

# **GUNSTFONTEIN OVERHEAD POWER LINE (OHL) EXTENSION, NORTHERN CAPE PROVINCE**

## **(DEA Reference No.: 14/12/16/3/3/1/2228)**

### **COMMENTS AND RESPONSES REPORT**

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The Gunstfontein OHL extension Basic Assessment Process was announced on 02 September 2020 through the distribution of the process notification letter. The letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries that they might have.

The Basic Assessment (BA) Report was made available for a 30-day review and comment period from **Friday, 04 September 2020** until **Monday, 05 October 2020**. All written comments received during the BA process were included in the Comments and Responses Report and included in **Appendix C6** of the Revised Basic Assessment Report.

The Revised BA report was subsequently updated to include an optimised layout, and the Revised Draft BAR was then made available for a further 30-day review and comment period from **Friday, 11 December 2020** until **Monday 01 February 2021**. All written comments received during the BA process have been included in this Comments and Responses Report and included in **Appendix C5** of this final Basic Assessment Report.

#### LIST OF ABBREVIATIONS / ACRONYMS

BA	Basic Assessment	BAR	Basic Assessment Report
BGCMA	Breede-Gouritza 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
OoS	Organs of State	SAHRIS	South African Heritage Resources Information System
SAHRA	South African Heritage Resources Agency	SARAO	South African Radio Astronomy Observatory

## 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.	<p>This letter serves to inform you that the following information must be included to the final BAR:</p> <p><b>(a) Listed Activities</b></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. 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 request thereof) must be obtained from the relevant provincial environmental authority and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.</p> <p><b>(b) Alternatives</b></p> <p>i. Kindly provide extensive motivation, if no reasonable or feasible alternatives exist in terms of Appendix 1(3)(1)(h) of the EIA Regulations 2014, as amended.</p> <p><b>(c) Public Participation Process</b></p> <p>i. The following information must be submitted with the final BAR:</p>	<p>Motlhodi Mogorosi 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 an assessed.</p> <p>Please refer to Appendix C of the BAR for a record of relevant authorities contacted for comments. Please also refer to the biodiversity directorate comments received from Ms Portia Makitla included in this C&amp;RR (and responses thereto), as well as Figure 5.4. of the final BAR of the project showing the Critical Biodiversity Areas for the project.</p> <p>All alternatives considered during the BA process have been included and discussed in detail in the Revised (and Final) Draft BAR in Section 2.3.</p> <p>The database containing the full contact details of the registered I&amp;APs are included in <b>Appendix C1</b>, including the map indicating the affected and adjacent landowners, of the final BAR.</p>

No.	Comment	Raised by	Response
	a) A list of registered interested and affected parties as per Regulation 42 of the NEMA EIA Regulations, 2014, as amended;		
	b) Copies of all comments received during the amended draft BAR comment period; and		All written comments received on the Revised BAR are included in <b>Appendix C5</b> of the final BAR.
	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 amended draft BAR. Please note that comments received from this Department must also form part of the comment and response report.		The C&RR has been updated to include the comments received during the review and comment period of the Revised BAR and have been responded to in the C&RR.  Comments received from the DEFF have been included and responded to in this C&RR ( <b>Appendix C6</b> of the final BAR).
	ii. Please ensure that all issues raised and comments received during the circulation of the amended 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.		All issues raised and comments received during the availability of the Revised BAR from I&APs and organs of state are captured in the C&RR ( <b>Appendix C6</b> of the final BAR). No additional comments, other than those submitted on the BAR, were received from the DEFF's Biodiversity Conservation Directorate.  All issues raised and comments submitted throughout the Basic Assessment process have been responded to in the C&RR.
	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.		Proof of correspondence with the various stakeholders and proof of attempts to obtain comments on the Revised BAR are included in <b>Appendix C4</b> of the final BAR.  Proof of correspondence with organs of state and proof of attempts to obtain comments on the Revised BAR are included in <b>Appendix C3</b> of the final BAR.
	<b>(d) Environmental Management Programme</b>		
	i. Please ensure that any site specific mitigation measures identified in the BAR and specialist reports		All mitigation measures as provided for in the BAR and associated specialist studies have been incorporated and are included in Part C of the generic EMP.

