

GUNSTFONTEIN BATTERY ENERGY STORAGE SYSTEM (BESS), NORTHERN CAPE PROVINCE (DEA Reference No.: 14/12/16/3/3/1/2236)

COMMENTS AND RESPONSE REPORT

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The Basic Assessment process for the Gunstfontein BESS was announced on Friday, 16 October 2020 together with the announcement of the availability of the Basic Assessment (BA) Report. The BA Report was made available for a 30-day review and comment period from **Friday, 16 October 2020** to **Monday, 16 November 2020**. The Comments and Responses Report (C&RR, this document) was updated to include comments received during the review and comment period and was included in **Appendix C6** of the Revised BA Report. The Revised Basic Assessment Report, including an optimised layout, was then made available for further public review and comment from **Friday, 11 December 2020** until **Monday, 01 February 2021**. All written comments received during the BA process have been included and responded to in this Comments and Responses Report and included in **Appendix C5** of the final Basic Assessment Report.

LIST OF ABBREVIATIONS / ACRONYMS

BA	Basic Assessment	BAR	Basic Assessment Report
BGCMA	Breede-Gouritz Catchment Management Agency	DBAR	Draft Basic Assessment Report
DEFF	Department of Environment, Forestry and Fisheries	EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner	EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme	HIA	Heritage Impact Assessment
I&APs	Interested and Affected Parties	NEMA	National Environmental Management Act
NHRA	National Heritage Resources Act	NWA	National Water Act
SAHRA	South African Heritage Resources Agency	SAHRIS	South African Heritage Resources Information System

1. COMMENTS RECEIVED DURING THE REVISED BASIC ASSESSMENT REPORT REVIEW AND COMMENT PERIOD (11 December 2020 – 1 February 2021)

1.1. Organs of State

No.	Comment	Raised by	Response
1.	Thank you for the notification. Please upload the revised BAR and appendices to the relevant SAHRIS Application and change the status of the case to SUBMITTED.	Natasha Higgitt Heritage Officer SAHRA E-mail: 09 December 2020 Letter: 29 January 2020	The <u>Revised</u> BAR was uploaded onto SAHRIS under CaseID 15616 on 11 December 2020.
2.	The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMPr: <ul style="list-style-type: none"> 8(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed amendment to the authorised development, including the revised layout as noted in the revised DBAR; 		Comment noted, no further action required.
	<ul style="list-style-type: none"> 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows: 		Comment noted. Specialist recommendations have already been integrated into the Revised BAR and EMPr. No further action required.
	<ul style="list-style-type: none"> The Final Comment issued on the 18/03/2016 (https://sahris.sahra.org.za/node/359844), 20/06/2016 (https://sahris.sahra.org.za/node/365018) and 31/05/2019 (https://sahris.sahra.org.za/node/523991) are still valid for this application and must be adhered to; 		We note that the comments/cases referenced here are the comments issued by SAHRA on the Gunstfontein WEF EA process, and amendments thereto. The specialist report (refer Appendix E – Heritage Impact Assessment) reviewed the BESS and 500m assessment zone within the context of the detailed cases (and SAHRA's historical comments on the Gunstfontein WEF), and details the measures applicable from these cases to the proposed footprint and location of the BESS. All measures specified by the heritage impact assessment were included into the EMPr and BAR and therefore the applicable

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> <li data-bbox="235 312 972 655">• 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; <li data-bbox="235 663 972 903">• 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; <li data-bbox="235 911 972 943">• 38(4)d – See section 51(1) of the NHRA; <li data-bbox="235 951 972 1294">• 38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA. 		<p data-bbox="1384 233 2114 304">requirements from the cases detailed have been incorporated into this application.</p> <p data-bbox="1384 312 2114 408">Please refer to Section 6.5 of the BAR, and Outcome 10 of the EMPr for evidence of where these conditions have already been included into the EMPr and Revised BAR.</p>

