

APPENDIX C8
COMMENTS AND RESPONSES REPORT



KIARA PV 7 FACILITY AND ASSOCIATED INFRASTRUCTURE, NORTH WEST PROVINCE

DFFE Ref. No. 14/12/16/3/3/2/2177

COMMENTS AND RESPONSES REPORT

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The Scoping and Environmental Impact Assessment (S&EIA) process for the Kiara PV Cluster and associated infrastructure was announced on **Friday, 24 June 2022**. A Background Information Document (BID) was distributed and served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries regarding the proposed project. The notification of the availability of the Scoping Report for review and comment was included in the notification of the distribution of the BID. All written comments received from the commencement of the Scoping phase to date have been included in the table below.

The Scoping Report was made available for a 30-day review and comment period from **Friday, 24 June 2022** until **Monday, 25 July 2022**. All written comments received during the announcement of the S&EIA process, as well as the 30-day review and comment period have been included in this Comments and Responses Report (C&RR) to be submitted with the final EIA Report to the Department of Forestry, Fisheries and the Environment for their acceptance.

The Environmental Impact Assessment Report (EIAR) will be made available for a 30-day review and comment period from **Friday, 20 January 2023** to **Monday, 20 February 2023**. All written comments received on the EIAR will be included in the C&RR which will be submitted with the final EIAR to the Department of Forestry, Fisheries and the Environment for their acceptance

NOTE:

All comments captured in the C&RR are verbatim and have not been summarised nor edited for typing or grammatical errors

LIST OF ABBREVIATIONS / ACRONYMS

APM	Archaeology, Palaeontology and Meteorites	EIA	Environmental Impact Assessment
C&RR	Comments and Response Report	NHRA	National Heritage Resource Agency
BID	Background Information Document	PIA	Palaeontological Impact Assessment
BA	Basic Assessment	PV	Photovoltaic
DSR	Draft Scoping Report	SAHRA	South African Heritage Resources Agency
EA	Environmental Assessment		

1. COMMENTS SUBMITTED PRIOR TO THE RELEASE OF THE EIAR

1.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>The EAP requested an extension in the timeframe to submit the final EIAR in 166 days after the acceptance of the final SRs, which the EAP deems to be sufficient time to enable specialists to accurately assess the impacts, update their studies and provide the EAP enough time to conduct a Public Participation process on the draft EIARs before submitting the final EIARs to the Department.</p> <p>Based on the motivation provided by the EAP, this Department has decided to grant the extension of the timeframes to submit the final EIARs in 166 days after acceptance of the final SRs. As such the Final EIARs must be submitted on or before 31 March 2023.</p> <p>Failure to submit the final EIARs on or before the above-specified period will result in the applications lapsing in terms of Regulation 45.</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>Should you have any queries or wish to discuss the points raised above, please do not hesitate to contact our offices.</p>	<p>Millicent Solomons</p> <p>Department of Forestry, Fisheries and the Environment (DFFE)</p> <p>Email dated: 06 December 2022</p>	

