

Appendix C8:
Comments and Responses Report

**THERMAL POWER DUAL FUEL FACILITY AND ASSOCIATED INFRASTRUCTURE TO FORM PART OF A HYBRID
GENERATION FACILITY TOGETHER WITH THE AUTHORISED HYPERION 1 & 2 SOLAR PV ENERGY FACILITIES,
NEAR KATHU, NORTHERN CAPE PROVINCE
(DEA Ref.no.: 14/12/16/3/3/2/2019)**

COMMENTS AND RESPONSES REPORT

TABLE OF CONTENT

	PAGE
1. COMMENTS RECEIVED DURING EIAr REVIEW AND COMMENT PERIOD	1
1.2. Organs of State.....	1
1.3. Interested and Affected Parties	15
2. COMMENTS RECEIVED DURING COMMENCEMENT OF IMPACT PHASE	16
2. Organs of State.....	16
3. COMMENTS RECEIVED AFTER FINAL SCOPING REPORT SUBMISSION	22
1.2. Organs of State.....	22
4. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW and COMMENT PERIOD	23
1.3. Organs of State.....	23

The Thermal Power Dual Fuel Facility and Associated Infrastructure Process was announced on Tuesday, 13 October 2020. The announcement letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries that they might have. All written comments received during the Environmental Impact Assessment (EIA) process have been included in **Appendix C6** of the Scoping Report and in the table below.

The Scoping Report was available for a 30-day review and comment period from **Saturday, 17 October 2020** until **Tuesday, 17 November 2020**. The Comments and Responses Report (C&RR) have been updated with comments received during the review and comment period and included in **Appendix C6** of the final Scoping Assessment Report and in the table below.

Registered I&APs were notified of the Department's acceptance of the Plan of Study for EIA on 27 January 2021. Comments received during the period of the notification and announcing the availability of the EIAr is included in **Appendix C6** of the EIAr and captured in the table below.

The EIA Report (EIAr) was available for a 30-day review and comment period from **Friday, 12 February 2021** until **Monday, 15 March 2021**. The Comments and Responses Report (C&RR) has been updated with comments received during the review and comment period and included in **Appendix C6** of the final EIAr and the C&RR has been updated with the applicable responses and included as **Appendix C8** of the final EIAr.

NOTE:

In terms of Regulation 44(1) of the EIA Regulations 2014, as amended, please note that the comments raised and responses provided at the various Focus Group Meetings held during the 30-day review period of the EIAr are attached as **Appendix C7**.

LIST OF ABBREVIATIONS / ACRONYMS

C&R	Comments and responses	HIA	Heritage Impact Assessment
C&RR	Comments and Responses Report	NC DAEARD&LR	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform
DFFE	Department of Forestry, Fisheries and the Environment	NEMA	National Environmental Management Act
DMRE	Department of Mineral Resources and Energy	NHRA	National Heritage Resources Act
EA	Environmental Authorisation	SAHRA	South African Heritage Resources Agency
EIA	Environmental Impact Assessment	SAHRIS	South African Heritage Resources Information System
I&APs	Interested and Affected Parties	SARAO	South African Radio Astronomy Observatory
EIAr	Environmental Impact Assessment Report	SCC	Species of Conservation concern
C&R	Comments and responses	SR	Scoping Report
EMPr	Environmental Management Programme		

1. COMMENTS RECEIVED DURING EIAr REVIEW AND COMMENT PERIOD

1.2. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>The draft Environmental Impact Assessment Report (EIAr) dated February 2021 and received by this Department on 12 February 2021, refers.</p> <p>This Department has the following comments on the abovementioned application:</p> <p>a. Specific comments</p> <p>i. The final EIAr must comply with all conditions of the acceptance of the scoping report signed on 06 January 2021 and must address all comments contained in the FSR and this letter.</p>	<p>Herman Alberts Case Officer DFFE</p> <p>Letter: 09 March 2021</p>	<p>The final EIAr is in compliance with the conditions of the acceptance of the Scoping Report. All comments in the acceptance of the Scoping Report are addressed as part of the C&RR, as well as Chapter 6 in Table 6.4 of the final EIAr.</p>
	<p>ii. The recommendations provided by the specialist reports must be considered and used to inform the preferred layout.</p>		<p>The sensitivities identified by specialists were used to inform the layout. Therefore, the preferred layout (see Chapter 10 of the final EIAr) is acceptable and recommended by all specialists.</p>
	<p>iii. The EAP must provide details of the specific locations in the EIAr, and not provide vague locations of the proposed developments. All associated infrastructure must be clearly indicated in the EIAr and its associated layout plans.</p>		<p>A comprehensive description of the locality of the project site, thermal plant and associated infrastructure is contained in Chapter 1 of the final EIAr. Coordinates of infrastructure has been to Table 1.1 of the final EIAr.</p>
	<p>iv. The EAP must identify and provide a map which shows this development and its associated infrastructure in relation to the other proposed facilities in the area.</p>		<p>A cumulative map indicating the locality of the thermal plant in relation to other energy/ large-scale developments is contained in Chapter 9 of the final EIAr and Appendix Q</p>
	<p>v. 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.</p>		<p>All specialist studies submitted with the final EIAr (refer to Appendix D to M) are final and do not recommend any additional assessments post EA.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	vi. When submitting the EIAR and future documents kindly name each of the documents and attachments according to the information it contains e.g. instead of only naming it Appendix A, it must be Appendix A: Maps, Appendix B: EAP Declaration etc.		Each appendix to the final EIAR are labelled as Appendix ranging from A to R alphabetically, with the information in contains
	vii. Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.		Mitigation measures recommended by specialists are in line with latest guidelines and regulations.
	viii. The final EIAR must provide the technical details of the proposed facility in a table format as well as their description and/or dimensions.		Table 4.1 in Chapter 4 of the final EIAR contains a detailed description of the proposed technology, capacity, and the extent and dimensions of associated infrastructure.
	b. <u>Listed Activities</u>		
	i. The application form must be amended to include the specific and correct sub listed activity for each listed activity applied for. The amended signed application form must be submitted with the EIAR.		An amended application form has been submitted with the final EIAR to include numbering of sub listed activities.
	ii. The EAP must clearly identify and provide a final list of all applicable listed activities, If any activities are to be removed, motivation for their removal must be included in the EIAR.		No listed activities were removed or added as part of the amended application from submitted with the final EIAR.
	iii. Please note that the Department's application form template has been amended and can be downloaded from the following link https://wNw.environment.gov.za/documents/forms .		The link to the amended application form template is noted.
	iv. The listed activities represented in the EIAR and the application form must be the same and correct.		All listed activities listed in the amended application form and the final EIAR are the same.
	v. The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.		Specialist assessments are based on the project description for the proposed project, which informs the listed activities which have been identified.
	c. <u>Public Participation</u>		
	i. Please ensure that comments from all relevant stakeholders are submitted to the Department with the final EIAR. This includes but is not limited to the Northern		All comments received during the notification of the approval of the Plan of Study by the Department are included in Appendix C6 of the final EIAR and captured in