No.	Comment	Raised by	Response
	<p>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</p> <p>The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</p>		<p>The Final BAR and EMPr will be uploaded to the SAHRIS case once submitted to DEFF for decision making, to ensure record keeping.</p> <p>The Environmental Authorisation will be uploaded to the SAHRIS case once received from the Competent Authority.</p> <p>Please note: this is an application for environmental authorisation, and not an amendment application as detailed.</p>
3.	<p>Good day,</p> <p>Would it be possible to send the heritage Impact Assessment Report as part of the Scoping Report.</p>	<p>Andrew Timothy Case Officer NC Heritage Agency</p> <p>E-mail: 15 December 2020</p>	<p>The HIA Report was e-mail to the Stakeholder on 15 December 2020 and proof of e-mail is included in Appendix C3 of the final BAR.</p>
4.	<p><u>This letter serves to inform you that the following information must be included to the final BAR:</u></p> <p>(a) Listed Activities</p> <p>i. Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed.</p> <p>ii. Please ensure that the written consent of the landowner is attached to the final BAR. Please note that the written consent has not been included in Appendix 3 of the electronic copy of the application form submitted to the Department.</p> <p>(b) Public Participation Process</p> <p>i. The following information must be submitted with the final BAR:</p> <p>a) A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;</p>	<p>Fiona Grimett Case Officer DEFF</p> <p>Letter: 01 February 2021</p>	<p>The listed activities as described within the final Basic Assessment Report are specific and linked to the development activity. All applicable activities have been applied for and assessed.</p> <p>Please refer to Appendix M of the final Basic Assessment Report for the written consent of the only landowner applicable to this application – Mr Andreas Muller.</p> <p>The database containing the full contact details of the registered I&APs are included in Appendix C1, including the map indicating the affected and adjacent landowners, of the final BAR.</p>

No.	Comment	Raised by	Response
	<p>b) Copies of all comments received during the revised draft BAR comment period; and</p>		<p>All written comments received for the <u>Revised</u> BAR are included in Appendix C5 of the final BAR.</p>
	<p>c) A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the revised draft BAR. Please note that comments received from this Department must also form part of the comment and response report.</p>		<p>The C&RR (this document) has been updated to include the comments received during the review and comment period of the <u>Revised</u> BAR and have been responded to in the C&RR.</p> <p>Comments received from the DEFF have been included and responded to in this C&RR (Appendix C6 of the final BAR).</p>
	<p>ii. Please ensure that all issues raised and comments received during the circulation of the revised draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the final BAR</p>		<p>All issues raised and comments received during the availability of the <u>Revised</u> BAR from I&APs and organs of state are captured in the C&RR (Appendix C6 of the final BAR). No additional comments, other than those submitted on the original draft BAR, were received from the DEFF's Biodiversity Conservation Directorate (please refer Appendix C3 and C4).</p> <p>All issues raised and comments submitted have been responded to in the C&RR.</p>
	<p>iii. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>Proof of correspondence with the various stakeholders and proof of attempts to obtain comments on the original and <u>Revised</u> BAR are included in Appendix C4 of the final BAR.</p> <p>Proof of correspondence with organs of state and proof of attempts to obtain comments on the original and <u>Revised</u> BAR are included in Appendix C3 of the final BAR.</p>
	<p>(c) <u>Environmental Management Programme</u></p> <p>i. Please ensure that the mitigation measures specified in the BAR and specialist reports are also incorporated into the EMPr. You are further required to ensure that the EMPr complies with the content of the EMPr in terms</p>		<p>Please refer to Table 4.1 of the EMPr where the requirements of Appendix 4 of the EIA regulations 2014, as amended, and the location within the EMPr where such information has been addressed have been indicated.</p>

No.	Comment	Raised by	Response
	of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.		
	ii. Given that the applicability of listed activities 14 of Listing Notice 1 and 10(g)(ii)(ee) of Listing Notice 3 has been confirmed, please also ensure that the EMPr includes mitigation measures for the operational phase of these activities.		Please refer to Objectives 19, 21 and 22 of the final EMPr for mitigation and control measures towards appropriate management, handling and containment of dangerous goods.
	General Should you fail to meet any of the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.		Comment noted. The final BAR will be submitted to the Department within the regulated timeframes.
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.		Comment noted, no further action required.

1.2. Key Stakeholders

No.	Comment	Raised by	Response
1.	Please find attached latest Eskom setbacks guideline if I have not yet sent it to you. The other previous comments stays the same. Eskom's updated setback guidelines: Renewable Energy Generation Plant Setbacks to Eskom Infrastructure Rev2 – signed) included in Appendix C5 of the final BAR.	John Geeringh Snr Consultant Environmental Management: Land and Rights Eskom Holdings SOC Ltd E-mails: 10 & 14 December 2020	It was determined that Eskom had not previously submitted written comments on the BAR. However, Eskom's updated setbacks guideline was submitted on 10 & 14 December 2020. The proposed BESS design currently complies with Eskom's setbacks, and this will be further confirmed/ ensured by the Applicant during the detail design phase of the BESS.
2.	Kindly note that the comments that were issued are still applicable and we have no further comments. The content of the BGCMA letter dated 26 August 2015 is captured below and responded to by the EAP.	Makhosi Mthimkhulu BGCMA E-mail: 11 January 2021	We note that the BGCMA comment letter dated 26 August 2015 was issued in response to the EIA process for the Gunstfontein Wind Farm in 2015 (i.e. a separate application to the current BESS application). Clarification was obtained from Makhosi Mthimkhulu which indicated that the comments that

