

Oryx Solar Power Plant Project: Comments and Response Report (Appendix C7)

Comments received from the DFFE with the Acceptance of Scoping

Organisation	Person	Issue or comment raised (see Appendix C5 & C6 of the Final Scoping report)	Addressing or incorporation of issue or comment
Department of Forestry, Fisheries and the Environment (DFFE)	Matlhodi Mogorosi	<p>In a letter dated 12 August 2022, the DFFE indicated that:</p> <p>The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated June 2022 and received by the Department on 28 June 2022, refer.</p> <p>The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated June 2022 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR is hereby accepted by the Department in terms of Regulation 22(a) of the EIA Regulations, 2014, as amended.</p> <p>You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended.</p> <p>In addition, the department wishes to highlight the following in relation to the draft EIAR:</p>	<p>The Acceptance of the Scoping Report and the Plan of Study for EIA is noted. The following responses are provided to indicate where in the draft EIA Report the requirements of the DFFE have been addressed to ensure compliance.</p>
		<p>(a) Public Participation</p> <p>(i) Please ensure that all issues raised, and comments received on the draft SR, from registered I&APs and organs</p>	<p>All issues raised and comments received from I&APs and organs of state during the circulation</p>

		<p>of state which have jurisdiction (including this Department's Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the draft EIAR. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>	<p>of the Draft Scoping Report (DSR) have been addressed in the DEIR and included under Appendix C5 and C6 of the DEIR. Proof of attempts to obtain comments is included under Appendix C5 of the DEIR. The Public Participation Process has been conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>
		<p>(b) Layout & Sensitivity Maps</p> <p>(i) Please ensure that the information (coordinates) as contained in the final scoping, with the regards the positions of the PV facility, substation, powerlines, access roads and all associated infrastructure is verified and included in the draft EIAR.</p> <p>(ii) A copy of the final preferred layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:</p> <ol style="list-style-type: none"> a. Permanent laydown area footprint; b. Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible); 	<p>(i) The coordinates for the infrastructure have been verified and included in the draft EIAR.</p> <p>(ii) A copy of the preferred layout map has been included as Figure H1 and Figure H2. All available biodiversity information has been utilized in the finalization of the layout map.</p> <p>(iii) An Environmental Sensitivity map has been included as Figure G1 and G2 of the Draft EIAR.</p> <p>(iv) A layout and sensitivity map has been included as Figure G3 of the Draft EIAR.</p>

		<ul style="list-style-type: none"> c. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used; d. The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure; e. Powerlines f. Substation(s) and or Transformer(s) sites including their entire footprint; g. Location of access and service roads h. BESS i. PV arrays positions; j. All existing infrastructure on the site, especially railway lines and roads; k. Buffer areas; l. Buildings, including accomodation m. All “no-go” areas. <p>(iii) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.</p> <p>(iv) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.</p>	
		<p>(c) Specialist assessments and Cumulative Impact Assessment</p> <p>(i) The EAP must ensure that the departments comments, dated 27 June 2022, on the draft SR with regards</p>	<p>(i) The Departments comments on the Draft SR with regards Specialist Assessment and</p>

		<p>Specialist Assessment and Cumulative Impact Assessment are adhered to when compiling the draft EIAR.</p>	<p>Cumulative Impact Assessment have been adhered to when compiling the draft EIAR.</p>
		<p>(d) Environmental Management Programme (EMPr)</p> <p>(i) It is drawn to your attention that for substation and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the EIA Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programmes (EMPr), contemplated in Regulations 19(4) must be used over and above the EMPr for the PV facility. Accordingly, there needs to be a generic EMPr for the on-site substation, a generic EMPr for the overhead powerline and a third, separate EMPr for the PV facility.</p> <p>(ii) Please ensure that the mitigation measures specified in the EIAR, and specialist reports are also incorporated into the EMPr. In addition, ensure that the EMPr complies with the content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.</p> <p>(iii) Please also include in the EMPr, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr, and for the submission of such compliance reports to the competent</p>	<p>(i) The generic EMPrs for the substation and overhead electricity transmission and distribution infrastructure have been included as Appendix F3 and F4 respectively.</p> <p>(ii) All mitigation measures specified in the EIAR, and specialist reports have been incorporated into the EMPrs included in Appendix F. The content of the EMPr complies with the terms of Appendix 4 of the EIA Regulations, 2014, as amended.</p> <p>(iii) Recommendations for the frequency for the auditing of compliance with the conditions of the EA and EMPr, and for the submission of such compliance reports to the competent authority have been included in chapter 4 of the Facility EMPr (Appendix F1).</p>
		<p>(e) General</p>	