2. COMMENTS SUBMITTED DURING THE SCOPING PHASE (INITIAL CONSULTATION & 30-DAY REVIEW PERIOD)

2.1. Organs of State

No.	Comment	Raised by	Response
2.	<p><u>This letter serves to inform you that the following information must be included to the Final Scoping Report:</u></p> <p>Listed Activities and Application Form</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 as described in the project description. Please provide the details, capacities and thresholds of the specific project infrastructure, not a repetition of the listed activity thresholds (i.e., a description of the dangerous goods facility infrastructure, capacity and location, and the length and width of the main access roads. 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 final EIAR. 	<p>Milicent Solomons</p> <p>Department of Forestry, Fisheries and the Environment (DFFE)</p> <p>Letter dated: 25 July 2022</p>	<p>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 have been applied for and assessed. All listed activities applied for are indicated in Chapter 7, Table 7.2, of the Final Scoping Report.</p> <p>Appendix C of the final Scoping Report contains all evidence of relevant authorities that have been consulted as part of this EIA process to date. A preliminary sensitivity map indicating all preliminary sensitivities identified during the scoping phase is included as Figure 10.1 and in Appendix K of the final Scoping Report.</p> <p>Furthermore, the potential impacts on the affected Critical Biodiversity Areas and Ecological Support Areas will be fully assessed in the EIAR phase.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> 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>An amended application form is not required for final submission of the final Scoping Report.</p>
	<p>Layout & Sensitivity Maps</p> <p>Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> The proposed location of the PV arrays and associated infrastructure of the proposed 130MW Kiara PV1, PV2, PV3 and PV4 Photovoltaic Solar Energy Facilities. The location of the proposed Kiara PV1, PV2, PV3 and PV4 solar PV facilities in relation to the cluster of the 3 additional planned PV facilities (i.e., Kiara PV5, PV6 and Kiara PV7). The proposed grid infrastructure connecting the PV facilities to the existing Watershed Substation, overlain by the sensitivity map. All supporting onsite infrastructure e.g., roads (existing and proposed). 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. <p>Public Participation Process</p>		<ul style="list-style-type: none"> Please refer to Figure 10.1 of the final scoping report indicating all preliminary sensitivities identified during the scoping phase and Figure 9.6 for a cumulative map. It should be noted that the full extent of the development area has been considered within this final scoping report with the aim of determining the suitability from an environmental and social perspective and identifying the areas that should be avoided in the development planning. Within the identified development area, a facility layout detailing the proposed infrastructures will be defined for assessment in the EIA phase. The layout map will be prepared in accordance with the relevant requirement as stated. Please note that the proposed grid connection infrastructure will be submitted as a separate BA process Please refer to Figure 1.1 and Figure 1.2 and Appendix K for the location of the proposed Kiara PV facilities.

No.	Comment	Raised by	Response
	<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. 		<p>A record of all the raised comments is appended to the final Scoping Report; Appendix C7.</p> <p>All correspondence with various stakeholders is appended to the final Scoping Report – Appendix C5 is the Organs of State correspondence and Appendix C6 is the Key Stakeholders and I&APs.</p>
	<ul style="list-style-type: none"> 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 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>A record of all the comments received and reference engagement material is included in Appendix C7 of the final Scoping Report.</p>
	<p><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 		<p>The identified specialist studies include a detailed description of the methodology followed as well as an indication of the location and description of the development and all other associated infrastructure.</p>

No.	Comment	Raised by	Response
	<p>they have assessed and are recommending for authorisations.</p>		
	<ul style="list-style-type: none"> The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted. 		<p>All specialist reports compiled for the Final Scoping Report include a detailed description of the limitations of the studies. All specialist studies have been conducted in the correct season.</p>
	<ul style="list-style-type: none"> Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice. 		<p>No contradicting recommendations were provided by the specialists as part of the scoping process. This comment is noted and will be taken into consideration during the EIA Phase of the process.</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. 		<p>The specialist studies have been conducted in accordance with Government Notice No. 320 of 20 March 2020 (i.e., "the protocols"), and Government Notice No. 1150 of 30 October 2020.</p>
	<ul style="list-style-type: none"> 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 		<p>Refer to Chapter 7, table 7.2 for a table which summarizes the specialist studies required by the Department's Screening Tool and an indication of which studies were undertaken. Where studies have not been undertaken, a motivation has been provided.</p>

No.	Comment	Raised by	Response
	<p>Department's Screening Tool are not commissioned, motivation for such must be provided in the report per the requirements of the Protocols.</p>		
	<p><u>Cumulative Assessment to be conducted in the EIA Phase</u></p> <ul style="list-style-type: none"> • 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: <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. 		<p>A scoping level evaluation of potential cumulative impacts is provided in Section 9.4 of the Final Scoping Report. Renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Section 9.4 of the Scoping Report. An assessment of potential cumulative impacts will be undertaken during the EIA Phase of the process in accordance with these requirements.</p>