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	<p>The Breede-Gouritz Catchment Management Agency (BGCMA) has the following comments:</p> <ol style="list-style-type: none"> <li data-bbox="237 379 969 587">1. No operation is allowed within 100m of a water resource or 1:100 year floodline whichever is the greatest. If the proposed activity falls within these criteria, you need to apply for water use license to ensure that the riparian ecological status of the water resource will not be negatively impacted. <li data-bbox="237 595 969 770">2. Refer to page 50 of your report. The crossing of watercourses constitutes a Water Use authorisation in terms of section 21 of the National Water Act (NWA) 1998(Act No. 36 of 1998). Please submit a Water Use License application to this Agency. <li data-bbox="237 778 969 874">3. Please note that no water maybe abstracted from any surface water body and groundwater unless authorized by this Agency. <li data-bbox="237 1129 969 1193">4. No surface, ground or storm water may be polluted as a result of any activities on the site. 		<p>were issued are still applicable (to this application) and that the department does not have any further comments.</p> <p>We note that the BGCMA comment letter dated 26 August 2015 was issued in response to the EIA process for the Gunstfontein Wind Farm in 2015 (i.e. a separate application to the current BESS application). Please further note: the reference to page 50 of the report incorrectly refers to documentation produced during the separate application for environmental Authorisation (S&EIR) conducted for the Gunstfontein Wind Energy Facility in 2015. It therefore does not apply to the reporting of this application.</p> <p>The specialist studies undertaken for the current application confirm that the proposed BESS location is more than 100m away from the identified and verified water resources on site, as can be seen in the environmental sensitivity maps attached as Appendix I of the final BAR. It is also noted that the BESS itself does not straddle or cross any watercourses.</p> <p>The above notwithstanding, a water use authorisation application is currently underway for the relevant components of the project for all water uses applicable to the development under the National Water Act (NWA) 1998(Act No. 36 of 1998). All conditions of the authorisation issued will be binding on the proponent.</p> <p>All potential impacts to water resources will be managed in accordance with the requirements and conditions of the water use authorisation currently in process for this project.</p> <p>Please further refer to Outcome 11, 12, 16, 21 and 22 of the EMPr for measures towards containment and minimisation of any impact (including pollution and contamination) from</p>

No.	Comment	Raised by	Response
			waste and battery components or hazardous fluids on site. Please also refer to Appendix B – Storm Water Management Plan and Appendix C – Waste Management Plan, of the EMPr.
5.	The rehabilitation of the site must ensure that the final conditions of the site is environmentally acceptable and that there will be no adverse long term effects on the surrounding environment especially the water resources.		Please refer to Outcome 16 of the final EMPr where this condition has been included verbatim. Please also refer to Appendix G – Revegetation and Rehabilitation Plan of the EMPr, for conditions towards site rehabilitation.
6.	Please note that all requirements as stipulated in the National Water Act (NWA) 1998(Act No. 36 of 1998) must be adhered to.		A water use authorisation application is currently underway for the project for all water uses applicable to the relevant components of the project under the National Water Act (NWA) 1998(Act No. 36 of 1998). All conditions of the authorisation issued will be binding on the proponent.
7.	Please note that this Agency reserves the right to amend and / or add to the comments made above in the light of subsequent information received.		Comment noted, no further action required.

1.3. Registered I&APs

No.	Comment	Raised by	Response
1.	Please take my email off your system.	Mandie van Heerden Unknown affiliation E-mail: 12 December 2020	The request was acknowledged, and I&AP was informed that she has been removed from the project's database on 13 December 2020.
2.	Please send all future communication to mothlakes@sentech.co.za .	Marius Venter SENTECH E-mail: 13 December 2020	It was confirmed that Mr Serame Mothlake is a registered stakeholder on the project database and will be identified as SENTECH's commenting official going forward. Mr Marius Venter has also been removed from the database in favour of Mr Serame Mothlake.