		<ul style="list-style-type: none"> (i) The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. (ii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated. (iii) Confirmation of the availability of services (e.g., sewage, water etc. if required) must be included in the EIAr. (iv) Should a Water Use License be required, proof of application for a license needs to be submitted. 	<ul style="list-style-type: none"> (i) The technical details for the facility has been included in the Draft EIAr. Please refer to Chapter 2 of the Draft EIAr. (ii) The future plans for the facility is included in section 2.5.5 of the Draft EIAr. (iii) Confirmation letters have been requested from the relevant departments. No feedback has been received. Please refer to Appendix G of the Draft EIAr for proof of requests. (iv) The pre-application outcome for the Water Use License has been included under Appendix G (07) as proof of application.
		<p>The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, with regard to the time period allowed for complying with the requirements of the Regulations.</p>	<p>The EIA process of the Oryx SPP is well within the prescribed timeframe of the EIA Regulations.</p>
		<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.</p>	<p>The Applicant acknowledges that no activity may commence prior to an environmental authorisation being granted by the Department.</p>

Comments received during the 30-day review and commenting period of the Draft Scoping Report

Organisation	Person	Issue or comment raised (see Appendix C5 & C6 of the Final Scoping report)	Addressing or incorporation of issue or comment
South African Heritage Resources Agency (SAHRA)	Sityhilelo Ngcatsha	<p>In a letter, dated 02 June 2022, an interim comment was submitted by SAHRA on the Draft Scoping Report for the project. The content of the comment is included below:</p> <p>The Draft Scoping Report has been submitted in terms of the National Environmental Management Act, 1998 (NEMA No. 107 of 1998) and the NEMA EIA Regulations (as amended). The project entails the generation of up to 150MW electrical power through photovoltaic (PV) panels. The total footprint of the project including the associated infrastructure will approximately be 256 hectares. The grid connection infrastructure includes a 132kV power line with a 100 to 250m wide grid corridor.</p> <p>SAHRA issued an interim comment dated 07/03/2022 which requested the submission of the HIA inclusive of an Archaeological Impact Assessment (AIA) and Palaeontological Impact Assessment (PIA). The studies were subsequently submitted on the 06/05/2022.</p> <p>Interim Comment</p> <p>The SAHRA Archaeology, Palaeontology, Meteorite (APM) and the Burial Grounds and Graves (BGG) Units note that the Heritage Impact Assessment (HIA) report and the</p>	<p>The requirements of SAHRA for the proposed Oryx Solar Power Plant is noted.</p> <p>The recommendations from the specialists are included in the Final Scoping report.</p> <p>It is noted that further comments will be issued on the Draft Environmental Impact Assessment (EIA) Report and appendices.</p> <p>The Final Scoping Report has been uploaded to the SARHIS platform. The draft Environmental Impact Report will be uploaded as soon as it is available for review and commenting.</p>

		<p>Palaeontological Impact Assessment (PIA) report along with recommendations provided therein.</p> <p>Further comments will be issued upon the submission of the Draft Environmental Impact Assessment (EIA) document and its appendices.</p>	
Telkom	Mothobi Martins	<p>In an email dated, 07 June 2022, Mothobi Martins provided comment on the Draft Scoping Report, the contents of the email are as follows:</p> <p>Attached find updated sketch and the cover letter. Please contact Mr Wynand D u Plessis well in advance before commencement of work to organise a Site Meeting. With reference to your above-mentioned application, I hereby inform you that our Client (OPENSERVE) approves the proposed work indicated on your drawings in terms Section 22 of the Electronic Communications Act 36 of 2005 as amended.</p> <p>Any changes/deviations from the original planning during or prior to construction must immediately be communicated to this office. Mr. Wynand Du Plessis must be contacted at telephone number 081 362 2186. (Two) 2 weeks prior to commencement of proposed work from our Client (OPENSERVE)'s Network Field Services.</p>	<p>In an email dated, 07 June 2022, Environamics provided a response. The contents of the email are as follows:</p> <p>Thank you for the letter and sketch provided regarding the Oryx solar Power Plant.</p> <p>We take note of the approval and requirements as stipulated in the email. The correspondence and comments will be included in the comments and responses report for the project and submitted to the competent authority as part of the final Scoping Report.</p>