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	<p>Cape Department of Environmental Affairs and Nature Conservation, the provincial Department of Agriculture, the Provincial Department of Transport, the local and district municipalities, the Department of Human Settlements, Water and Sanitation, the South African Heritage Resources Agency (SAHRA), the Department of Rural Development and Land Reform, and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity.</p>		<p>the this C&RR of the final EIAR. Comments received from I&AP and key stakeholders during the review and comment period of the EIAR is included in Appendix C6 of the final EIAR and captured within this C&RR (Appendix C8) of the final EIAR.</p> <p>Comments received on the EIAR from the various organs of state, as listed by the Department, is included in Appendix C6 of the final EIAR and captured in this C&RR (Appendix C8) of the final EIAR.</p>
	<p>ii. Please ensure that all issues raised and comments received during the circulation of the draft EIAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAR.</p>		<p>All comments received from I&APs and organs of state during the review and comment period of the EIAR have been included within this C&RR (Appendix C8 of the final EIAR) and have been addressed appropriately.</p>
	<p>iii. Proof of correspondence with the various stakeholders must be included in the final EIAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.</p>		<p>Proof of correspondence with the various stakeholders during the scoping phase, the notification of commencement of the impact phase and the availability of the EIAR for review and comment are included in Appendices C4 and C5 of the final EIAR.</p> <p>Proof of attempts to obtain comments from I&APs, organs of state and key stakeholders is included in Appendices C4 and C5 of the final EIAR.</p>
	<p>iv. A Comments and Response trail report (C&R) must be submitted with the final EIAR. The C&R report must incorporate all comments 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 as indicated in Annexure 1 of this letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and</p>		<p>A C&RR has been drafted and is included as a separate appendix to the final EIAR (refer to Appendix C8 of the final EIAR). All comments raised and / or submitted are captured verbatim and not summarised. Comments have been responded to as far as possible, and no responses have been provided as 'noted'.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.</p> <p>v. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.</p> <p>vi. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.</p>		<p>It is confirmed that comments from I&APs, organs of state and key stakeholders have not been split and arranged into categories but captured in this C&RR according to date received and have been responded to individually.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan. The approved Public Participation Plan is included as Appendix C9 of the final EIAR.</p> <p>A notification letter was sent to all registered I&APs and organs of state on the project's database on 27 January 2021, notifying them that the Department had accepted the SR and approved the Plan of Study for EIA (proof included Appendices C4 and C5 of the final EIAR).</p> <p>The availability of the EIAR was advertised in the Kathu Gazette newspaper on 06 February 2021 (refer to Appendix C2 of the final EIAR) and a notification letter was sent to all registered I&APs on the project's database on 10 February 2021 notifying them of the availability of the EIAR (notification letter and proof of distribution is included in Appendices C4 and C5 of the final EIAR).</p> <p>The commenting authority and various organs of state received personalised letter on 10 and 11 February 2021, informing them of the availability of the EIAR (refer to Appendix C4 of the final EIAR).</p>

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	<p>d. <u>Layout & Sensitivity Maps</u></p> <p>i. The EIAr must provide 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. Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> a) Positions of the power island, steam turbine and generator, fuel storage tanks, water storage reservoir and tanks, water and gas supply pipelines; etc. b) Permanent laydown area footprint; c) All supporting onsite infrastructure e.g. roads (existing and proposed); d) Substation(s) and/or transformer(s) sites including their entire footprint; e) Connection routes (including pylon positions) to the distribution/transmission network; and f) All existing infrastructure on the site. <p>iii. Please provide an environmental sensitivity map which indicates the following:</p> <ul style="list-style-type: none"> a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; b) Buffer areas; and, c) All "no-go" areas. 		<p>The EIAr was also made available for download from Savannah Environmental's website and available on CD and via Dropbox or WeTransfer, upon request.</p> <p>A comprehensive description of the locality of the project site, thermal plant and associated infrastructure is contained in Chapter 1 of the final EIAr. Coordinates of infrastructure has been to Table 1.1 of the final EIA.</p> <p>A comprehensive layout map is contained in Chapter 4 and Appendix Q of the final EIAr.</p> <p>A detailed sensitivity map in contained in Chapter 10 and Appendix Q of the final EIAr.</p>