No.	Comment	Raised by	Response
	have been incorporated into the generic Environmental Management Programme (EMPr).		
	<b>General</b> 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.
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"> <li>38(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;</li> </ul>	Natasha Higgitt Heritage Officer SAHRA  Letter: 29 January 2021	Comment noted, no further action required.
	<ul style="list-style-type: none"> <li>38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;</li> </ul>		Comment noted, no further action required.
	<ul style="list-style-type: none"> <li>38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;</li> </ul>		Please refer to the <b>Outcome: Archaeological and built environment heritage resources</b> , contained in Part C (page 149) of the project EMPr, where these conditions have been included verbatim.

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> <li>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> </ul>		
	<ul style="list-style-type: none"> <li>38(4)d – See section 51(1) of the NHRA;</li> </ul>		
	<ul style="list-style-type: none"> <li>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;</li> </ul>		
	<ul style="list-style-type: none"> <li>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</li> </ul>		The final BAR and EMPr will be uploaded onto SAHRIS CaseID 15175.
	<ul style="list-style-type: none"> <li>The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</li> </ul>		The EA issued by the DEFF for the application will be uploaded onto SAHRIS CaseID 15175.

## 1.2. Key Stakeholders

No.	Comment	Raised by	Response
1.	Please find attached Eskom general comments for works at or near servitudes should any work be required to be done in existing servitudes.	John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division Eskom Holdings SOC Ltd  E-mail: 06 January 2021	Comment noted, no further action required. Please refer to the comments and response provided on the content of the document below.
	<b>The information included in the MS Word document attached to the e-mail is captured below.</b>		
	Eskom requirements for work in or near Eskom servitudes.		The requirements for development at or near Eskom infrastructure servitudes are noted. The proposed OHL Extension currently complies with Eskom's setbacks, and this will be further confirmed/ ensured by the Applicant during the detail design phase of the powerline infrastructure.  In addition, the need to comply with Eskom requirements (as applicable) is contained within Part C, section 7.1.5 "Project location" within the EMPr for the project.
	1. Eskom's rights and services must be acknowledged and respected at all times.		
	2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.		
	3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.		
	4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.		
	5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand.		

	6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.		
	7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.		
	8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.		



	<p>9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager</p> <p>Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.</p> <p>10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.</p> <p>11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.</p> <p>12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).</p> <p>13. Equipment shall be regarded electrically live and therefore dangerous at all times.</p>		
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	14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.		
	15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.		
	16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant		
	17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.		
2.	<p>Kindly note that the comments that were issued are still applicable and we have no further comments.</p> <p><b><i>The content of the BGCMA letter dated 26 August 2015 is captured below and responded to by the EAP.</i></b></p> <p>The Breede-Gouritz Catchment Management Agency (BGCMA) has the following comments:</p> <p>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.</p>	<p>Makhosi Mthimkhulu BGCMA</p> <p>E-mail: 11 January 2021</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). As such not all comments are applicable to the current application (OHL Extension) – for example, the reference to “page 50” refers to the Gunstfontein Wind Farm EIA Report (2015, separate application).</p>

	<p>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.</p> <p>3. Please note that no water maybe abstracted from any surface water body and groundwater unless authorized by this Agency.</p> <p>4. No surface, ground or storm water may be polluted as a result of any activities on the site.</p> <p>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.</p>		<p>The above notwithstanding, it is confirmed that a water use authorisation application is currently underway for 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 in accordance with the requirements and conditions of the water use authorisation currently in process for this project.</p> <p>Mitigation and monitoring measures to avoid or minimise potential impacts to water resources are contained in the EMPr, specifically Part B: <b>Impact management outcome: Pollution and contamination of the watercourse environment and erosion are prevented</b>, as well as <b>Impact management outcome: Impacts to the environment caused by stormwater and wastewater discharges during construction are avoided</b>.</p> <p>Please also refer to the EMPr Part C: <b>Impact management outcome: Minimise hydrological impact</b>.</p> <p>The abovementioned objectives all contain measures towards control and minimisation of pollution to groundwater, stormwater and surface water features.</p> <p>These measures form part of the EMPr and will be binding on the Applicant.</p> <p>Please refer to page 148 of the final EMPr where this condition has been included verbatim. Please also refer to Appendix 5 – Revegetation and Rehabilitation Plan (of the EMPr).</p>
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	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.
3.	<p>SARAO has completed the risk re-assessment with regard to the electromagnetic emissions of the for the above mentioned project and its possible impact on the SKA radio telescope.</p> <p>This project will pose a low risk of interference to the SKA and therefore, SARAO does not object to the development of the project.</p> <p>Thank you for your patience and our office remains open for any discussion relating to this project and its impact on the SKA radio telescope.</p>	<p>Selaelo Matlhane Spectrum &amp; Telecommunication Manager SARAO</p> <p>Letter: 26 January 2021</p>	Comment noted, no further action required.