<p>Department of Forestry Fisheries and the Environment Directorate: Biodiversity and Conservation</p>	<p>Ms M Rabothata and Ms. T Sekonko</p>	<p>In a letter dated, 27 June 2022, Ms. M Rabothata on behalf of DFFE Directorate: Biodiversity and Conservation, provided comment on the draft scoping report for the project. The content of the letter is as follows:</p> <p>COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED ORYX SOLAR POWER PLANT NEAR WELKOM/VIRGINIA, FREE STATE PROVINCE</p> <p>The Directorate: Biodiversity Conservation reviewed and evaluated the draft report.</p> <p>Based on the information provided in the report, most of the proposed development footprint represents Ecological Support Areas (ESA), including ESA1 and ESA2 areas although most of these areas represent degraded grassland. Small sections along the boundaries of the development footprint falls within Critical Biodiversity Area (CBA1), although the specialist has indicated that the areas categorised as CBA1 is more representative of ESAs.</p>	<p>The acknowledgement and feedback from the DFFE Biodiversity and Conservation are noted.</p>
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		<p>Notwithstanding the above, the following recommendations must be considered in the final report:</p> <ul style="list-style-type: none"> • The detailed Biodiversity Specialist studies must be conducted, updated and submitted in your final report. • The final sensitivity Layout Map overlaid with sensitivities and indicating the final footprint for the proposed development must avoid environmentally sensitive areas and be included in the Final Scoping report. • Guideline for the review of specialist input in Environmental Impact Assessment (EIA) processes must be consulted to include the findings of the specialist studies in the final report. • All the environmental impacts must be identified and evaluated in terms of its significance ratings. 	<ul style="list-style-type: none"> • A detailed Terrestrial Biodiversity assessment has been included in the Final Scoping Report under Appendix E1. • The layout and sensitivity map have been included as Figure G2 and G3. • The findings from the specialist studies have been included in the Final Scoping Report in Section 5, 6 and 7 of the report. • All environmental impacts have been evaluated in terms of the significance ratings in Section 6 of the Final Scoping Report.
		<p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p>	<p>The final report complies with the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p>
		<p>In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email:</p>	<p>The procedure for submission of documents as part of the Public Participation Process is noted.</p>

		BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.	
Department of Forestry Fisheries and the Environment (DFFE)	Ms. Matlhodi Mogorosi	<p>COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED DEVELOPMENT OF THE 150MW ORYX PHOTOVOLTAIC SOLAR POWER FACILITY AND ASSOCIATED INFRASTRUCTURE NEAR WELKOM/VIRGINIA WITHIN THE MATJHABENG LOCAL MUNICIPALITY IN THE FREE STATE PROVINCE</p> <p>The Application for Environmental Authorisation and Draft Scoping Report (SR) dated May 2022 and received by the Department on 27 May 2022, refer.</p> <p>This letter (27 June 2022) serves to inform you that the following information must be included to the Final Scoping Report:</p>	The comments submitted by the Department of Forestry, Fisheries and the Environment on the draft Scoping Report are noted. Responses to the comments and requirements raised by the Department are provided below.
		<p>(a) <u>Listed Activities</u></p> <ul style="list-style-type: none"> Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure (including thresholds) as described in the project description. Only activities (and sub-activities) applicable to the development must be applied for and assessed. When including activities in the application form and Scoping Report, take note of the word OR in between the activities (sub-activities). Furthermore, 	<ul style="list-style-type: none"> The listed activities included in the final Scoping Report and the Application for Environmental Authorisation are correct and includes specific details which are relevant to the project. The relevant authorities have been consulted during the public participation process. Proof of correspondence have been

		<p>kindly ensure that the latest listed activities, as amended in 2021, are applied for.</p> <ul style="list-style-type: none"> • It is imperative that the relevant authorities are continuously involved throughout the environmental impact assessment process, as the development property possibly falls within geographically designated areas in terms of Listing Notice 3 Activities. Written comments must be obtained from the relevant authorities (or proof of consultation if no comments were received) and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also ensure that the potential impacts on the affected Critical Biodiversity Areas and Ecological Support Areas are fully assessed in the EIA phase. • If the activities applied for in the application form differ from those mentioned in the final SR, 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>included under Appendix C5 and all written comments received are included under Appendix C6. All comments received from the relevant departments have been included in the Comments and Responses report Appendix C7. The potential impacts on the affected Critical Biodiversity Areas and Ecological Support Areas have been fully assessed as indicated in the Terrestrial and Wetland Assessment reports (Appendix E1) and in the Final Scoping Report. The impacts will also be fully assessed in the Environmental Impact Report.</p> <ul style="list-style-type: none"> • The listed activities included in the Application for Environmental Authorisation correspond to the listed activities in the final Scoping Report.
		<p>(b) <u>Layout & Sensitivity Maps</u></p> <p>Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> • The proposed Oryx PV Solar Power Facility with associated infrastructure, overlain by the sensitivity map; • All supporting onsite infrastructure e.g., roads (existing and proposed); 	<ul style="list-style-type: none"> • A layout and sensitivity map have been included as figure G1 – G3. This was made available as part of the circulation of the Draft Scoping Report.