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	<p>iv. The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.</p>		<p>A combined layout and sensitivity map is contained in Chapter 10 and Appendix Q of the final EIAr.</p>
	<p>e. Specialist assessments</p> <p>i. The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <p>a) 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.</p>		<p>The methodologies and assessments undertaken by specialist are detailed in the relevant specialist studies (Appendix D to Appendix M)</p>
	<p>b) 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 accepted.</p>		<p>The limitations and assumptions of specialist are detailed in the relevant specialist studies (Appendix D to Appendix M)</p>
	<p>c) 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.</p>		<p>Areas of environmental sensitivity that should not be impacted on or utilised during the development of a project as identified in any environmental reports are defined as no-go areas for development for the purpose of this report. Specialist have recommended that activities remain outside the 32m buffer for the Vlermuisleegte River.</p>
	<p>d) 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.</p>		<p>Areas of environmental sensitivity that should not be impacted on or utilised during the development of a project as identified in any environmental reports are defined as no-go areas for development for the purpose of this report. No contradicting definitions of no-go areas have been identified by specialists.</p>

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	<p>e) 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.</p>		<p>All specialist studies submitted with the final EIAR (refer to Appendix D to M) are final and do not recommend any additional assessments post EA.</p>
	<p>ii. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.</p>		<p>Chapter 10 of this EIA Report contains a summary of recommendations and conclusions made by specialists. No contradicting recommendations have been made.</p>
	<p>f. <u>Cumulative Assessment</u></p> <p>i. 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> <p>f) 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.</p>		<p>A cumulative assessment of similar project in a 30-km radius is contained in Chapter 10 of the final EIAR.</p>
	<p>g) 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.</p>		<p>Chapter 9 of this EIA report and the relevant specialist report (Appendix D to Appendix M) contain an assessment of cumulative impacts associated with the Hyperion Thermal Plant.</p>
	<p>h) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p>		<p>A conclusion and recommendation regarding cumulative impact are included in Chapter 10 of this EIA Report. This</p>

NO.	COMMENT	RAISED BY	RESPONSE
			has informed the need and desirability for the project detailed in Chapter 5.
	i) A cumulative impact environmental statement on whether the proposed development must proceed.		A cumulative impact environmental statement on whether the proposed development must proceed is included in Chapter 10.
	g. The EMPr must include the following:		Chapter 5 to 8 of the EMPr (refer to Appendix N of the final EIAr) contains all specialist recommendations.
	i. All recommendations and mitigation measures recorded in the EIAr and the specialist studies conducted.		
	ii. The final site layout map.		The site layout will be finalised once the pre-construction walkthrough and geo-technical investigations are completed
	iii. Measures as dictated by the final site layout map and micro-siting.		Dimensions of infrastructure are provided in Chapter 2 of the EMPr (Appendix N of the final EIAr)
	iv. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.		An environmental sensitivity map is contained in Chapter 2 of the EMPr (Appendix N of the final EIAr)
	v. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		A combined layout and environmental sensitivity map is contained in Chapter 2 of the EMPr (Appendix N of the final EIAr)
	vi. An alien invasive management plan to be implemented during construction and operation. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.		An alien invasive management plan is contained in Appendix C of the EMPr.
	vii. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.		A plant rescue plan is contained in Appendix D of the EMPr.

NO.	COMMENT	RAISED BY	RESPONSE
	viii. A re-vegetation and habitat rehabilitation plan to be implemented during construction and operation. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.		A re-vegetation and rehabilitation plan is contained in Appendix E of the EMPr
	ix. A traffic management plan to ensure that no hazards would result from the increased traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters.		A traffic management plan is contained in Appendix I of the EMPr
	x. A storm water management plan to be implemented during construction and operation. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows.		A stormwater management plan is contained Appendix G of the EMPr
	xi. A fire management plan to be implemented during the construction.		An emergency preparedness, response and fire management plan is contained in Appendix J of the EMPr
	xii. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.		Hazardous substances will be handled and storage in appropriate bunded areas. An oily water separator will be installed as part of the stormwater system for the site.
	xiii. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas		Hazardous substances will be handled and storage in appropriate bunded areas. An oily water separator will be installed as part of the stormwater system for the site.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>from construction impacts including the direct or indirect spillage of pollutants.</p> <p>General Please also ensure that the final EIAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.</p> <p>You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority - (a) an environmental impact assessment report inclusive of any specialist reports, and an EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority,"</p> <p>Should there be significant changes or new information that has been added to the EIAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority — (b) a notification in writing that the reports, and an EMPr, will be submitted within 156 days of acceptance of the scoping report by the competent authority, or where regulation 21(2) applies, within 156 days of receipt of application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation</p>		<p></p> <p>The recommended validity period for the thermal plant and associated infrastructure authorisation is contained in Chapter 10 (section 10.5) of the final EIA.</p> <p>The EIA complies with the scope and content requirements as determined in Appendix 3 of the EIA regulations 2014, as amended.</p> <p>No significant changes or new information has been added to the EIAR or EMPr.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p><i>process contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days".</i></p> <p>Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>		<p>Comment noted, no further action required</p> <p>Comment noted, no further action required</p>
2.	<p>Final Comment</p> <p>The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final EIA and EMPr:</p> <ul style="list-style-type: none"> • 38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development; • 38(4)b – The recommendations of the specialists are supported and must be adhered to. Further additional specific conditions are provided for the development as follows: <ul style="list-style-type: none"> • The conditions provided in the Final Comment for SAHRIS Case ID 12966 are valid and must be adhered to (https://sahris.sahra.org.za/node/522889), with specific reference to the bufferzone around the Vlermuisleegte; • Permits in terms of section 35(4) of the NHRA and Chapter II and IV of the NHRA Regulations must be applied for the recommended test excavations and sampling of the archaeological sites in areas where in situ gravel will be intersected by foundations, cable trenches and/or access 	<p>Natasha Higgitt Heritage Officer and Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit SAHRA</p> <p>Letter: 09 March 2021</p>	<p>It is noted that the SAHRA has no objection to the proposed development.</p> <p>Comment noted, specialist recommendations will be adhered.</p> <p>Comment noted, condition will be adhered to.</p> <p>Relevant excavation permits will be applied for prior to construction.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>roads. This permit must be applied for well in advance prior to construction;</p>		
	<ul style="list-style-type: none"> 38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; 		<p>Comment noted, A chance finds procedure forms part of the EMPr (Appendix N of the EIAr)</p>
	<ul style="list-style-type: none"> 38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule; 		<p>Comment noted, A chance finds procedure forms part of the EMPr (Appendix N of the EIAr)</p>
	<ul style="list-style-type: none"> 38(4)d – See above; 		
	<ul style="list-style-type: none"> 38(4)e – The following conditions apply with regards to the appointment of specialists: <ul style="list-style-type: none"> With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above; 		<p>Comment noted, a qualified archaeologist will be appointed.</p>
	<ul style="list-style-type: none"> If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue 		<p>Commented noted, A chance finds procedure forms part of the EMPr (Appendix N of the EIAr)</p>