No.	Comment	Raised by	Response
	<p><u>Environmental Management Programme</u></p> <ul style="list-style-type: none"> • The EMPr must include the following: • It is drawn to your attention that for <u>substation and overhead electricity transmission and distribution infrastructure</u>, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified activities necessary for the realisation of such facilities, the generic Environmental Management Programme, contemplated in Regulations 19(4) must be used and submitted with the final report over and above the EMPr for the facility. • Further to the above, you are required to comply with the content of the EMPr in terms of Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended. 		<p>Where required the generic Environmental Management Programme, contemplated in Regulations 19(4) will be used and submitted with the final report over and above the EMPr for the PV facility.</p>
	<p><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>"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>The Scoping Report has been subjected to a 30-day review period and the final Scoping Report is submitted within the prescribed timeframe of the Regulations.</p> <p>The final Scoping Report complies with the requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations.</p> <p>The Applicant acknowledges that no activity may commence prior to receipt of the Environmental Authorisation.</p>

No.	Comment	Raised by	Response
	<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>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>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>		
2	<p>Interim Comment</p> <p>The SAHRA's APM Unit acknowledges receipt of the DSR and Heritage Screener and the recommendations contained therein. SAHRA supports the recommendations of the specialist and requests that the following is undertaken in terms of section 38(3) of the NHRA (25 of 1999):</p> <p>The specialist has recommended a field-based archaeological impact assessment. A field-based assessment of the impact to archaeological resources must be conducted by a qualified archaeologist. The report must comply with section 38(3) of the NHRA and the SAHRA 2006 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments, and the 2012 Minimum Standards: Archaeological Component of Heritage Impact</p>	<p>Elijah Katsetse Heritage Officer and Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit SAHRA</p> <p>Letter: 28 July 2022</p>	

No.	Comment	Raised by	Response
	<p>Assessments. The Minimum Standards provides allowance for a Letter of Recommendation for Exemption that can be submitted by a qualified archaeologist should they deem it Appropriate</p> <p>The proposed development footprint is located in an area of Very High sensitivity for palaeontological resources as per the SAHRIS PalaeoSensitivity map. As such, a field based Palaeontological Impact Assessment (PIA) is required to be conducted as part of the EA process. The desktop PIA must be compiled by a qualified palaeontologist and must comply with the SAHRA 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.</p> <p>Further comments will be issued upon receipt of the above requested reports and the submission of the draft EIA with appendices.</p> <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>		

No.	Comment	Raised by	Response
3.	<p>The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated August 2022 and received by the Department on 05 August 2022, refer.</p> <p>The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated August 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 following amendments and additional information are required for the EIAR:</p>	<p>Milicent Solomons</p> <p>Department of Forestry, Fisheries and the Environment (DFFE)</p> <p>Letter dated: 16 September 2022</p>	<p>Noted. No further response is required.</p>
	<p>(a) Listed Activities</p> <p>(i) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</p> <p>(ii) The listed activities represented in the EIAR, and the application form must be the same and correct.</p> <p>(iii) The EIAR must assess the correct sub listed activity for each listed activity applied for.</p>		<p>The impacts of each of the listed activities and the associated mitigation measures have been provided and include in Chapter 8 of the EIAR.</p> <p>The listed activities that have been listed in the application are the same as the listed activities that have been included in Section 6.2 of the EIAR.</p> <p>The EIAR assess has assessed the correct sub listed activity for each listed activity being applied for in Section 6.2 of the EIAR.</p>

