

Appendix D:

Comments from Stakeholders





forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia,· PRETORIA

DFFE Reference: 14/12/16/3/3/2/2098

Enquiries: Zamalanga Langa

Telephone: (012) 399 9389 **E-mail:** zlanga@environment.gov.za

Mr Corné Niemandt
Enviro-Insight CC
Unit 8 Oppidraai Office
862 Wapadrand Road,
Wapadrand Security Village,
PRETORIA
0081

Telephone Number: 012 807 0637

Email Address: corne@enviro-insight.co.za

PER MAIL / E-MAIL

Dear Mr Niemandt

COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED BOTTERBLOM WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE ON THE REMAINDER OF THE FARM SOUS 226, NEAR LOERIESFONTEIN IN THE NORTHERN CAPE PROVINCE.

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated September 2021 and received by the Department on 31 August 2021, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

(a) Layout & Sensitivity Maps

- Please provide a layout map which indicates the following:
- The proposed Turbines and associated infrastructure, 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.
- Google maps will not be accepted.

(b) Public Participation Process

- Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the Final 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. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.

- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments 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 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.
- The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development.

(c) Specialist Assessments

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.
- Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.
- 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.**

(d) Cumulative Assessment

- 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:
 - 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.

General

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

“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”

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.

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).

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.

Yours sincerely



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment
Letter signed by: Dr Danie Smit
Designation: Deputy Director: National Infrastructure Projects
Date: 27/09/2021

cc:	Ralf Grass	FE Botterblom (Pty) Ltd	Email: ralf.grass@energyteam.co.za
-----	------------	-------------------------	---



27 May 2021

ATT: M . Kotze
PO Box 363
Newlands
7725
Cape Town

**Impact on Vodacom Towers at Loeriesfontein (Botterblom) , area
(Northern Cape area - Kharkams)**

Reference to email received on 26 May 2021. Botterblom WEF - **Genesis Eco-Energy
Developments (Pty) Ltd**
- Act 36 of 2005

This is to confirm that Vodacom has no objection to the proposed wind turbine structure in Loeriesfontein Area reference (GPS coordinates(30°29'3.38"S/19°30'53.69"E) will have no impact on surrounding Vodacom towers or its existing / future transmission routes (Microwave) in this area .

Please communicate any future changes or deviations from the original planning to this office since this confirmation remains specific to this request only.

Yours Faithfully

A handwritten signature in black ink, appearing to read "Nico Fourie".

.....
Nico Fourie

**EHOD Operations
Vodacom Western Region**

Tel : 021 529 5443
e-mail: Nico.Fourie@vodacom.co.za

Enviro-Insight CC

Email: corne@enviro-insight.co.za

Date: 17 June 2021

Dear Corné Niemandt

RE: BACKGROUND INFORMATION DOCUMENT ON THE PROPOSED BOTTERBLOM WIND ENERGY FACILITY, NORTHERN CAPE PROVINCE.

This letter is in response to the notification of the proposed wind energy facility and its possible impact on the Square Kilometre Array radio telescopes.

SARAO has undertaken an impact assessment and based on the information provided it was determined that the project represents a low risk of interference to the SKA radio telescope with a required mitigation measure of -5.10 dBm/Hz to reduce interference at the telescope. As such, we do not have any objection to the development.

However, we do recommend that you should take all precautionary measures to limit the electromagnetic emissions (EMI) in all your electrical cable installations and equipment.

Thank you for your correspondence, we would appreciate it if you could keep us informed with the development of the project.

Regards,



Mr Selaelo Matlhane

Spectrum & Telecommunication Manager

South African Radio Astronomy Observatory (SARAO)

Tel: 011 442 2434

Email: smatlhane@ska.ac.za

www.ska.ac.za

The South African Radio Astronomy Observatory (SARAO) is a National Facility managed by the National Research Foundation and incorporates all national radio astronomy telescopes and programmes. SARAO is responsible for implementing the Square Kilometre Array (SKA) in South Africa.

Attention: Mr Corné Niemandt
Enviro-Insight CC
Reference: Botterblom WEF - Scoping Report
Email: corne@enviro-insight.co.za

1 October 2021

Dear Corné

Draft Scoping Report for the Proposed Botterblom Wind Energy Facility, Northern Cape

Thank you for the opportunity to comment on the draft scoping report for the proposed Botterblom Wind Energy Facility near Loeriesfontein in the Northern Cape. BirdLife South Africa supports the responsible development of renewable energy, and our comments are intended to help ensure that potential negative impacts on biodiversity are avoided and minimised.

We understand that the next phase of the EIA will include a more complete analysis of data, assessment of impacts, and a more thorough interrogation of potential mitigation measures. However, we would like to use this opportunity to highlight a few comments, questions and concerns.