No.	Comment	Raised by	Response
3.	Please note that the Northern Cape does not fall within the BGCMA catchment and the application should be commented on by the DWS office for that region.	Elkerine Rossouw Water Use Specialist BGCMA E-mail: 14 December 2020	Comment noted, no further action required. Please note, the relevant DWS office was contacted during the EIA process (correspondence with Ms C. Schwarz of the Lower Orange Water Management Area, Upington Office) in 2015. Please further note that the Gunstfontein WEF project area comprises a number of different water management areas, and therefore the BGCMA has been included as a stakeholder.
4.	<p>I am dealing with this person at the moment. And after being told "Firmly" that Malieschoek is not for sale, I receive this from him.</p> <p>Is he part of the main company's plan for the area, or not? I was under the impression that he was working for the main company.</p> <p>He is very active in the area, and out further to the west, i.e. the Tanqua Karoo. He is a lawyer, and you can find lots more on the internet under his name. See 4Stonebuildings.com ect. He works out of the British Virgin Islands. He also fronts for a number of Afican leaders company's here in Africa.</p>	David Wootton Landowner: Farm De Kruis Malieschoek Nature Conservancy E-mail: 11 December 2020	The project team was in telephonic discussions with the I&AP to better understand the received comments and in so doing determined that the concerns raised are applicable to the already authorised Gunstfontein Wind Farm (DEA Ref 14/12/16/3/3/2/826) and not applicable to the BESS application. Concerns surrounding the Gunstfontein Wind Farm will be resolved between the development and the landowner however.
	<p>Thank you for these e-mails dated: 11th 12 2020, 14th 12 2020, and the 25th 01 2021 regarding the GUNSFONTEIN BESS & ASSOCIATED INFRASTRUCTURE DEVELOPMENT. GUNSFONTEIN WIND FARM DEVELOPMENT. ETC.</p> <p>Adding further to the objections that I have already lodged with Savannah Environmental as part of the ongoing Public Process.</p> <p>I am objecting on the grounds that the original ground survey is in-complete.</p>	E-mail: 31 January 2021	<p>It can be confirmed that the previous correspondences received from Mr Wootton does not relate to objections to the current BESS application, but concerns raised regarding access to his property for specialist work unrelated to this BESS application for Environmental Authorisation.</p> <p>It is understood that the objection raised is not related to the BESS application but is rather related and applicable to the already authorised Gunstfontein WEF (DEA Ref 14/12/16/3/3/2/826). This EIA process for the Gunstfontein WEF has concluded with all required specialist studies conducted to the satisfaction of the DEFF at the time. The project was</p>

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	<p>The area of the proposed Wind Farm is a unique Semi-Desert Wetlands Habitat.</p> <p>And the development will have a serious impact on it.</p>		<p>subsequently approved and received Environmental Authorisation in 2016, and a subsequent EA amendment was granted in 2019.</p> <p>The I&AP will be registered on the I&AP database for the Gunstfontein WEF, and will be further engaged with during the EMPr/Layout finalisation process for the WEF.</p> <p>In the context of the current BESS application, it is confirmed that thorough specialist studies – in accordance with the requirements and protocols of the EIA Regulations – have been undertaken for the proposed BESS development, and all environmental sensitivities have been taken into account in the final layout of the BESS. Furthermore, all mitigation measures recommended by the specialists to avoid or minimize environmental impacts have been integrated into the BAR and EMPr, and will be binding upon the Applicant should environmental authorisation for the BESS be awarded.</p>

2. COMMENTS RECEIVED DURING THE REVIEW AND COMMENT PERIOD OF THE BASIC ASSESSMENT REPORT (16 October 2020 – 16 November 2020)