		<ul style="list-style-type: none"> • The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; • Buffer areas; and • All “no-go” areas. • The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure. • Google maps will not be accepted. 	<ul style="list-style-type: none"> • A layout, Sensitivity and Cumulative impact map have been included as Figure G4. This was made available as part of the circulation of the Draft Scoping Report. • It is confirmed that no Google Earth maps are included in the final Scoping Report.
		<p>(c) <u>Public Participation Process</u></p> <ul style="list-style-type: none"> • Please ensure that all issues raised, and comments received on the draft SR from registered I&APs and organs of state which have jurisdiction (including this Department’s Biodiversity Section: BCAdmin@environment.gov.za) in respect of the proposed activity are adequately addressed in the Final SR. Proof of correspondence with the various stakeholders must be included in the Final SR. • Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of the approved public participation plan and Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended. • A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments (pre and post 	<ul style="list-style-type: none"> • All comments and issues raised by I&APs during the public participation process of the Scoping Phase (including the 30-day review and comment period of the Scoping Report) has been addressed within the final Scoping Report and this associated Comments and Responses Report. Comments were received from the DFFE Directorate: Biodiversity and Conservation, which is included in the Comments and Responses report (Appendix C7) and the written comment is included under Appendix C6. Proof of correspondence with all stakeholders are included in Appendix C5 of the final Scoping Report. • Proof of efforts made to obtain comment is also included in Appendix C5 of the final Scoping Report. The Public Participation

		<p>submission of the draft SR) for this development. The C&R report must be a separate document from the main report and the format must be in the table format which reflects the details of the I&APs and date of comments received, actual comments received, and response provided. Please ensure that comments made by I&APs are comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as “Noted” is not regarded as an adequate response to I&AP’s comments.</p>	<p>process has been undertaken in line with the EIA Regulations and the approved Public Participation Plan.</p> <ul style="list-style-type: none"> • A comments and response report are included as Appendix C5 of the final Scoping Report. This report includes all comments and provides the details of the stakeholder/I&AP, the date of the comment, as well as a detailed response from the project team to the comment. This is a separate document from the final Scoping Report. All comments included in the comments and responses report are included verbatim. Detailed and clear responses are provided to the comments raised by the project team.
		<p>(d) <u>Specialist Assessments to be conducted in the EIA Phase</u></p> <ul style="list-style-type: none"> • Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations. • 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. • Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most 	<ul style="list-style-type: none"> • The requirements of the DFFE for the specialist assessments to be conducted in are noted. All independent specialists will be informed of these requirements and the independent specialist studies to be included as part of the EIA report for the project will be in-line with these requirements. • Detailed description of all limitations for the specialists studies are included in the respective studies.

		<p>reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p> <ul style="list-style-type: none"> • It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. “the Protocols”), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols. Please note further that the protocols require the specialists’ to be registered with SACNASP. • Please include a table in the report, summarising the specialist studies required by the Department’s Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted. Please note that if any of the specialists’ studies and requirements/protocols recommended in the Department’s Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols. 	<ul style="list-style-type: none"> • Should the need arise, the EAP will clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice. • The specialist studies conducted will be in accordance with the protocols. Therefore, the terms of reference for all the identified specialist studies to be undertaken as part of the EIA Report will be in line with the requirements of the Department. • The table summarising the specialist studies required by the Department’s Screening Tool have been included under Section 1.5 of the Final Scoping Report. This section was also included as part of the Draft Scoping Report that was circulated as part of the 30-day review and commenting period.
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		<p>(e) <u>Cumulative Assessment to be conducted in the EIA Phase</u></p> <p>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:</p> <ul style="list-style-type: none"> • 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. • Detailed process flow and proof must be provided, to indicate how the specialist’s recommendations, mitigation measures and conclusions from the various 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. • The cumulative impacts significance rating must also inform the need and desirability of the proposed development. • A cumulative impact environmental statement on whether the proposed development must proceed. 	<ul style="list-style-type: none"> • The requirements of the DFFE for the cumulative assessment to be conducted in the EIA phase of the project are noted. All independent specialists will also be informed of these requirements and the independent specialist studies to be included as part of the EIA report for the project will be in-line with these requirements. The EIA Report for the project will also cover these requirements in order to ensure compliance. • It must be noted that the Scoping Report covers these requirements in Section 7 of the report.
		<p>(f) <u>General</u></p> <p>You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:</p>	<p>The submission of the final Scoping Report to the DFFE is in line with and falls within the prescribed timeframe of Regulation 21(1) of the NEMA EIA Regulations 2014, as amended.</p>

		<p>“If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority”</p>	
		<p>You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.</p>	<p>The final Scoping Report submitted to the DFFE complies with the requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.</p>
		<p>Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).</p>	<p>The submission of the final Scoping Report to the DFFE is still within the prescribed timeframe of the EIA Regulations.</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>It is noted and acknowledged by the Applicant that no activity may commence prior to obtaining an Environmental Authorisation.</p>
<p>Registered I&AP</p>	<p>Gerhard Muller – Renergen</p>	<p>In an email dated, 28 June 2022, Mr. Muller, on behalf of Renergen provided comments on the Draft Scoping Report for the project. The content of the email is as follows:</p>	<p>The comments were acknowledged by Environamics in an email dated 28 June 2022.</p>