NO.	COMMENT	RAISED BY	RESPONSE						
	<p>operation may be required subject to permits issued by SAHRA;</p> <ul style="list-style-type: none"> The Final EIA and EMPr must be uploaded to the SAHRIS application for record purposes; The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application. 		<p>The final EIAR will be uploaded onto SAHRIS CaseID 15642.</p> <p>The EA will be uploaded onto SAHRIS CaseID 15642.</p>						
3.	<p>This Office has no objection to the proposal. Transnet and its ODs are not affected as the site lies ±12km west from the closest railway line.</p> <p>Transnet Freight Rail would however, like the opportunity to re-evaluate our position with regards to this proposal once final plans have been prepared.</p>	<p>V Maharaj Depot Manager Transnet SOC Ltd</p> <p>Letter: 09 March 2021</p>	<p>It is noted that Transnet has no objection to the proposed development.</p> <p>Commented noted, final layout plans will be revaluated as part of the final EMPr.</p>						
4.	<p>I'm Henry Mthembu from the Northern Cape Department of Environment and Nature Conservation. We had a telephone conversation earlier today with regards to Hyperion Solar Power, located close to Kathu. Could you kindly provide us with the full details of the project as well as the listed activity it entails (in terms of Section 21, Air Quality Act 39 of 2004). Please also state how far the project is in terms of development and EIA processes. We would highly appreciate it if we are kept in the loop, so as to ensure compliance with regards to the AEL processes. I thank you in advance.</p>	<p>Henry Mthembu Case Officer NC DENC</p> <p>E-mail: 09 March 2021</p>	<p>The Hyperion Solar Hybrid Project is still undergoing the EIA Phase and is to be submitted to the DFFE for decision in the next few weeks. The EIAR is out for review and comment which concludes on Monday, 15 March 2021.</p> <p>The activities that are triggered in terms of Section 21, Air Quality Act 38 of 2004:</p> <table border="1"> <thead> <tr> <th>Section 21 Subcategory</th> <th>Listed Process Description:</th> </tr> </thead> <tbody> <tr> <td>1.5</td> <td>Reciprocating engines</td> </tr> <tr> <td>2.4</td> <td>Storage and Handling of Petroleum Products</td> </tr> </tbody> </table> <p>Information regarding the public participation process, the Official was directed to the public participation practitioner. Magdalena Logan, Red Rocket, Applicant</p>	Section 21 Subcategory	Listed Process Description:	1.5	Reciprocating engines	2.4	Storage and Handling of Petroleum Products
Section 21 Subcategory	Listed Process Description:								
1.5	Reciprocating engines								
2.4	Storage and Handling of Petroleum Products								

NO.	COMMENT	RAISED BY	RESPONSE
			<p>Telephonic discussion with the Official was held in which it was confirmed that the NC DENC acknowledged that the process followed by Savannah Environmental regarding the submission of the EIA for comments to the NC DENC's Head of Department was the correct process. It was noted that internally the EIA did not reach the Air Quality Directorate of the NC DENC. It was confirmed that their Directorate's comments on the EIA will be submitted directly to the DFFE (national) as the decision-making authority for the AEL application.</p> <p>Nicolene Venter, Public Participation Practitioner</p> <p>The Official confirmed that DFFE will be the competent authority for the AEL application and Savannah Environmental was reminded to submit the Air Quality Impact Assessment Report on the NAEIS by the end March 2021. Submission of the SAAELIP is included in Appendix B of the final EIA.</p> <p>Jana de Jager, Environmental Scientist, Savannah Environmental</p>
5.	Kindly re-instate me again I have un-subscribe by mistake.	<p>Kagiso Ositang Director: PWBS Gamagara Local Municipality</p> <p>E-mail: 10 March 2021</p>	The release code was e-mailed to the Official on 11 March 2021 (refer to Appendix C4 of the final EIA).
6.	The Directorate: Biodiversity Conservation reviewed and evaluated the aforementioned draft report. Based on the information provided in the specialist report, the proposed development falls within the footprint of the authorised Hyperion 1 & 2 PV SEFs and located in the vicinity of several other energy generation projects. The development footprint avoids all	<p>Mmatlala Rabothata Case Officer DFFE Biodiversity Conservation</p> <p>Letter: 15 March 2021</p>	Comment noted, the recommendation to undertake a final walkthrough prior to construction is contained in the Biodiversity Assessment (Appendix D of final EIA) and Chapter 10 of the final EIA.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>identified highly sensitive environmental features within the project site and no environmental fatal flaws or impacts of very high significance were identified to be associated with the proposed development.</p> <p>Notwithstanding the above, the following recommendations must be considered during the next EIA Phase:</p> <ul style="list-style-type: none"> An ecologist must be appointed to perform a final walkthrough prior to finalisation of the final phase of the EIA, to identify all sensitive plant species and assist in identifying the areas that require protection. 		
	<ul style="list-style-type: none"> Erosion and Alien Invasive plant species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate on habitat degradation due to erosion and alien plant invasion. 		An Erosion and Alien Invasive management plan is included in Appendix C of the EMPr (refer to Appendix N of the EIAr)
	<ul style="list-style-type: none"> All protected fauna and flora species of conservation concern must not be destroyed or removed prior to permit approval from relevant National and Provincial authorities. 		Commented noted, appropriate permits will be obtained for removal protected fauna and flora prior to construction.
	<p>NB: 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>		It is confirmed that the notification of the availability of the EIAr for the Directorate: Biodiversity Conservation was submitted to the email address provided (refer to Appendix C4 of the final EIAr).