### 1.3. Interested and Affected Parties

No.	Comment	Raised by	Response
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1.	<p>Ek neem kennis van u beplanning van Gunsfontein windplaas.</p> <p>As eienaar van Standvastigheid en Appelfontein vra ek u om die roetes van u 132kv lyn te beplan dat u nie nodig het om oor my eiendom te gaan nie.</p> <p><b>Translation:</b> I take note of the Gunstfontein windfarm development.</p> <p>I request, as owner of Standvastigheid and Appelfontein, that there is no need for the 132kV power line route to traverse my properties.</p>	<p>Francois Conradie Landowner: Standvastigheid and Appelfontein</p> <p>E-mail: 27 January 2021</p>	<p>It is confirmed that the Gunstfontein overhead power line extension traverses the following properties:</p> <ul style="list-style-type: none"> <li>• Remainder of Portion 1 of the Farm Orange Fontein 203</li> <li>• Remainder of the Farm Annex Orange Fontein 185</li> <li>• Remainder of the Farm Leeuwe Hoek 183</li> <li>• Farm De Hoop 202</li> </ul> <p>and would therefore not transfer or impact the Farms Standvastigheid and Appelfontein.</p>
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## 2. COMMENTS RECEIVED DURING THE BASIC ASSESSMENT REPORT REVIEW AND COMMENT PERIOD (4 September 2020 – 5 October 2020)

### 2.1. Organs of state

No.	Comment	Raised by	Response
1.	<p><b>Final Comment</b></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"> <li>• 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed amendment to the authorised development;</li> </ul>	<p>Natasha Higgitt Heritage Officer and Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit SAHRA</p>	<p>Comment acknowledged. No further action required.</p>
	<ul style="list-style-type: none"> <li>• 38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development</li> </ul>	<p>Letter: 20 November 2020</p>	<p>Comment acknowledged. No further action required.</p>
	<ul style="list-style-type: none"> <li>• 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</li> </ul>		<p>Please refer to the Revised Draft EMPr, section C, <i>Archaeological and built environment heritage resources objective</i> for the inclusion of this condition. Please also refer to section 6.6 (assessment of impacts on Heritage Resources) of</p>

No.	Comment	Raised by	Response
	other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;		the Revised Draft Basic Assessment report, for inclusion of this condition.
	<ul style="list-style-type: none"> <li>38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offence in terms of section 51(1)e of the NHRA and item 5 of the Schedule;</li> </ul>		Please refer to the Revised Draft EMPr, section C, <i>Archaeological and built environment heritage resources objective</i> for the inclusion of this condition. Please also refer to section 6.6 (assessment of impacts on Heritage Resources) of the Revised Draft Basic Assessment report, for inclusion of this condition.
	<ul style="list-style-type: none"> <li>38(4)d – See section 51(1) of the NHRA;</li> </ul>		<p>The following text comprises Section 51(1) of the NHRA:</p> <p>Offences and penalties</p> <p>51. (1) Notwithstanding the provisions of any other law, any person who contravenes—</p> <ul style="list-style-type: none"> <li>(a) sections 27(18), 29(10), 32(13) or 32(19) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 1 of the Schedule;</li> <li>(b) sections 33(2), 35(4) or 36(3) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 2 of the Schedule;</li> <li>(c) sections 28(3) or 34(1) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 3 of the Schedule;</li> <li>(d) sections 27(22), 32(15), 33(1), 35(6) or 44(3) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 4 of the Schedule;</li> </ul>