		Tetra4 is the holder of a production right within the immediate area of the planned project and has precedence. Given this the project needs to align with Tetra4`s planned developments.	The final layout will accommodate the confirmed infrastructure for the Tetra 4 cluster as communicated by the developer.
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Comments received prior to the release of the Draft Scoping Report and during the initial Public Participation 30-day comment period

Organisation	Person	Issue or comment raised (see Appendix C5 & C6 of the Final Scoping report)	Addressing or incorporation of issue or comment
South African Heritage Resources Agency (SAHRA)	Sityhilelo Ngcatsha	<p>In a letter, dated 22 April 2022, an interim comment was submitted by SAHRA for the project. The content of the comment is included below:</p> <p>Thank you for notifying the SAHRA on the proposed development of a Photo Voltaic (PV) solar facilities and associated grid connections (power lines) on Portion 2 of the Farm Kalkoenkrans 225 in Theunissen, within the Matjhabeng Local Municipality, Free State Province.</p> <p>The project entails the generation of up to 150MW electrical power through photovoltaic (PV) panels. The total footprint of the project will approximately be 252 hectares (including supporting infrastructure on site) that is located within the larger 311 hectares assessed.</p> <p>The proposed development is undergoing an EA Application process in terms of the National Environmental Management Act, 107 of 1998 (NEMA) and NEMA Environmental Impact Assessment (EIA) Regulations. A Heritage Impact Assessment</p>	<p>The requirements of SAHRA for the proposed Oryx Solar Power Plant is noted.</p> <p>A Heritage Impact Assessment and Palaeontological Impact Assessment, which are in line with all requirements and guidelines, has been undertaken for the project and included as part of the draft Scoping Report that has been made available for the 30-day review and comment period. Refer to Appendices E5 and E6 of the draft Scoping Report.</p> <p>The Palaeontological Impact Assessment includes a field survey as required.</p> <p>Where sites or structures related to heritage, archaeology and palaeontology have been identified specific mitigation measures have been recommended by the independent specialists and included in the draft Scoping Report. Recommendations for the placement of</p>

		<p>(HIA) and Palaeontological Impact Assessment (PIA) will be done as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). This must include all other applicable heritage components.</p> <p>The archaeological component of the HIA should follow the SAHRA 2007 Minimum Standards: Archaeological Component of Impact Assessment Report. The quickest process to follow for the archaeological component would be to contract a qualified archaeologist (see www.asapa.co.za or www.aphp.org.za).</p> <p>The proposed development area is located mostly within an area of moderate and very high sensitivity in terms of palaeontological resources as per the SAHRIS PalaeoSensitivity map. As such, a field based Palaeontological Impact Assessment (PIA) must be undertaken by a qualified palaeontologist (See https://www.palaeosa.org/heritage-practitioners.html for a list of qualified palaeontologists). The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.</p> <p>Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.</p>	<p>infrastructure and the layout, considering the identified sites or structures, have been recommended by the respective specialists.</p> <p>The draft Scoping Report and appendices have been uploaded to the SAHRIS case file at the commencement of the 30-day review and comment period.</p>
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		<p>The NEMA EIA documents and appendices must be submitted at the start of the public review periods in order for an informed comment to be issued that can be incorporated into the final reports for submission to the competent authority.</p>	
<p>Commission on Restitution of Land Rights</p>	<p>Geraldine Booysen & L. Bogatsu</p>	<p>In a letter to the Applicant, dated 05 May 2022, the following feedback was received from the Office of the Regional Land Claims Commissioner: Free State. The content of the letter is as follows:</p> <p>Land Claims Enquiry:</p> <p>REMAINING EXTENT OF PORTION 2 OF FARM KALKOENKRANS NO. 225, DISTRICT THEUNISSEN, PROVINCE FREE STATE</p> <p>We refer to you letter dated 25 April 2022.</p> <p>We confirm that as at the date of this letter no land claims appear on our database in respect of the Property. This includes the database for claims lodged by 31 December 1998; and those lodged between 1 July 2014 and 27 July 2016 in terms of the Restitution of Land Rights Amendment Act, 2014.</p> <p>Whilst the Commission takes reasonable care to ensure the accuracy of the information it provides, there are various factors that are beyond the Commission's control, particularly relating to claims that have lodged but not yet been gazetted such as:</p> <ol style="list-style-type: none"> 1. Some Claimants referred to properties they claim dispossession of rights in land against using historical 	<p>It is noted that no land claim currently exists for the affected property. No further response required.</p>