1.3. Interested and Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	SARAO has undertaken an impact assessment and it was determined that the radiated emissions from the abovementioned facility will not cause detrimental EMI to the SKA radio telescope. As such, this project is considered to be of	Selaelo Matlhane Spectrum & Telecommunication Manager SARAO	It is noted that SARAO has no objection to the development, no further action required.

NO.	COMMENT	RAISED BY	RESPONSE
	low risk of interference to the SKA and we therefore do not have any objection to the development of the project.	Letter: 09 February 2021	

2. COMMENTS RECEIVED DURING COMMENCEMENT OF IMPACT PHASE

2. *Organs of State*

NO.	COMMENT	RAISED BY	RESPONSE
1.	<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 are required for the EIAR:</p> <p>a) <u>Listed Activities</u></p> <p>i. Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.</p> <p>ii. 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> <p>iii. The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</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. This includes but is not limited to the Northern Cape Department of Environment and Nature Conservation, the provincial Department of Agriculture, the Provincial</p>	<p>Herman Alberts Case Officer DFFE</p> <p>Letter: 06 January 2021</p>	<p>All relevant activities applied for in the application for Environmental Authorisation and included in the EIA Report are relevant to the Thermal Plant and can be linked to the development activity or infrastructure in the project description.</p> <p>An additional listed activity has been included for the project due to the identified preferred access road being determined as that authorised for the Hyperion PV facilities. Therefore, an amended application form has been submitted with the EIA report.</p> <p>An assessment of impacts and recommended mitigation measures are included in Chapter 8 of this report.</p> <p>All comments received during the notification of the approval of the Plan of Study by the Department are included in Appendix C6 of the EIAR and captured in the Comments and Responses Report of the EIAR. Comments received from I&AP and key stakeholders during the</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>Department of Transport, the local and district Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Department of Rural Development and Land Reform (DRDLR), and the Department of Environment, Forestry and Fisheries: Climate Change; Oceans and Coast, Biodiversity and Protected Areas Directorates.</p>		<p>review and comment period of the EIAR will be included in Appendix C6 of the final EIAR and captured within the Comments and Responses Report (Appendix C8) of the final EIAR.</p> <p>Comments received on the EIAR from the various organs of state, as listed by the Department, will be included in Appendix C6 of the final EIAR and captured in the Comments and Responses Report (Appendix C8) of the final EIAR.</p> <p>The DFFE: Oceans and Coast Directorate is not applicable to this application as the proposed development is located inland of the Northern Cape Province and not near any ocean shorelines.</p>
	<p>ii. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (including this Department's Climate Change; Oceans and Coast, Biodiversity and Protected Areas Directorates), which have jurisdiction in respect of the proposed activity are adequately addressed in the EIAR.</p>		<p>All comments received from I&APs and organs of state during the review and comment period of the SR have been included within this Comments and Responses Report (Appendix C8 of the EIAR) and have been addressed appropriately.</p> <p>The DFFE: Oceans and Coast Directorate is not applicable to this application as the proposed development is located inland of the Northern Cape Province and not near any ocean shorelines.</p>
	<p>iii. Proof of correspondence with the various stakeholders must be included in the draft EIAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments,</p>		<p>Proof of correspondence with the various stakeholders during the scoping phase, the notification of commencement of the impact phase and the notification of the availability of the EIAR are included in Appendices C4 and C5 of the EIAR.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>iv. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>Proof of attempts to obtain comments from I&APs, organs of state and key stakeholders will be included in Appendices C4 and C5 of the final EIAR.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan. The approved Public Participation Plan is included as Appendix C9 of the EIAR.</p> <p>A notification letter was sent to all registered I&APs and organs of state on the project's database on 27 January 2021, notifying them that the Department had accepted the SR and approved the Plan of Study for EIA (proof included Appendices C4 and C5 of the EIAR).</p> <p>The availability of the EIAR was advertised in the Kathu Gazette newspaper on 06 February 2021 (refer to Appendix C2 of the EIAR) and a notification letter was sent to all registered I&APs on the project's database on 10 February 2021 notifying them of the availability of the EIAR (notification letter and proof of distribution is included in Appendices C4 and C5 of the EIAR).</p> <p>The commenting authority and various organs of state received personalised letter on 10 and 11 February 2021, informing them of the availability of the EIAR (refer to Appendix C4 of the EIAR).</p> <p>The EIAR was also made available for download from Savannah Environmental's website and available on CD and via Dropbox or WeTransfer, upon request.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>v. The EIAR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly, the Northern Cape Department of Environment and Nature Conservation, and the District and Local Municipalities.</p>		<p>Proof of notification of the availability of the EIAR to the relevant competent and commenting authorities are included in Appendix C4 of the EIAR.</p>
	<p>vi. A Comments and Response trail report (C&R) must be submitted with the final EIAR. The C&R report must incorporate all comments 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 as indicated in Appendix 1 of this letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&APs' comments</p>		<p>A comments and responses report has been drafted and included as a separate appendix to the EIAR (refer to Appendix C8 of the EIAR). All comments raised and / or submitted are captured verbatim and not summarised. Comments have been responded to as far as possible, and no responses have been provided as 'noted'.</p>