	<p>(b) <u>Public Participation</u></p> <p>(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. These include but are not limited to the North West Department of Economic Development, Environment, Conservation and Tourism, the Department of Agriculture and Rural Development, the Department of Water and Sanitation (DWS), the North West Department of Agriculture and Rural Development, the North West Department of Public Works and Roads, the North West Department of Community Safety and Transport Management, the North West Provincial Heritage Resources Authority (NWPHRA), South African Heritage Resources Agency (SAHRA), the South African National Roads Agency Limited (SANRAL), Eskom, the Ditsobotla Local Municipality, the Ngaka Modiri Molema District Municipality, the Endangered Wildlife Trust (EWT), BirdLife SA, the South African Civil Aviation Authority, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation.</p> <p>(ii) Please ensure that all issues raised, and comments received on the draft SR and draft EIAR 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 EIAR. Proof of correspondence with the various stakeholders must be included in the Final EIAR. Should you be</p>		<p>All comments received to date have been included within the Comments and Responses Report (Appendix C8). Where comments have not been obtained, proof that attempts were made to obtain comments have been included in Appendix C4 and Appendix C5.</p> <p>The database detailing registered I&APs is included as Appendix C1 to the EIA Report.</p> <p>Comments received during the 30-day review and comment period of the draft Scoping Report to date have been captured and addressed in the Comments and Responses Report attached as Appendix C8 to this EIA Report.</p> <p>Comments received during the 30-day review and comment period of the draft EIA Report will be captured and addressed in the</p>
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	<p>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.</p> <p>(iii) A comments and response trail report (C&R) must be submitted with the final EIAR. The C&R report must incorporate all comments (pre and post submission of the draft EIAR) received 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&APs comments.</p>		<p>Comments and Reponses Report (Appendix C89) to be submitted with the final EIA Report to the DFFE for decision-making. Proof of correspondence with the various stakeholders will be included in the final EIA Report in Appendix C4 and Appendix C5. Where comments have not been obtained, proof that attempts were made to obtain comments will be included in Appendix C4 and Appendix C5 of the final EIAR.</p> <p>Comments received and issues raised from I&APs to date on the project have been arranged according to date received and not in categories, and comments from each submission have been responded to individually, as applicable (refer to Appendix C89).</p> <p>Comments received to date have been included in Appendix C4 and C5 of the EIA Report.</p> <p>Comments received during the 30-day review and comment period of the draft EIA Report will be captured and addressed in the Comments and Reponses Report (Appendix C89) to be submitted with the final EIA Report to the DFFE for decision-making. Proof of correspondence with the various stakeholders will be included in the final EIA Report in Appendix C4 and Appendix C5. Where comments have not been obtained, proof that attempts were made to obtain comments will be included in Appendix C4 and Appendix C5 of the final EIA Report.</p>
	<p>(c) <u>Layout & Sensitivity Maps</u></p> <p>(i) The EIAR must provide the four corner coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.</p> <p>(ii) The EIAR must provide the following:</p>		<p>All four corner corner coordinates points of the proposed development have been included in Section 1.2 of the EIAR.</p> <p>A clear facility layout is included in this EIA Report as Figure 10.1. The layout includes all the infrastructure associated with the facility as required.</p>

	<ul style="list-style-type: none"> - Clear indication of the envisioned area for the proposed 120MW Kiara PV1 Solar Power Facility; i.e., placing of PV arrays and all associated infrastructure should be mapped at an appropriate scale. - Clear description of all associated infrastructure (locations, lengths, widths and/or capacities). This description must include, but is not limited to the following: <ul style="list-style-type: none"> > Access and internal road infrastructure; > All supporting onsite infrastructure such as laydown area, guard house and control room etc. > Infrastructures to be developed within watercourses; > Powerlines; and > All necessary details regarding all possible locations and sizes of the proposed on-site facility substation. (iii) 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: <ul style="list-style-type: none"> > Permanent laydown area footprint; > 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) > Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used; 		
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	<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 by the facility and its associated infrastructure; ➤ Powerlines; ➤ Substation(s) and/or transformer(s) sites including their entire footprint; ➤ Location of access and service roads; ➤ PV arrays positions ➤ All existing infrastructure on the site, especially railway lines and roads; ➤ Buffer areas; ➤ Buildings, including accommodation; and ➤ All "no-go" areas. <p>(iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.</p> <p>(v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.</p>		<p>A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as Figure 10.2.</p>
	<p>(d) <u>Specialist assessments</u></p> <p>(i) The EAP must ensure that the terms of reference for all the identified specialist studies include the following:</p> <ul style="list-style-type: none"> ➤ A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations. Specialist assessments must be conducted in accordance with the Protocols. 		<p>A detailed description of the methodology, location and descriptions of the development footprint and all associated infrastructure has been included in the Specialist Assessments. The Specialist studies have been conducted in accordance with the Protocols. The Specialist Assessments have been included as Appendix D – I of the EIAR.</p> <p>All limitations associated with the specialist assessment have been included in the specialist studies included in the EIAR as Appendix D – H.</p>