		<p>property descriptions which may not match the current property description; and</p> <p>2. Some Claimants provide the geographic descriptions of the land they claim without mentioning the particular actual property description they claim dispossession of rights in land against.</p> <p>The Commission therefore does not accept any liability whatsoever if through the process of further investigation of claims it is found that there is in fact a land claim in respect of the above property.</p> <p>If you are aware of any change in the description of the above property after 19 June 1913 kindly supply us with such description so as to enable us to do a further search.</p>	
<p>Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Directorate</p>	<p>Biodiversity Conservation, Mainstreaming (Admin)</p>	<p>In an email, dated 04 April 2022, the following correspondence was received from the Department on the Notification of the EIA process:</p> <p>DFFE Directorate: Biodiversity Conservation would like to register as the I&AP for the mentioned project. Kindly notify and email us the link containing the report as soon as it becomes available.</p> <p>Please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr. Seoka Lekota</p>	<p>Environamics acknowledged the email on 04 April 2022 and confirmed that the DFFE Directorate: Biodiversity Conservation is a registered I&AP for the Oryx Solar Power Plant. It was advised that notification will be submitted to the Department once the report(s) are available for the 30-day review and comment periods, including the necessary details of where the report can be accessed.</p> <p>Furthermore, the process for submission of all Public Participation Process documents was noted.</p>

<p>Telkom Mvelaphanda Wayleave Office</p>	<p>Lehlohonolo Roesto</p>	<p>In an email, dated 05 April 2022, the following correspondence was received on the Notification of the EIA process:</p> <p>This is an acknowledgement mail, your ref for the application in ORYX is OVIG0180-22 for further enquiries.</p>	<p>Environamics acknowledged the email on 06 April 2022.</p> <p>No further response required.</p>
<p>Renergen</p>	<p>Pieter Holtzhausen, Gerhard Muller, Khalid Patel</p>	<p>In an email, dated 04 April 2022, the following correspondence was received on the Notification of the EIA process from Renergen:</p> <p>Will you kindly forward me the shapefiles/ kml of the proposed infrastructure for the PV project?</p>	<p>In an email dated 04 April 2022, Environamics responded to indicate that the Scoping phase is only commencing, and that the layout of the project is not available as yet.</p> <p>It was also indicated that the final details of the layout will only be available during the EIA Phase.</p> <p>Also, it was indicated that Environamics would only be able to distribute a layout map of the infrastructure once available and not spatial files.</p>
		<p>In an email, dated 04 April 2022, the following correspondence was received on the Notification of the EIA process from Renergen:</p> <p>Thanks for your response. In that case we will wait for more details during the EIA phase. With regards to the spatial data, is there a specific reason that you will not be able to provide us with the information?</p> <p>We are currently undertaking construction activities and have further planned activities on Portion 2 of Kalkoenkrans. To that regard it is important for us to overlay your spatial data onto</p>	<p>In an email dated 04 April 2022, Environamics responded to indicate that it is at the developer's discretion to distribute the finer details of the layout.</p> <p>It was however indicated that Environamics should be able to share the development footprint area in due course.</p> <p>Environamics requested any details that could be shared for the planned project by Renergen, such as project name, layout maps etc. Also, with</p>

		<p>ours for further comment. For now, I will only require a footprint of the area under consideration.</p>	<p>construction already commencing, it was assumed that the project is already authorised. Confirmation was requested in this regard.</p> <p>It was also requested whether an EIA process commenced as yet for the project proposed by Renergen.</p>
		<p>In an email, dated 05 April 2022, the following correspondence was received on the Notification of the EIA process from Renergen:</p> <p>The aim of public participation is to allow for meaningful engagement. We cannot reasonably engage the developer without receiving the data in the format required/requested. The provision of this information is not as you put it “at the discretion of the developer to distribute”, instead it is a reasonable and necessary request. In this regard, please ensure that you obtain the data and provide it to us in a timely manner.</p> <p>Tetra4 is the holder of a Production Right granted in terms of Section 84 of the MPRDA. We have held this license since 2012 and it allows us, together with our NEMA approvals, to undertake activities within the boundaries of the licensed areas, including the property on which this solar development is proposed. In addition, we are also in the process of expanding our project. As the holder of an existing right, it is your obligation (as an EAP) to provide us the data required in order</p>	<p>Environamics acknowledged the email and provided a response on 06 April 2022. The response is included herewith.</p> <p>As explained to Pieter, the detailed layout is not available as yet. The EIA process only commenced now with the distribution of the notification for the EIA process. The project is still in its planning phase. Furthermore, the specialist fieldwork results will be considered by the developer/applicant to ensure that areas of high environmental sensitivity are avoided by the planned layout. Due to the early stage of the process, we only have information available pertaining to the EIA area under assessment and the development footprint area (within which the infrastructure is proposed to be placed).</p> <p>A KMZ/Google Earth file was attached which shows the details available at this stage with some locations of proposed infrastructure – this is subject to change depending on the results of</p>