	<p>c) <u>Layout & Sensitivity Maps</u></p> <p>i. The EIAR must provide 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>A detailed Layout Map indicating coordinates of proposed infrastructure is included in Appendix Q.</p>
	<p>ii. Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> a) Positions of the power island, turbine and generator, fuel storage tanks, water storage reservoir and tanks, water and gas supply pipelines; b) Permanent laydown area footprint; c) All supporting onsite infrastructure e.g. roads (existing and proposed); d) Substation(s) and/or transformer(s) sites including their entire footprint; 		<p>A detailed Layout Map indicating all proposed infrastructure is included in Appendix Q.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> e) Connection routes (including pylon positions) to the distribution/transmission network; and f) All existing infrastructure on the site. 		
	<ul style="list-style-type: none"> iii. Please provide an environmental sensitivity map which indicates the following: <ul style="list-style-type: none"> a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; b) Buffer areas; and, c) All "no-go" areas. 		<p>An Environmental Sensitivity Map indicating all environmentally sensitive features is included in Appendix Q.</p>
	<ul style="list-style-type: none"> iv. The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure. 		<p>A combined Layout and Environmental Sensitivity Map indicating all environmentally sensitive features and proposed infrastructure is included in Appendix Q.</p>
	<p>d) Specialist assessments</p> <ul style="list-style-type: none"> i. Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of infrastructure positions, and all other associated infrastructures that they have assessed and are recommending for authorisation. 		<p>The limitations and assumptions of specialist are detailed in the relevant specialist studies (Appendix D to Appendix M)</p>
	<ul style="list-style-type: none"> ii. 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>Chapter 10 of this EIA Report contains a summary of recommendations and conclusions made by specialists. No contradicting recommendations have been made.</p>
	<ul style="list-style-type: none"> iii. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons and where necessary, include further expertise advice. 		<p>A Cumulative Map indicating all relevant developments within 30km of the proposed project is included in Appendix Q</p>
	<p>e) Cumulative Assessment</p> <ul style="list-style-type: none"> i. If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative 		<p>Chapter 9 of this EIA report contains an assessment of cumulative impacts associated with the Hyperion Thermal Plant.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>impact assessment must be conducted for all identified and assessed impacts which must be refined to indicate the following:</p> <p>a) 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.</p>		
	<p>b) 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.</p>		<p>Chapter 9 of this EIA report and the relevant specialist report (Appendix D to Appendix M) contain an assessment of cumulative impacts associated with the Hyperion Thermal Plant.</p>
	<p>c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p>		<p>A conclusion and recommendation regarding cumulative impact are included in Chapter 10 of this EIA Report. This has informed the need and desirability for the project detailed in Chapter 5.</p>
	<p>d) A cumulative impact environmental statement on whether the proposed development must proceed.</p>		<p>A cumulative impact environmental statement on whether the proposed development must proceed is included in Chapter 10.</p>
	<p>f) General</p> <p>i. The Air Quality and Climate Change specialist studies' terms of reference (TORs) must be made available to this Department's Climate Change</p>		<p>The Draft Scoping Report including the Plan of Study, and all specialist studies have been submitted to the Climate Change Directorate for comment. Proof of submission is included in Appendix C5. No comments were received at the date of submission of the final Scoping report.</p>
	<p>The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.</p>		<p>The EAP acknowledges the comment from DFFE.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	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.		The applicant is aware that construction of the thermal facility may not commence prior to receipt of the Environmental Authorisation.

3. COMMENTS RECEIVED AFTER FINAL SCOPING REPORT SUBMISSION

1.2. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	The following recommendations must be considered during the next EIA Phase:	Mmatlala Rabothata Case Officer DFFE: Biodiversity Conservation Letter: 17 November 2020	
	<ul style="list-style-type: none"> An ecologist must be appointed to perform a final walkthrough prior to finalisation of the final phase of the EIA, to identify all sensitive plant species and assist in identifying the areas that require protection. 		A walkthrough was undertaken during December 2020 by Simon Todd (3Foxes Biodiversity). NFA listed tree species assessed onsite include <i>Vachellia erioloba</i> , <i>Vachellia haematoxylon</i> , and <i>Boscia albitrunca</i>
	<ul style="list-style-type: none"> Search and rescue plan for the identified plant Species of Conservation concern (SCC) must be developed. 		A Search and Rescue Plan is included in Appendix D of the EMPr of the EIA
	<ul style="list-style-type: none"> All protected fauna and flora species of conservation concern must not be destroyed or removed prior to permit approval from relevant National and Provincial authorities. 		Permits for removal of NFA protected species will be submitted to Northern Cape DAEARD&LR
	<ul style="list-style-type: none"> Erosion and Alien Invasive plant species Management Plan and Rehabilitation Plan must be developed and submitted as part of the final report to mitigate on habitat degradation due to erosion and alien plant invasion. 		An Alien Plant and Open Space Management Plan is included in Appendix C of the EMPr of the EIA
	<ul style="list-style-type: none"> A full biodiversity assessment must be undertaken to determine the sensitivity of the site and the potential impacts to the study areas. 		A both a terrestrial assessment (Appendix D of the EIA) and avifaunal assessment (Appendix E of the EIA) has been undertaken for the EIA.
	<ul style="list-style-type: none"> The significance of the cumulative impacts must be assessed in details within the impact assessment phase of the EIA process. 		Cumulative impacts have been assessed in both the terrestrial assessment (Appendix D of the EIA) and avifaunal assessment (Appendix E of the EIA) undertaken for the EIA.

4. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW and COMMENT PERIOD

1.3. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
2.	<p>The following information must be included in the final SR</p> <p>a) <u>Listed Activities</u></p> <p>i. Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description.</p> <p>ii. 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> <p>b) <u>Layout & Sensitivity Maps</u></p> <p>i) Please provide a layout map which indicates the following:</p> <p>a. Positions of the power island, steam turbine and generator, fuel storage tanks, water storage reservoir and tanks, water and gas supply pipelines;</p> <p>b. Permanent laydown area footprint;</p> <p>c. All supporting onsite infrastructure e.g. roads (existing and proposed);</p> <p>d. Substation(s) and/or transformer(s) sites including their entire footprint;</p> <p>e. Connection routes (including pylon positions) to the distribution/transmission network; and</p> <p>f. All existing infrastructure on the site.</p>	<p>Herman Alberts Case Officer DFFE Letter: 11 November 2020</p>	<p>Only activities associated with the proposed Thermal Power Dual Fuel Facility and associated infrastructure have been applied for and assessed within the application and the Scoping report.</p> <p>No changes to the listed activities have been made for the final Scoping Report.</p> <p>a) The positions of infrastructure for the thermal facility will be provided during the EIA phase of project when the technology alternatives have been assessed.</p> <p>b) As the thermal facility will be located within the footprint of the already authorised Hyperion PV1 and PV2 footprint, the laydown areas will be in accordance with the laydown areas for the authorised PV facilities.</p> <p>c) The proposed access road to the proposed Hybrid facility has been included in Appendix B1.</p> <p>d) The position of the onsite substation for the thermal facility will be provided during the EIA phase of the</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>project when the technology alternatives have been assessed and the detailed layout is available.</p> <p>e) A separate basic assessment process for the transmission infrastructure for the Hybrid facility is currently be undertaken. Therefore the proposed transmission and distribution networks have been included within the Appendices for the Basic Assessment process (DEA Ref.: 14/12/16/3/3/1/2247).</p> <p>f) The positions of infrastructure for the thermal facility will be provided during the EIA phase of project when the technology alternatives have been assessed and the detailed layout is available.</p>
	<p>ii) Please provide an environmental sensitivity map which indicates the following:</p> <p>a. The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc, that will be affected;</p> <p>b. Buffer areas; and,</p> <p>c. All "no-go" areas.</p>		<p>A full sensitivity map compiled from the outcomes of the scoping studies highlighting areas of ecological sensitivity, watercourses that will be affected by Thermal Facility is available within Appendix B3 of the final Scoping Report. Applicable buffers or no-go zones identified by specialists for the project are also indicated on the sensitivity map.</p>
	<p>iii) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.</p>		<p>A facility layout overlain on the sensitivity map will be provided in the EIA phase of he process when the technology alternatives have been assessed and the detailed layout is available.</p> <p>A cumulative impacts of energy facilities and infrastructure in the area has been included within Section 8.5of the Scoping report. The cumulative impacts of the project together with other facilities in the vicinity of the site will be assessed within the EIA phase of the project.</p>
	<p>c) <u>Public Participation Process</u></p> <p>i) Please ensure that all issues raised and comments received during the circulation of the draft SR from</p>		<p>All comments received during the review and comment period of the draft SR have been included within this</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>registered I&APs and organs of state including this Department's Climate Change Section' which have jurisdiction 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 should be submitted to the Department of the attempts that were made to obtain comments.</p> <p>ii) The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>Comments and Responses Report and have been addressed as far as possible. Where additional work is required to address these within the EIA Phase of the process, this has been indicated.</p> <p>Proof of correspondence with the various stakeholders and proof of attempts to obtain comments are included in Appendix C5 of the final SR.</p> <p>Proof of correspondence with organs of state and proof of attempts to obtain comments are included in Appendix C4 of the final SR.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan. The approved Public Participation Plan is included as Appendix C9 of the final SR.</p> <p>I&APs and organs of state were notified of the commencement of the EIA process as follows:</p> <ul style="list-style-type: none"> • The BID, accompanied by a cover letter and registration & comment form, was emailed to those I&APs identified and the relevant organs of state on 14 October 2020 (refer to Appendices C4 & C5 of the final SR). • an advertisement was placed in the Kathu Gazette newspaper on 17 October 2020 (tearsheet included in Appendix C2 of the final SR).