2.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p><u>This letter serves to inform you that the following information must be included to the final BAR</u></p> <p>Listed Activities</p> <p>a) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the</p>	<p>Thulisile Nyalunga Case Officer DEFF</p> <p>Letter: 12 November 2020</p>	<p>Depending on the Battery Technology selected for implementation, assembly on site may be required and electrolyte solution may be brought to site in storage totes and temporarily stored on site before being pumped into the battery system. The activities 14 of Listing Notice 1 and 10(g)(ii)(ee) of Listing Notice 3 are therefore considered applicable due to the assembly and temporary storage nature possible of potential electrolytes.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>development must be applied for and assessed. In this regard, please note installations, facilities or infrastructure related to the development (or expansion) of a battery energy storage system will not trigger any of the activities related to the development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, unless the battery is not fully assembled and the electrolyte (or substances making up such electrolyte) intended for such battery, may potentially be stored on site, in a container (e.g. tanks), prior to filling. In light of this, please clarify the applicability of the applied for activities 14 of Listing Notice 1 and 10(g)(ii)(ee) of Listing Notice 3</p>		<p>The description of the applicability of these listed activities has been updated in the BAR, for clarity.</p>
	<p>b) If the activities applied for in the application form differ from those mentioned in the final BAR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p>		<p>As above, the activities 14 of Listing Notice 1 and 10(g)(ii)(ee) of Listing Notice 3 are therefore considered applicable due to the assembly and temporary storage nature possible of potential electrolytes. All listed activities in the BAR are aligned with those in the application form.</p> <p>No revised application form is therefore necessary.</p>
	<p>c) Please ensure that the written consent of the landowner is attached to the application, where the proponent is not the owner or person in control of the land on which the activity is to be undertaken</p>		<p>Please refer to Appendix 3 of the application form for a written consent of the one landowner applicable to this project – Andreas Muller.</p>
	<p>d) It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of GN R. 985 Activities. Written comments, or proof of the attempt to obtain comments, from the relevant authorities must be submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.</p>		<p>Please refer to Appendix C of the revised Draft BAR for a record of relevant authorities contacted for comments. Please also refer to the biodiversity directorate comments received from Mr Seoka Lekota included in this C&RR (and responses thereto), as well as the sensitivity map for the project showing the Critical Biodiversity Areas for the project.</p> <p>Please refer to the Figure 5.9 of the revised Draft Basic Assessment report for a map depicting the Critical Biodiversity areas in relation to the 500m assessment zone of the proposed BESS.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p><u>Layout & Sensitivity Maps</u></p> <p>e) Please ensure that the final BAR includes a layout map which indicates the following:</p> <ul style="list-style-type: none"> i. The location of the battery storage system in relation to the authorised Great Karoo Wind Energy Facility, with associated infrastructure; ii. All supporting onsite infrastructure e.g. roads (existing/authorised and proposed); iii. The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the BESS; and iv. Buffer areas; and, all "no-go" areas. <p>f) The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments; and existing grid infrastructure.</p>		<p>Please refer to Figure 8.1 (Layout Map, Revision 1 dated December 2020) of the Basic Assessment report for a final layout map showing the location of the BESS within the 500m assessment region, along with all supporting infrastructure and all sensitive environmental features including buffer areas or no-as as applicable.</p> <p>The layout has been overlain on the environmental sensitivity map (refer to Figure 8.1, Layout Map, Revision 1 dated December 2020). Please note, no heritage features were determined present within the 500m assessment zone of the Gunstfontein BESS and therefore none are included in the layout map. Please note: the facility layout, indicated in Layout map (Refer Figure 8.1, Layout Map, Revision 1 December 2020) is requested to be approved along with the environmental authorisation, should one be issued for the project.</p> <p>A cumulative map showing neighbouring renewable energy developments; and existing grid infrastructure is included in Figure 7.1 of the BAR.</p> <p>Please also refer to the CBA map contained with the revised draft Basic Assessment report for the location of the BESS in relation to the Gunstfontein Wind Energy Facility.</p> <p>Please note: the reference to the Great Karoo Wind Energy Facility is an error on the part of the department and likely a copy/paste error. It is assumed the comment applies however to this current application (Gunstfontein BESS).</p>
	<p>g) Google maps will not be accepted.</p>		<p>No google maps were used</p>
	<p><u>Alternatives</u></p> <p>h) Please note that you are required to provide a full description of the process followed to reach the proposed preferred technology alternative within the site, in terms of Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended, including details of all the technology alternatives considered (particularly the Lithium-ion and</p>		<p>Please refer to Chapter 2.3 of the Basic Assessment report for a detailing of the alternatives considered for the project, in particular the technology alternatives for the BESS. In particular, please refer to 2.3.3 for a detailing of the advantages and disadvantages associated with the alternatives.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	Redox-flow, and the advantages and disadvantages associated with each).		
	i) Please provide written proof of an investigation and motivation, if no reasonable or feasible alternatives exist in terms of Appendix 1.		Please refer to Chapter 2.3 of the Basic Assessment report for a detailing of the alternatives considered for the project, in particular the technology alternatives.
	<u>Coordinates</u> j) Kindly ensure that coordinates of the BESS with associated infrastructure are provided in the format: degrees, minutes and seconds.		Please refer to Table 2.1 within the BAR for coordinates of the bounds of the proposed BESS in degrees, minutes and seconds format.
	<u>Specialist Assessments</u> k) Specialist studies to be conducted must provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.		Please refer to Appendix D, E, F and G of the Basic Assessment report for the specialist studies, each of which contains a description of the project and the methodology utilised in assessment.
	l) 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.		Please refer to Appendix D, E, F and G of the Basic Assessment report for the specialist studies, each of which contains a description of assumptions and limitations applicable to their respective study. All studies were conducted within a suitable season, where applicable.
	m) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.		No contradictions between the findings of the BAR and the specialist studies are applicable.
	n) Please ensure that declaration forms are attached for all specialist studies conducted.		Please refer to Appendix J of the Basic Assessment report for specialist declarations.
	<u>Public Participation Process</u> o) The following information must be submitted with the final BAR: i. A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;		The database containing the contact details of registered I&APs is included as Appendix C1 to the revised Draft BAR.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>ii. Copies of all comments received during the draft BAR comment period; and</p>		<p>The draft Basic Assessment Report was made available for review and comment from 16 October 2020 to 16 November 2020, and comment received during this comment period are included in Appendix C5 of the revised Draft BAR.</p>
	<p>iii. A comment and response report which contains all comments received and responses provided to all comments and issues raised during the public participation process for the draft BAR. Please note that comments received from this Department must also form part of the comment and response report.</p>		<p>The C&RR which includes written comments received on the draft BAR is included as Appendix C6 of the revised Draft BAR. The comments received from the competent authority are captured in the C&RR (this report).</p>
	<p>iv. Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Departments Biodiversity Section) in respect of the proposed activity are adequately addressed in the final BAR.</p>		<p>All written comments received, including that of the DEFF's Biodiversity Conservation Directorate, are included in Appendix C5 of the revised Draft BAR.</p>
	<p>v. Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>Proof of correspondence with various stakeholders is attached in Appendix C3 (Consultation with Organs of State) and Appendix C4 (Consultation with Stakeholders) of the revised Draft BAR. Proof of attempts that were made to obtain comments is attached in Appendices C3 and C4 of the revised Draft BAR.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan. The approved Public Participation Plan is included in the revised Draft BAR as Appendix C7.</p> <p>The BAR was made available for a 30-day review and comment period from 16 October 2020 to 16 November 2020. As per the approved Public Participation Plan, the availability of the BAR was:</p>