		<p>for us to contextualise the project and consider the impacts to our rights, if any</p> <p>@Gerhard Muller, please provide Lisa with a copy of approved Production Right, NEMA and DWA approvals. We look forward to receiving the data and then engaging more fruitfully with you and the developer.</p>	<p>the specialist surveys (i.e. consideration of no-go areas where applicable). It was requested that the KMZ file be treated as confidential as the information has not yet been released formally to the public – it will only become available once the draft Scoping Report is released for the 30-day review and comment period.</p> <p>It was also indicated and confirmed that the Applicant of the Oryx Solar Power Plant will be meeting with Renergen on 06 April 2022 to discuss the technical aspects / challenges that will need to be considered.</p> <p>The Production Right was noted. However no documentation has been received from the I&AP as indicated.</p> <p>Environamics indicated that all information will be made available to Renergen as part of the EIA process, including both the Scoping and EIA Reports for review and comment.</p> <p>It must be noted that further discussions between the Applicant and Renergen have been undertaken to date pertaining to layout discussions and technical details which will be considered by both parties for the layouts of</p>
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			both projects to ensure that both facilities can be developed and operated accordingly.
Environmental Impact Management Services (EIMS)	Qaphela Magaqa (EAP for Renergen project)	<p>In an email, dated 06 April 2022, the following correspondence was received on the Notification of the EIA process from EIMS:</p> <p>Furthermore, may you please provide us with locality details for your solar power plant project.</p> <p>May you please supply us with the shapefiles of the proposed infrastructure and powerlines for the Oryx Solar Power Plant.</p>	<p>Environamics provided the locality map of the project location and Background Information Document to the I&AP via email on 06 April 2022.</p> <p>Regarding the infrastructure of the project, it was indicated that the detailed layout is not available as yet. The EIA process only just commenced with the distribution of the notification for the EIA process. The project is still in its planning phase. Furthermore, the specialist fieldwork results will be considered by the developer/applicant to ensure that areas of high environmental sensitivity are avoided by the planned layout. Due to the early stage of the process, we only have information available pertaining to the EIA area under assessment and the development footprint area (within which the infrastructure is proposed to be placed). We have subsequently distributed a KMZ file to the Tetra4 Cluster 2 Applicant (also provided to EIMS) so that the technical aspects and challenges can be discussed between both parties.</p> <p>The KMZ file was attached which shows the details available at this stage with some locations of proposed infrastructure – this is subject to change depending on the results of the specialist surveys (i.e. consideration of no-go areas where</p>

			<p>applicable). It was requested that the KMZ file be treated as confidential as the information had not yet been released formally to the public – it will only become available once the Scoping Report is released for the 30-day review and comment period.</p>
<p>Environmental Impact Management Services (EIMS)</p>	<p>Brian Whitfield</p>	<p>In an email, dated 07 April 2022, the following correspondence was received on the Notification of the EIA process from EIMS:</p> <p>Further to your correspondence submitted on the Tetra4 Cluster 2 gas production project, please note that I am the EAP on this application. As such would you kindly register me as an interested party on your database for the proposed Oryx Solar Power Plant application and keep me abreast of any further notifications and opportunities to review information. Please register both [REDACTED] as well as [REDACTED].</p> <p>As our respective applications overlap, I feel it prudent that we have clear communication channels and understanding between the two applications to ensure that adequate consideration and assessment of potential impacts are undertaken.</p> <p>Please would you confirm receipt of this mail and confirm that my details have been added to your database.</p>	<p>Environamics confirmed via email, on 07 April 2022, that the details for registration as part of the I&AP database has been included.</p> <p>It was also indicated that with the registration completed, the I&AP will be notified of the release of the Scoping and EIA Reports for the 30-day review and comment period(s). The Background Information Document was also attached and sent to the I&AP.</p> <p>It was indicated by Environamics that the application form and draft scoping report for the project will be submitted to the Department of Forestry, Fisheries and the Environment in May 2022. Stakeholders have until 10 May to provide us with written comments on the BID and project information.</p> <p>Environamics agreed that there is a need for clear and open communication and therefore confirm that Environamics is open to all discussions pertaining to the two projects.</p>