The Avifauna Preconstruction Monitoring Assessment Report only refers to the “avifauna theme” of the National Web-based Environmental Screening Tool, not the “animal species theme”. As far as we understand, the former theme only includes data used in the National Strategic Environmental Assessment for wind and solar energy - i.e. data in or near to the Renewable Energy Development Zones. As a result, and somewhat confusingly, areas that are obviously of high avifaunal sensitivity (e.g. Langebaan Lagoon) are erroneously reflected as low sensitivity. We, therefore, advise avifaunal specialists to consult both the avifauna and animal species themes. The latter covers the entire country and includes habitat suitability models for many of our threatened bird species.

The proposed development is located in an area where multiple wind and solar PV developments have already received environmental approval. We suggest that the potential cumulative impacts associated with both technologies on biodiversity require careful consideration and assessment.

For example, the development falls in the middle of a relatively narrow (approximately 100km wide) corridor of Red Lark (*Calendulauda burra*) habitat (see figure 1). How will the gradual encroachment of renewable energy infrastructure in this area affect the available habitat and dispersal of this globally Vulnerable, range-restricted species?

Red Larks are habitat specialists, and it may be possible to avoid much of their habitat when planning the layout of infrastructure. And it may be possible to mitigate or compensate for any unavoidable losses due to habitat loss and displacement by ensuring the appropriate management of remaining habitat on site. We suggest that this should be addressed in the EMPr. A habitat suitability model for Red Lark is available through BirdLife South Africa, and it may also be possible to run a finer scale habitat suitability model for the site to supplement survey data. Please contact Ernst Retief ([Ernst Retief](mailto:Ernst.Retief@birdlife.org.za)) to for more information.

While we have received no reports of fatalities of Red Lark due to turbine collisions, they may be at risk, particularly during breeding displays. Preliminary data suggests that Red Lark are only likely to fly within the rotor swept area at low wind speeds (Robin Colyn pers comm). This has not been tested, but it

might be possible to mitigate this risk by increasing the cut-in speed of the turbines. The risk of collisions could also be mitigated by increasing the distance between the ground and the rotor swept area. Again this has not been tested but could be considered as part of the mitigation strategy.

We are also concerned about the cumulative impacts on the breeding pair of Martial Eagle (*Polemaetus bellicosus*, regionally Endangered). Proposed and operational renewable energy developments almost surround the eagles' territory.

The conservation implications of Martial Eagles nesting on electricity pylons is not yet fully understood. Jenkins et al. 2013¹, suggest the population of Martial Eagles nesting on pylons is nationally and regionally significant. It represents more than 10% of the regional population, and Eskom has invested substantial resources to enable the species to continue to use these artificial structures. However, Amar and Cloete (2017²) suggest that this population could be a potential sink. Until the conservation significance is better understood, we recommend adopting a precautionary approach, and these territories should be protected.

The potential significance of Martial Eagle fatalities at wind energy facilities should also not be dismissed. Almost 1% of the national adult population has already been killed at wind farms in South Africa. Although some of these fatalities were due to electrocutions on associated infrastructure, the amount of installed wind energy capacity is set to increase almost 6-fold over the next ten years, suggesting pressure on the species will increase.

While we note it was a preliminary recommendation, we are concerned that the proposed 3km buffer around the Martial Eagle nest is too small and not based on species-specific data. There is limited research to support spatial recommendations for avoidance and mitigation for the species, but the following has relevance. Martial Eagles hold large breeding territories (ranging from 130-150 km² in the lowveld, to at least 280 km² in the Nama-Karoo and Namibia (Simmons 2005³). Eeden et al. (2017)⁴'s work tracking Martial Eagles in the Kruger National Park indicated a 50% Kernel Density of an average of 16.5km². This suggests a buffer with a radius of 2.9 km from a nest would be necessary to avoid the core habitat only. Although telemetry data is not yet available outside the Kruger National Park, territory sizes are much larger in arid areas. It should therefore be assumed buffers in these areas should also be larger. A very high sensitivity buffer of 5 km, and a high sensitivity buffer of 10 km, is proposed in the National Strategic Environmental Assessment for wind energy⁴.

The relocation of the Martial Eagle nest is also not supported. There is no evidence that this approach will be effective, and it is unclear how this might affect territory use and thus collision risk. The eagles will likely try to rebuild the nest or find a new territory. Furthermore, the implementation of anti-perch devices will be costly, require the support of Eskom, and they will need to be maintained. Both Eskom and the applicant must confirm the feasibility of this approach should it be pursued.