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			<ul style="list-style-type: none"> • Advertised in Noordwester/Oewernuus/Messenger, a local community newspaper, on Friday 16 October (tear sheet included in Appendix C2 of the revised Draft BAR). • Notification letter sent to all registered I&APs (Appendix C4) and Organs of State (Appendix C3) on the project database informing them of the application and that the BAR is available for review and comment. • The BAR was also made available for downloaded from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request, from Savannah Environmental.
	<p>vi. Environmental Management Programme vii. Please ensure that the content of the EMPr complies with the requirements of the Appendix 4 of the EIA Regulations 2014, as amended.</p>		<p>Please refer to Table 4.1 of the EMPr where the requirements of Appendix 4 of the EIA regulations 2014, as amended, and the location within the EMPr where such information has been addressed have been indicated.</p>
	<p>viii. The EMPr must distinguish between impact management actions and impact management outcomes, per Appendix 4 of the EIA Regulations 2014, as amended.</p>		<p>The EMPr provides clear outcomes, with concomitant actions across all the project phases.</p>
	<p>ix. The EMPr must include: i. A map at an appropriate scale, which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that should be avoided (no-go areas), including buffers.</p>		<p>Please refer to Figure 2.3 of the EMPr for a sensitivity map including no-go areas or buffers as may be applicable.</p>
	<p>ii. All recommendations and mitigation measures recorded in the BAR and the specialist studies conducted.</p>		<p>The EMPr contains all recommendations and mitigation measures as recorded in the BAR and the specialist studies conducted.</p>
	<p>iii. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive</p>		<p>Please refer to outcome 6 for measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments. Please also refer to outcome 12 and outcome 22 for management measures towards containment and spillage related to the BESS components and materials.</p>

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	areas from construction impacts including the direct or indirect spillage of pollutants.		
	x. Please ensure that the EMPr also includes:		Please refer to the Performance Indicator and Monitoring tables provided for each outcome as listed in the EMPr for a detailing of the method of monitoring required towards monitoring the management actions contemplated for each outcome.
	i. The <u>method of monitoring</u> the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		
	ii. The <u>frequency of monitoring</u> the implementation of the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		Please refer to the Performance Indicator and Monitoring tables provided for each outcome as listed in the EMPr for a detailing of the frequency of monitoring required towards monitoring the management actions contemplated for each outcome.
	iii. An <u>indication</u> of the <u>persons</u> who will be responsible for the implementation of the impact management actions.		Please refer to the responsibility column provided for each action as listed in the EMPr for a detailing of the person responsible for the implementation of the impact management actions contemplated for each outcome.
	iv. The time <u>periods</u> within which the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended, must be implemented.		Please refer to the timeframe column provided for each action as listed in the EMPr for a detailing of the periods related to the implementation of the impact management actions contemplated for each outcome.
	v. The <u>mechanism for monitoring of compliance</u> with the impact management actions contemplated in paragraph (f) of Appendix 4 of the EIA Regulations 2014, as amended.		Please refer to the Performance Indicator and Monitoring tables provided for each outcome as listed in the EMPr, as well as Sections 6.4 and 6.5 of the EMPr for a detailing of the mechanisms of monitoring required towards monitoring the management actions contemplated for each outcome.
	vi. A <u>program for reporting on compliance</u> , taking into account the requirements as prescribed by the Regulations.		Please refer to Chapter 6 of the EMPr for a programme for reporting on compliance.
	<u>General</u>		
	xi. Please ensure that the final BAR includes an undertaking under oath or affirmation by the EAP (administered by a Commissioner of Oaths) as per		Please refer to Appendix M of the Basic Assessment report for an undertaking under oath by the EAP.