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> • Live reads on Radio Riverside 98.2 FM (refer to Appendix C2 of the final SR. for live read schedule). <p>The draft SR was made available for a 30-day review and comment period from Friday, 17 October 2020 until Tuesday, 17 November 2020 and the availability was announced as follows:</p> <ul style="list-style-type: none"> • Advertised in the Kathu Gazette newspaper on 17 October 2020 (tear sheets included in Appendix C2 of the final SR). • Notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the final SR) informing them of the availability of the draft SR for review and comment. <p>The draft SR was also made available for download from Savannah Environmental's website and could also be sent via other file transfer services (i.e. We Transfer, Dropbox, etc.) or on CD, on request.</p> <p>Site notices were placed at the proposed development site and surrounds on 01 October 2020. Proof of the placement of the site notices are included in Appendix C2 of the final SR.</p>
	<p>iii) A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments 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 as indicated in Annexure 1 of this</p>		<p>A comments and responses report (COMMENTS AND RESPONSES REPORT) has been drafted and included as a separate appendix to the final SR (refer to Appendix C8 of the final SR). All comments raised and / or submitted are captured verbatim and not summarised. Comments have been responded to as far as possible, and no</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as 'Noted' is not regarded as an adequate response to I&AP's comments.</p>		<p>responses have been provided as 'noted'. Where additional work is required to address these within the EIA Phase of the process, this has been indicated.</p>
	<p>iv) The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly the Northern Cape Department of Environment and Nature Conservation, and the District and Local Municipalities.</p>		<p>Proof of correspondence with organs of state i.e. notifying them of the EIA process, providing them an opportunity to review and comment on the draft SR and attempts to obtain comments on the draft SR are included in Appendix C4 of the final SR.</p>
	<p>d) Specialist Assessments i) An Air Quality and Climate Change impact assessment must be undertaken.</p>		<p>An Air Quality Scoping Report has been undertaken and is included as Appendix H of the FSR. The Climate Change Impact Assessment will be undertaken for the EIA phase of the project when the technology alternatives have been clearly defined and assessed. A detailed plan of study (Chapter 10) for the Air Quality and Climate Change Impact Assessment has been included in the Scoping Report and will be undertaken in the EIA.</p>
	<p>ii) Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of infrastructure positions, and all other associated infrastructures that they have assessed and are recommending for authorisation.</p>		<p>The specialist studies to be undertaken in the EIA Phase will contain detailed descriptions of the methodologies used and details of infrastructure associated with the thermal facility that has been assessed.</p>
	<p>iii) 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>		<p>All specialist studies to be undertaken in the EIA Phase will contain detailed descriptions of the limitations and gaps.</p>
	<p>iv) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the</p>		<p>No contradicting recommendations were provided by the specialist studies for the thermal facility and</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>most reasonable recommendation and substantiate this with defensible reasons and where necessary, include further expertise advice.</p>		<p>associated infrastructure. Should there be any contradicting recommendations in the EIA phase, the EAP will clearly indicate the most reasonable recommendation and substantiate this with defensible reasons and where necessary, include further expertise advice.</p>
	<p>e) <u>Cumulative Assessment</u></p> <p>i) If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to indicate the following:</p> <ul style="list-style-type: none"> a. 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. b. 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. c. The cumulative impacts significance rating must also inform the need and desirability of the proposed development. d. A cumulative impact environmental statement on whether the proposed development must proceed. 		<p>Cumulative impacts have been identified and described Chapter 8 of the SR A cumulative assessment will be undertaken in the EIA Phase of the process in accordance with the DFFE requirements and those of the EIA Regulations..</p> <p>a)</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>f) Specific Comments</p> <p>i) The Air Quality and Climate Change specialist studies' terms of reference must be made available to this Department's Climate Change Directorate for comments. Proof of correspondence must be included in the public participation report.</p>		<p>The Draft Scoping Report including the Plan of Study, and all specialist studies have been submitted to the Climate Change Directorate for comment. Proof of submission is included in Appendix C5. No comments were received at the date of submission of the final report.</p>
	<p>ii) The landowner contact person is different from the applicant contact person. The EAP must submit as signed landowner consent as prescribed in terms of Regulation 39(1) of the EIA Regulations, 2014 as amended, and outlined in the application form, if the landowner is different from the applicant.</p>		<p>Landowner Consent has been included in Appendix 3 of the EA Application.</p>
	<p>General</p> <p>You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: <i>"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"</i></p>		<p>The EAP acknowledges the comment from DFFE.</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 EAP acknowledges the comment from DFFE.</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</p>		<p>The EAP acknowledges the comment from DFFE.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	Regulations, unless an extension has been granted in terms of Regulation 3(7). 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		The applicant is aware that construction of the thermal facility may not commence prior to receipt of the Environmental Authorisation.
2.	Interim Comment The SAHRA Archaeological, Paleontological and Meteorites (APM) requests that the EIA phase report HIA must include a field-based survey be conducted for the proposed access road. The EIA phase HIA must include a Paleontological Desktop Study as the proposed development footprint is located within an area of moderate sensitivity as per the SAHRIS PalaeoSensitivity map. The draft EIA and appendices must be submitted in order for informed comments can be issued. Further comments will be issued upon receipt of the above requested documents.	Natasha Higgitt Heritage Officer and Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit SAHRA Letter: 16 November 2020	These requested assessments will be addressed as part of the draft EIA report. The Draft EIA report and appendices will be submitted to SAHRA for comment. The EAP acknowledges the comment from SAHRA.
3.	Please kindly provide coordinates of where the project is proposed to Mr Luzuko Nxantsiya and me. Please kindly note that we cannot be able to open the file you sent on the attachment. Please send to us the list of property descriptions (farm names and numbers including portions where applicable).	Johannes Namatatani Mineral Regulations DMRE E-mail: 19 October 2020 E-mail: 27 October 2020	The .KMZ files were e-mailed to Mr Nematatani on 20 October 2020. As requested, Messrs Nematatani and Nxantsiya have been registered on the project database as Officials representing the DMRE (please refer to Appendix C1 of the final SR). The farm names, number and portion numbers, together with the Surveyor General 21-digit codes and co-ordinates were e-mailed to the DMR on 27 October 2020.
4.	This office has no objection to the proposal. Transnet and its ODs are not affected as the site lies ± 8,61km west from the closest railway line.	V Maharaj Depot Manager Transnet Property	The EAP acknowledges the comment from Transnet.

NO.	COMMENT	RAISED BY	RESPONSE
	Transnet Freight Rail would however, like the opportunity to re-evaluate our position with regards to this proposal once final plans have been prepared.	Letter: 16 October 2020	