	<ul style="list-style-type: none"> ➤ Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed. ➤ Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas. ➤ Should the specialist definition of 'no-go' area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable. ➤ All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA. ➤ Should a specialist recommend specific mitigation measures; these must be clearly indicated. <p>(ii) Regarding cumulative impacts:</p> <ul style="list-style-type: none"> ➤ Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land. ➤ A detailed process flow 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. 		<p>The Department's definition of 'no-go' area is noted and has been considered within this EIA Report. The 'no-go' areas identified by the specialists have been considered by the developer when designing the facility layout.</p> <p>The specialist's definition of 'no-go' area is the same as that of the Department and various 'no-go' areas, including their associated buffer areas, have been recommended by the specialists and have been considered by the developer when designing the facility layout.</p> <p>All specialist studies attached to this EIA Report (refer to Appendix D – I) are final and provide detailed and practical mitigation measures and recommendations.</p> <p>The mitigation measures proposed by the specialists are included in Chapters 8 of the EIA Report, as well as the project EMPs which are attached as Appendix L and M to the EIA Report.</p> <p>Several renewable energy facilities within a 30km radius of the proposed development have been identified as <u>and are</u> detailed in Chapter 9 of the EIAR.</p> <p>An assessment of the potential cumulative impacts is included in Chapter 9 of the EIA Report as well as within the specialist reports included in Appendix D to J</p>
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	<ul style="list-style-type: none"> ➤ Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process. ➤ The 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. <p>(iii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p> <p>(iv) Please be reminded that section 2(3) of NEMA requires developments to be socially, environmentally and economically sustainable, while section 2(4)(i) of NEMA requires the social, economic and environmental impacts of activities, including disadvantages and benefits, to be considered, assessed and evaluated.</p>		<p>The appointed specialists do not specify contradicting recommendations.</p> <p>All specialist declarations of interest are completed in full and that they are signed and included as Appendix O to the EIAR.</p>
	<p>(e) 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</p>		<p>The generic substation EMPr is included as Appendix M to the EIA Report. Section C of the EMPr includes specific mitigation measures identified in the EIA Report and specialist reports. There are no overhead power lines associated with the proposed project. The Electrical Grid Infrastructure for the project is assessed within a separate EIA process.</p> <p>The mitigation measures provided by the specialist and incorporated into the EIAR have been included in the EMPr. The</p>

<p>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 authority.</p>		<p>EMPr has been completed in accordance with Appendix 4 of the EIA Regulations, 2014, as amended.</p> <p>A recommended frequency has been included in the EMPr.</p> <p>The technical details of the project have been included in Section 2 of the Draft EIAR.</p>
<p>(f) General</p> <p>(i) The EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions.</p> <p>(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.</p> <p>(iii) Confirmation of the availability of services (e.g., sewage, water etc. if required) must be included in the EIAR.</p> <p>(iv) Should a Water Use License be required, proof of application for a license needs to be submitted.</p> <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>Refurbishment of the site with the reusing of as many viable parts as possible for power generation activities to continue for another 25 years.</p> <p>The nearest drainage system is located is approximately 800m of the project site, therefore a water use license will not be applied for and the provision of proof of application is not applicable. Register a borehole for water provision, the sewage will be honeysucked and disposed at a municipal wastewater treatment plant.</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 authorization being granted by the Department.</p>		
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1.2 Key Stakeholders and Interested and Affected Parties (I&APs)

No.	Comment	Raised by	Response
1	No comments received		