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	<p>Appendix 1(3)(r) of the NEMA EIA Regulations, 2014, as amended, which states that the BAR must include:</p> <p>i. <i>an undertaking under oath or affirmation by the EAP in relation to:</i></p> <p>ii. <i>the correctness of the information provided in the reports;</i></p>		
	<p>iii. <i>the inclusion of comments and inputs from stakeholders and I&APs;</i></p>		<p>Please refer to Appendix M of the revised Draft Basic Assessment report for an undertaking under oath by the EAP. In addition, please refer Appendix C6 for the Comments and Response report showing a complete record of the comments and inputs from Stakeholders.</p>
	<p>iv. <i>the inclusion of inputs and recommendations from the specialist reports where relevant; and</i></p>		<p>Please refer to Appendix M of the revised Draft Basic Assessment report for an undertaking under oath by the EAP. In addition, please refer to Chapter 6 and 7 for a complete listing of the inputs and recommendations made by specialists.</p>
	<p>v. <i>any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties".</i></p>		<p>Please refer to Appendix M of the Basic Assessment report for an undertaking under oath by the EAP. In addition, please refer to Appendix C for a complete record of the information provided to interested and affected parties.</p>
	<p>xii. Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended.</p>		<p>Please refer to Section 8.5 of the BAR for a determination of the period for which an Environmental Authorisation is requested. A 10-year validity period is requested for the Environmental Authorisation if approved by the competent authority.</p>
	<p>xiii. You are reminded that the final BAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of basic assessment reports and EMPr in accordance with Appendix 1, Appendix 4 and Regulation 19(1) (a) of the Environmental Impact Assessment Regulations (2014), as amended</p>		<p>The Basic Assessment report complies with the scope and content requirements as determined in Appendix 1 of the EIA regulations 2014, as amended.</p>

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	<p>xiv. Please ensure that the risks associated with the Battery Energy Storage System technologies are assessed and included in the final BAR.</p>		<p>Please refer to Chapters 6 and 7 of the BAR for an assessment of impacts and risks related to the BESS technologies as well as the mitigation measures provided for the control and management thereof. Please also refer to Outcomes 11, 12, 19, 20 21 and 22 of the EMPr for measures required to manage the risks associated with the BESS.</p>
	<p>You are further reminded to comply with Regulation 19(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: <i>"Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority -</i> <i>(a) a basic assessment report, inclusive of specialist reports, an EMPr, and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority."</i></p>		<p>The final Basic Assessment report will be submitted within the prescribed regulated timeframes.</p>
	<p>Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(b) of the NEMA EIA Regulations, 2014, as amended, which states: <i>"the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority (b) a notification in writing that the basic assessment report, inclusive of specialist reports an EMPr, and where applicable, a closure plan, will be submitted 'within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure</i></p>		<p>A notification of extension of timeframe under regulation 19(b) was submitted to the DEFF on 10 December 2020.</p>