Registered I&AP	Lawrence Mojalefa Machitje	<p>In an email, dated 07 April 2022, the following correspondence was received on the Notification of the EIA process (advertisement) from an I&AP:</p> <p>I am sending you the email with reference to the recruitment advertisement for environmental impact assessment. I am interested in applying for the job as I have qualification of occupation Health and safety activities and skills of leadership and basic Rigging.</p> <p>I would like to mention that I have an excellent experience in the field from 2017 to 2021. I have a deep passion for basic Rigging, plumbing and safety representative and I would like to do team work for department which will benefit the human being.</p> <p>I had always thought of working with the company. It will be an opportunity of a lifetime for me and I can assure you to give my level best in case if I am selected for giving my services to your company.</p> <p>I am herewith attaching of my resume with this email. I will eagerly await for the interview call from your company.</p>	<p>The I&AP has been registered on the project database.</p> <p>It was advised that Environamics is only responsible for the Environmental impact Assessment processes, and are not involved in the actual developments such as construction and operation, other than the environmental permitting. The project is still in its planning phase.</p> <p>No further response required.</p>
Eskom	John Geeringh	<p>In an email, dated 11 April 2022, the following correspondence was received on the Notification of the EIA process from Eskom:</p> <p>Please send me a KMX file of the proposed development affected property and proposed grid connection. Please find attached Eskom requirements for work at or near Eskom</p>	<p>Environamics responded on 12 April 2022 via email.</p> <p>The KMZ file was distributed to Eskom as was requested.</p> <p>It was confirmed that the Eskom requirements for work at or near Eskom infrastructure, as well</p>

		<p>infrastructure, as well as an Eskom setbacks guideline for renewable energy developments near Eskom infrastructure.</p>	<p>as an Eskom setbacks guideline for renewable energy developments near Eskom infrastructure has been submitted to the Applicant for their records and consideration.</p>
Aberdare Cables	Conrad Van Biljon	<p>In an email, dated 04 March 2022, the following correspondence was received on the Notification of the EIA process:</p> <p>Aberdare Cables is an local level 1 BEE manufacturer of electrical cables and a market leader in the renewable sector. We can provide all the necessary cables needs for this proposed solar facility and will appreciate it if we can obtain more information regarding the proposed plant in order for us to assist were possible. Below is all my contact details should you have any enquiries.</p>	<p>Environamics confirmed on 09 March 2022, via email, that the I&AP has been registered on the project database.</p> <p>It was confirmed that the project information will be distributed to the I&AP once available.</p> <p>The I&AP has been notified of the availability of the draft Scoping Report for the 30-day review and comment period.</p>
IA Carriers	Debbie Benson	<p>In an email, dated 03 March 2022, the following correspondence was received on the Notification of the EIA process:</p> <p>I hereby wish to register as an interested and affected party to the project titled: The Proposed Oryx Solar Power Plant near Virginia, Free State Province</p>	<p>Environamics confirmed on 03 March 2022, via email, that the I&AP has been registered on the project database.</p>
Renergen	Gerhard Muller	<p>In an email, dated 28 March 2022, the following correspondence was received on the Notification of the EIA process:</p>	<p>Environamics confirmed on 30 March 2022, via email, that the I&AP has been registered on the project database.</p> <p>It was indicated that the project is still in the initial Public Participation phase and the Background Information Document (as well as</p>

		<p>I would herby wish to register as an I&AP as part of the public participation for the proposed Oryx Solar Power Plant, on portion 2 of the farm 225, Theunissen.</p> <p>As such can you please;</p> <ul style="list-style-type: none"> • Register me as an I&AP; • Supply me with the works programme, schedule and scope of works; • Shapefiles and maps of the affected properties and infrastructure locations (PV) • Shapefiles and maps of the affected properties and routing (powerline or any other infrastructure); and • Draft impact assessment and EMPR 	<p>locality map) will be released to the public soon. The background information document will include the location of the activity, a brief overview of the schedule and relevant project description information.</p> <p>Furthermore, it was indicated that he Draft reports will be circulated to the public once available. All I&APs will be notified of the availability of the reports and a link to a document sharing platform will be provided for easy access to the reports, as well as the relevant appendices.</p>
Kudzai Constructions and Electrical Services	Mr. SR Senyane	<p>During a telephonic discussion held on 03 March 2022 the following was discussed and confirmed via email with the I&AP:</p> <p>Thank you for the call. This email serves as confirmation of your registration as an Interested and Affected party for the proposed Oryx Solar Power Plant, near Virginia</p>	No further correspondence has been received from the I&AP.
Kobolika (Pty) Ltd	Tumo Nthako	<p>In an email, dated 23 April 2022, the following correspondence was received on the Notification of the EIA process from the I&AP:</p> <p>I would like to know how far is the Environmental Impact Assessment application for the above proposed Plant.</p>	<p>Environamics responded on 25 April 2022, via email.</p> <p>It was indicated that the Application for Environmental Authorisation for the Oryx Solar Power Plant has not been submitted to the Department of Forestry, Fisheries and the Environment as yet. The project is currently in</p>

			<p>the pre-submission phase and the public participation process has commenced.</p> <p>Do you want to register on the project database to received further information as the process progresses?</p> <p>It was confirmed that the I&AP has been registered on the project database</p>
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