No.	Comment	Raised by	Response
			<p>(e) sections 27(23)(b), 32(17), 35(3), 36(3) or 51(8) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 5 of the Schedule;</p> <p>(f) sections 32(13), 32(16), 32(20), 35(7)(a), 44(2), 50(5) or 50(12) is guilty of an offence and liable to a fine or imprisonment or both such fine and imprisonment as set out in item 6 of the Schedule.</p> <p>The following has now been included into the project EMPr, under section C, <i>Archaeological and built environment heritage resources objective</i>:</p> <p>"Offences and penalties in terms of heritage resources conditions contained in this EMPr will be in accordance with the requirements of the National Heritage Resources Act, in particular Section 51(1)."</p> <p>This condition has also been added to section 6.6 (assessment of impacts on Heritage Resources) of the Revised Draft Basic Assessment Report.</p>
	<ul style="list-style-type: none"> <li>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;</li> </ul>		<p>Please refer to the Revised Draft EMPr, section C, <i>Archaeological and built environment heritage resources objective</i> for the inclusion of this condition. Please also refer to section 6.6 (assessment of impacts on Heritage Resources) of the Revised Draft Basic Assessment report, for inclusion of this condition.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> <li>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</li> </ul>		The final BAR and EMPr will be uploaded onto SAHRIS under CaseID 15175 following submission to the Competent Authority for decision making.
	<ul style="list-style-type: none"> <li>The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</li> </ul>		The EA, when issued will be uploaded onto SAHRIS under CaseID 15175.
2.	<p>SARAO has completed the preliminary risk re-assessment with regard to the electro-magnetic emissions for the above mentioned project and its possible impact on the SKA radio telescope.</p> <p>This project will pose a low risk of interference to the SKA and therefore, SARAO does not object to the development of the project.</p> <p>Thank you for your patience and our office remains open for any discussion relating to this project and its impact on the SKA radio telescope.</p>	<p>Selaelo Matlhane Spectrum &amp; Telecommunicator Manager SARAO</p> <p>Letter: 15 October 2020</p>	Comment acknowledged. No further action required.
3.	<p>In overall, there are no potential impacts associated with the proposed development that are considered to be of high significance and which cannot be mitigated to an acceptable level. As such, there are no fatal flaws or other major impediments that should prevent the development from going ahead.</p>	<p>Portia Makitla Case Officer DEFF: Biodiversity Conservation Directorate</p> <p>Letter: 05 October 2020</p>	Comment acknowledged. No further action required.
	<p>In order to minimize the negative impacts that might occur as a result of the proposed development, the following recommendation must be considered:</p> <ul style="list-style-type: none"> <li>Suitable bird repelling structures and bird diverters must be considered to avoid collision of birds with the power line;</li> </ul>		Bird-diverters will be considered and installed as required by the mitigation measures put forward in the EMPr (refer objectives: minimise direct avifaunal impacts during construction; and minimise direct avifaunal impacts during operation).
	<ul style="list-style-type: none"> <li>Areas with large trees must be avoided as they serve as potential roosting and breeding habitat for a variety of birds, including raptors;</li> </ul>		All possible breeding sites of raptors and other wild bird species have been considered during the planning of the development programme as per the mitigation measures put