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	<p><i>plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days'.</i></p>		
	<p>Should you fail to meet any of the timeframes stipulated in Regulation 32 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p>		<p>Comment noted, no further action required.</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>Comment noted, no further action required.</p>
<p>2.</p>	<p>The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMPr</p> <ul style="list-style-type: none"> • 8(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed amendment to the authorised development; • 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows • The Final Comments issued on the 18/03/2016 (https://sahris.sahra.org.za/node/359844), 20/06/2016 (https://sahris.sahra.org.za/node/365018) and 31/05/2019 (https://sahris.sahra.org.za/node/523991) are still valid for this application and must be adhered to; 	<p>Natasha Higgitt SAHRA Letter: 12 November 2020</p>	<p>Comment noted, no further action required.</p> <p>The specialist report (refer Appendix E – Heritage Impact Assessment) reviewed the BESS and 500m assessment zone within the context of the detailed cases, and details the measures applicable from these cases to the proposed footprint and location of the BESS. All measures specified by the heritage impact assessment were included into the EMPr and BAR and therefore the applicable requirements from the cases detailed have been incorporated into this application.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> <li data-bbox="215 347 925 730">• 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; <li data-bbox="215 735 925 975">• 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; <li data-bbox="215 979 925 1018">• 38(4)d – See section 51(1) of the NHRA; <li data-bbox="215 1023 925 1370">• 38(4)e – The following conditions apply with regards to the appointment of specialists: i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA; 		<p data-bbox="1234 272 2134 336">Please note that the revised draft BAR report will also be submitted to SAHRIS accordingly for any additional SAHRA comment.</p> <p data-bbox="1234 341 2134 443">Please refer to Section 6.5 of the BAR, and Outcome 10 of the EMPr for evidence of where these conditions have been included into the EMPr and BAR reporting.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> The Final BAR and EMPr must be submitted to SAHRA for record purposes; The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application Should you have any further queries, please contact the designated official using the case number quoted above in the case header. 		<p>The Final BAR and EMPr will be uploaded to the SAHRIS case once submitted to DEFF for decision making, to ensure record keeping.</p> <p>The Environmental Authorisation uploaded to the SAHRIS case once received from the Competent Authority.</p> <p>Comment noted, no further action required.</p>
3.	<p>The following recommendations must be considered during the FBAR phase:</p> <ul style="list-style-type: none"> High sensitivity areas in close proximity to the development footprint must be demarcated as no-go areas i.e. drainage lines; A plant rescue and protection plan for the identified Species of Conservation Concern which allows for the maximum transplant of conservation species from areas to be transformed must be developed and submitted; Erosion and Alien Plant Species Management Plan, and rehabilitation plan must be submitted as part of the final report to mitigate on habitat degradation due to erosion and alien plant invasion 	<p>Aulicia Maifo & Portia Makitla Case Officers DEFF: Biodiversity Conservation Directorate Letter: 16 November 2020</p>	<p>All high sensitivity areas are avoided by the location of the BESS and associated infrastructure. As per the specifications of Outcome 1 of the EMPr, high sensitivity areas have now been avoided during the final design and layout of the BESS.</p> <p>Please refer to Appendix L of the EMPr for a plant rescue and protection plan in accordance with this comment.</p> <p>Please refer to Appendix F of the EMPr for an Alien and invasive plant management plan and Appendix H of the EMPr for an Erosion Management Plan, in accordance with this comment.</p>
4.	<p>The Department of Water and Sanitation (DWS) hereby acknowledges the receipt of your correspondence detailing the intent of Gunstfontein Wind Farm (Pty) Ltd to submit a proposal to the Department of Energy. It is our understanding that as part of such application it is required of the project proponent to provide confirmation that water is available for the proposed project as well as proof of submission of a water use license application as required under qualification criteria.</p>	<p>Alexia Hlengani Department of Water and Sanitation (DWS) Letter: 05 November 2020</p>	<p>Comment noted, no further action required. (please note: the departmental reference to the photovoltaic solar energy facility appears to be incorrect and should correctly refer to the Wind Energy Facility).</p>

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	<p>The Department hereby wishes to confirm that it has engaged with the proponent regarding the water use requirements of the proposed 200MW photovoltaic solar energy facility to be located on Farm Gunstfontein no 131, Sutherland.</p> <p>After due consideration of the water resource availability in the relevant catchment area, it was found that sufficient water is available to meet the water requirements for the proposed project. The water will be sourced from boreholes on the property. The water consumption is estimated to be 40 000m³/annum during the construction phase and 2800m³/annum during operation phase of the proposed wind energy facility.</p> <p>The department further wishes to confirm that a full assessment of the application for water use authorisation by Gunstfontein Wind Farm Pty Ltd: Gunstfontein Wind Energy Project will only be undertaken in the event that the project proponent has been appointed as a preferred bidder by the Department of Energy.</p> <p>This letter of confirmation is non-binding and should not be construed as authorisation to engage in any water use defined in the Section 21 of the National Water Act, 1998 (Act no. 36 of 1998) or that a water use license will necessarily be granted, nor does it grant exemption from the requirements of any other application act, ordinance, regulation or by law.</p>		

3. COMMENTS RECEIVED AT THE COMMENCEMENT OF THE BASIC ASSESSMENT PROCESS

No comments received during the commencement of the Basic Assessment process