The concerns regarding dust pollution are noted. Note that during the construction phase, vegetation is planned to be trimmed within the PV array area (and not removed completely). Therefore, even though it appears that a large area will be covered by the Solar PV array, not all the vegetation will be removed completely. This is also expected to reduce some of the dust generation. Nevertheless, dust management actions will be included in the EMP during the EIA Phase.</li> </ul>
20.	Email received 2/02/2023; Letter dated 29/01/2023 Letter (Received via email) Adjacent Landowner ([REDACTED])	<p>INPUT AND OBJECTION TO THE PROPOSED KUDU DEVELOPMENT – PHILIPSTOWN DISTRICT</p> <p>I/We submit the following questions regarding the Kudu Development:</p> <p>I/We understand that projects of this nature need to have an approved water license for each borehole. What measures have you put in place to adhere to this requirement?</p> <p>According to your documents and proposed layout received, it seems your development will only benefit two landowners. Do you</p>	<p><b>CSIR:</b> The comments received are noted and responded to below:</p> <ul style="list-style-type: none"> <li>▪ <b><u>Interest in the approval or refusal of the proposed Kudu Solar Facility Application:</u></b> Research has been undertaken to determine the farm property that is owned / in control by this stakeholder. Based on research undertaken, it is understood that another Solar PV Facility (proposed by another Applicant) is planned on the aforementioned said property (i.e. Phase 1 of the Crossroads Green Energy Cluster of Renewable Energy Facilities, Savannah Environmental, 2023.</li> </ul>

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		<p>believe it's fair and equitable to the surrounding farmers and landowners?</p> <p>How do you intend to maintain the infrastructure, such as road and water courses, during construction? Can you provide a plan on how you will manage the dust pollution that will be created by the heavy trucks and increased traffic?</p> <p>I/We also object to the entire project given the fact that we believe that the approach followed by the developer is against the letter and spirit of current legislation and regulatory frameworks that ensure agricultural sustainability especially in the Karoo.</p>	<p>Scoping Report Tafelkop Solar PV Facility, Northern Cape Province<sup>6</sup>. The Scoping and EIA Process for Phase 3 of the above development has not commenced yet. In line with the above, this stakeholder is reminded of Regulation 43 (1) of the 2014 NEMA EIA Regulations (as amended) which states that “<i>a registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application</i>”.</p> <ul style="list-style-type: none"> <li>▪ The comments raised here are the same as that raised above in Row 8. Kindly refer to the responses provided above in Row 8, specifically with regards to the Water Use Licence Requirements for Ground Water; Benefit of Affected Landowners; Infrastructure Maintenance and Dust Pollution Management; and Agricultural Sustainability.</li> </ul>

<sup>6</sup> <https://savannahsa.com/public-documents/energy-generation/hydra-b-cluster/>