No.	Comment	Raised by	Response
			forward in the EMPr. As per the mitigation measures in the EMPr, breeding sites will be kept intact and disturbance to breeding birds will be avoided. Special care will be taken where nestlings or fledglings are present.
	<ul style="list-style-type: none"> <li>A specialist must be appointed to search and identify any active breeding site on site and if found must be demarcated as a NO-GO Zone and monitored during construction;</li> </ul>		A specialist has been appointed to search and identify any active breeding sites on site and to demarcate any no-go zones requiring further monitoring during construction. Please refer to the Objective: <i>Minimise direct avifaunal impacts during construction via habitat loss and disturbance</i> within the EMPr for inclusion of the requirement of monitoring where such no-go zones are determined.
	<ul style="list-style-type: none"> <li>All disturbed, exposed earth and cleared areas must be rehabilitated with indigenous perennial shrubs and grasses from the local area;</li> </ul>		As per several of the mitigation measures in the EMPr, all disturbed, exposed earth and cleared areas will be rehabilitated with indigenous perennial shrubs and grasses from the local area once construction is completed.
	<ul style="list-style-type: none"> <li>Permits from relevant authorities must be obtained prior to commencement of any construction activities for the removal or disturbance of any TOPs, Red Data listed or Provincially protected species;</li> </ul>		As per several of the mitigation measures in the EMPr, all Permits from relevant authorities will be obtained prior to the commencement of any construction activities for the removal or disturbance of any TOPs, Red Data listed or Provincially protected species.
	<ul style="list-style-type: none"> <li>Sensitive areas in close proximity to the development footprint must be demarcated as no-go area i.e. drainage lines; and</li> </ul>		<p>No no-go zones were determined by the specialists with only pylons being excluded from the very high sensitivity areas (both ecological and avifaunal). The layout has therefore included consideration of the avoidance of these very high sensitivity areas in terms of pylons only.</p> <p>Please refer to section 8.3 of the BAR for a discussion on the sensitivities determined by the specialists.</p>
	<ul style="list-style-type: none"> <li>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.</li> </ul>		<p>Please refer to Appendix 3, 4 and 5 of the Revised Draft EMPr for the following plans, in accordance with this requirement:</p> <p>Appendix 3: Erosion Management Plan</p>

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			Appendix 4: Alien Plant Species Management Plan Appendix 5: Rehabilitation Plan
	Lastly; the final report must also comply with all the requirements as outlined in the EIA guideline for renewable energy projects and the Revised Best Practice Guideline for Birds & Wind Energy for assessing and monitoring the impact of wind energy facilities on birds in Southern Africa.		As this is a power line development, the guideline relating to wind energy development is not applicable. Regular monitoring of the power line is however required within Section C, objective: minimise direct avifaunal impacts during operation.
4.	<p>This letter serves to inform you that the following information must be included to the final BAR:</p> <p><b>Listed Activities</b></p> <p>a) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed.</p>	<p>Matlhodi Mogorosi Case Officer DEFF</p> <p>Letter: 01 October 2020</p>	<p>All relevant listed activities have been applied for and are specific to this project.</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 Departments application form template has been amended and can be downloaded from the following link <a href="https://www.environment.gov.za/documents/forms">https://www.environment.gov.za/documents/forms</a> .		Listed activities listed in the BAR are the same as those included in the application. No amended application is applicable.
	c) It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property falls within geographically designated areas in terms of GN R. 985 Activities, Written comments (or proof of the attempt to obtain such comments) must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.		Please refer to <b>Appendix C</b> of the BAR for a record of relevant authorities contacted for comments. Please also refer to the biodiversity directorate comments received from Ms Portia Makitla 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.

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	d) It is noted that a number of listed activities within or near watercourses have been applied for, however an aquatic specialist assessment has not been undertaken, as the pylons may be able to span the watercourses, and existing access roads will be used as far as possible. Should the relevant listed activities still be applicable in these circumstances, please ensure that the BAR and EMPr contains appropriate, proven mitigation measures to mitigate the impacts on watercourses to acceptable levels.		All relevant listed activities applicable in these circumstances, have been addressed in the BAR and EMPr with appropriate, proven mitigation measures to mitigate the impacts on watercourses to acceptable levels. It is noted that the ecological specialist assessment considered both terrestrial and aquatic biodiversity and put forward recommended mitigation measures for any potential drainage line crossings, which have been integrated into the BAR.
	<b>Layout &amp; Sensitivity Maps</b>		
	e) Please provide a layout map which indicates the following:		A layout map indicating the proposed grid connection extension infrastructure, overlain onto the sensitivity map, including buffer areas or no-gos (as applicable) has been included as Figure 8.1 (Figure 8.1, Layout Map, Revision 1 December 2020) in the BAR. This layout map is the final layout for the facility and requested for approval along with the EA, should the project be granted a positive authorisation.
	(i) The proposed grid connection extension infrastructure, overlain by the sensitivity map;		
	(ii) Ail supporting onsite infrastructure e.g. roads (existing and proposed);		
	(iii) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; and		
	(iv) Buffer areas; and, all "no-go" areas.		
	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.		A layout map has been overlain onto the sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure have been included as Figures 8.1 and Figure 7.1 respectively in the BA Report.
	g) Google maps will not be accepted.		No google maps have been used.
	<b>Alternatives</b>		
	h) Kindly provide extensive motivation if no reasonable or feasible alternatives exist in terms of Appendix 1(3)(1)(h) of the DA Regulations 2014, as amended		All alternatives considered during the BA process have been included in the Revised Draft BAR in Section 2.3.

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	<b>Specialist Assessments</b>		
	i) 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.		All specialist studies conducted provided a detailed description of their methodology, as well as all other associated infrastructures that they assessed and are recommending for the authorisation.
	j) 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.		All specialist studies conducted provide a detailed description of all limitations to their studies as far as possible.
	k) 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 expertise advice.		There are no contradicting recommendations within any of the specialist studies.
	l) Specialist Declaration of Interest forms must be attached to the final BAR. You are therefore requested to submit signed Specialist Declaration of Interest forms for each specialist study conducted. The forms are available on Department's website (please use the Department's template).		Please refer to Appendix I for specialist declarations for all specialists.
	<b>Cumulative Assessment</b>		
	m) Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:		Please refer to Chapter 7 of the Revised Draft basic assessment report for a complete detailing of the cumulative impacts assessment and discussion related to the proposed project.
	(i) Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.		
	(ii) Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various		Please refer to Chapter 7 of the Revised Draft basic assessment report for a process flow and discussion on the process for assessment of the cumulative impacts.

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	similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project,		Specialist impacts, conclusions and mitigation measures were developed during the course of this Basic Assessment process (June 2020 – December 2020).
	(iii) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.		Please refer to Section 2.4 of the Revised Draft Basic Assessment report for consideration of the cumulative impacts and their ratings in terms of the need and desirability of the proposed project. Please also refer to Section 2.4 of the Basic Assessment for a discussion on the cumulative impacts and how those inform the need and desirability.
	(iv) A cumulative impact environmental statement on whether the proposed development must proceed.		Please refer to Section 7.7 of the Revised Draft Basic Assessment for a cumulative impact statement.
	<b>Public Participation Process</b>		
	n) The following information must be submitted with the final BAR:		The database containing the contact details of registered I&APs is included as <b>Appendix C1</b> to the Revised Draft BAR.
	(i) A list of registered interested and affected parties as per Regulation 42 of the NEMA EFA Regulations, 2014, as amended;		
	(ii) Copies of all comments received during the draft BAR comment period; and		The draft Basic Assessment Report was made available for review and comment from <b>Friday, 04 September 2020</b> until <b>Monday, 05 October 2020</b> , and comment received during this comment period is included in <b>Appendix C5</b> of the Revised Draft BAR.  In addition, the revised Draft Basic Assessment, including the optimised layout, was made available for a further public review period from <b>11 December 2020 to 1 February 2021</b> .
	(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		The C&RR (this document) which includes written comments received on the draft BAR is included as <b>Appendix C6</b> of the Revised Draft BAR. The comments received from the competent authority are captured in the C&RR.

No.	Comment	Raised by	Response
	that comments received from this Department must also form part of the comment and response report.		
	o) Please ensure that all issues raised and comments received during the circulation of the draft BAR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the final BAR.		All written comments received, including that of the DEFF's Biodiversity Conservation Directorate, are included in <b>Appendix C5</b> of the Revised Draft BAR.
	p) 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>Proof of correspondence with various stakeholders is attached in <b>Appendix C3</b> (Consultation with Organs of State) and <b>Appendix C4</b> (Consultation with Stakeholders) of the Revised Draft BAR. Proof of attempts that were made to obtain comments is attached in <b>Appendices C3 and C4</b> of the Revised Draft BAR.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 &amp; 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 <b>Appendix C7</b>.</p> <p>The BAR was made available for a 30-day review and comment period from, <b>Friday, 04 September 2020</b> until <b>Monday, 05 October 2020</b>. As per the approved Public Participation Plan, the availability of the BAR was:</p> <ul style="list-style-type: none"> <li>Advertised in Noordwester/Oewernuus/Messenger, a local community newspaper, on Friday, 04 September 2020 (tear sheet included in <b>Appendix C24</b> of the Revised Draft BAR).</li> </ul>

No.	Comment	Raised by	Response
			<ul style="list-style-type: none"> <li>Notification letter sent to all registered I&amp;APs (<b>Appendix C4</b>) and Organs of State (<b>Appendix C3</b>) on the project database informing them of the application and that the BAR is available for review and comment.</li> <li>The BAR was also made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request, from Savannah Environmental.</li> </ul>
	<p><b>Environmental Management Programme</b></p> <p>q) It is noted that the compulsory generic Environmental Management Programme (EMPr), contemplated in Regulations 19(4) for overhead electricity transmission and distribution infrastructure, where 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, has been included in the BAR. Please ensure that the generic EMPr includes the expertise of the EAP to prepare an EMPr, including a curriculum vitae.</p>		Please refer to <b>Appendix 2</b> of the EMPr for a CV and expertise of the EAP.
	<p>r) It is noted that the generic EMPr states that audit reports are to be submitted to the Competent Authority at a frequency determined by the EA, however, please recommend a suitable frequency for submission of environmental audit reports to the Department. This may be done in the comments and response report, in response to this comment.</p>		<p>The following schedule for auditing and reporting is proposed:</p> <ol style="list-style-type: none"> <li>Monthly ECO audits with associated monthly audit report to be kept within the site environmental file;</li> <li>Monthly submission of ECO audit reports once the monthly report is finalised. In essence, once monthly ECO report submission to DEFF Compliance directorate.</li> <li>An independent external Audit, in accordance with Regulation 34 of the EIA Regulations, should be undertaken within 6 months of the end of the construction phase and every 5 years thereafter</li> </ol>

No.	Comment	Raised by	Response
			(unless otherwise recommended by the independent auditor)
	<b>Environmental Impact Statement</b> s) It is noted that an environmental impact statement is included in the draft BAR, however you are kindly requested to expand the impact statement to include the following — (i) A summary of the key findings of the environmental impact assessment; (ii) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and (iii) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.		<p>The Impact Statement in Section 8.5 of the Revised Draft BAR has been updated to include a summary of the key findings of the environmental impact assessment, in accordance with this comment.</p>
			Please refer to Figure 8.1, Layout Map, Revision 1 December 2020 in the Revised Draft BAR for a map as per the requirements of this comment.
			The Impact Statement in Section 8.5 of the Revised Draft BAR has been updated to include a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.
	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.		Please refer to Section 8.6 of the Revised Draft Basic Assessment report for the EA period, as well as date of activity conclusion as per this comment. A 10-year validity period is requested for the Environmental Authorisation if approved by the competent authority.
	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 EMP, and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days</i>		Comment acknowledged. Note that a notification in terms of Regulation 19(b) of the EIA Regulations was submitted to the Department on 1 December 2020, advising the Department that the Revised Draft BAR would be submitted within 140 days of application. No further action required.



No.	Comment	Raised by	Response
	<i>and which reflects the incorporation of comments received, including any comments of the competent authority."</i>		
	Should there be significant changes or new information that has been added to the BAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 19(b) of the NEMA EIA Regulations, 2014, as amended, which states: " <i>the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority — (b) a notification in writing that the basic assessment report, inclusive of specialist reports an EfviPr, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMPr or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or, EMPr or, where applicable, a closure plan will be subjected to another public participation process of at least 30 daysff.</i>		As per above response. No further action required.
	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 acknowledged. No further action required.
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.		Comment acknowledged. No further action required.

## 2.2. Key stakeholders

No.	Comment	Raised by	Response
1.	Please send me a KMZ file of the proposed infrastructure to be developed.	John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division  E-mail: 04 September 2020	The requested .KMZ file was e-mailed to the stakeholder on 04 September 2020.

### 2.3. Registered I&APs

No.	Comment	Raised by	Response
1.	Can you please provide me with the password to download the report?	Shaun Taylor Environment, Archaeology & Biodiversity Enel  E-mail: 07 September 2020	The requested Release Code was provided via e-mail on 07 September 2020.

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

No comments received during commencement of the Basic Assessment process.