Shutdown on demand is supported. However, the sensitivity of Martial Eagle to disturbance must be taken into consideration if human observers are used (the EMPr should also include recommendations

¹ <https://www.cambridge.org/core/journals/bird-conservation-international/article/brokering-a-settlement-between-eagles-and-industry-sustainable-management-of-large-raptors-nesting-on-power-infrastructure/5DDD7965A86AB4351D86D18068691510>

² <https://www.cambridge.org/core/journals/bird-conservation-international/article/quantifying-the-decline-of-the-martial-eagle-polemaetus-bellicosus-in-south-africa/EE0EAE90EAE0F671EEAA89D0BFF732D>

³ Simmons, R. E. (2005 c) Martial Eagle. In: P. A. R. Hockey, W. R. J. Dean, and P. G. Ryan, eds. Roberts birds of southern Africa, VII. Cape Town, South Africa: John Voelcker Bird Book Fund.

⁴ <https://redzs.csr.co.za>

to reduce the risk of disturbing breeding birds during construction). However, we are concerned that the proposed mitigation measures to address the risk of collisions are vague, and we trust these will be interrogated further in the EIA. In our experience, “adaptive management” is readily agreed to in EIAs, but poorly implemented at operational wind energy facilities. Too often, wind farm operators have not planned for the potentially significant cost, monitoring and management implications associated with operational phase mitigation and adaptive management. We, therefore, urge that the EMPr includes specific, measurable and time-bound environmental management outcomes and actions. The applicant must confirm that proposed mitigation actions are feasible before they are included in the assessment.

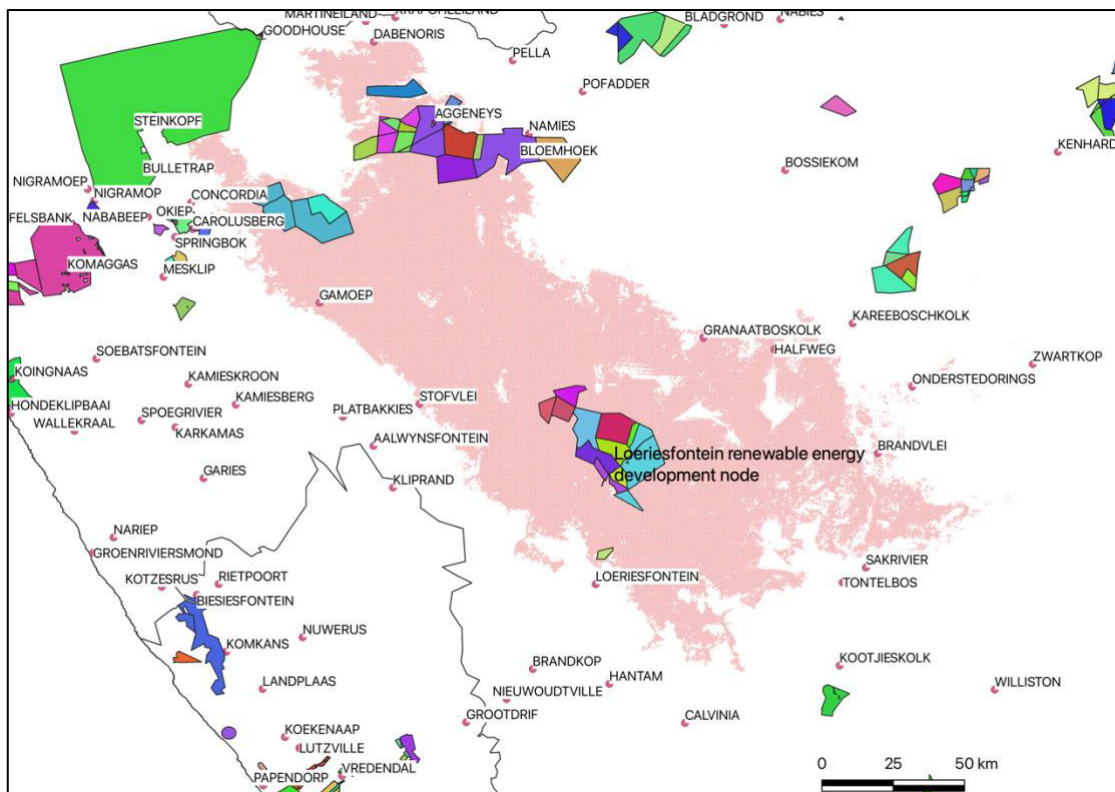


Figure 1. The location of proposed renewable energy infrastructure (multi-coloured polygons) relative to the global distribution of Red Lark (light pink) based on BirdLife South Africa's habitat suitability models.

Please do not hesitate to contact us if you wish to discuss our comments further.

Kind regards



Samantha Ralston-Paton
Birds and Renewable Energy Project Manager

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 17068

Date: Friday October 08, 2021
Page No: 1

Interim Comment

In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Enviro-Insight CC

Unit 8, Oppidraai Office Park
862 Wapadrand Rd
Wapadrand Security Village
Pretoria
0081

Botterblom Wind Energy Facility Northern Cape Province, South Africa

Enviro Insight CC has been appointed by FE Botterblom Pty Ltd to conduct an Environmental Authorisation (EA) Application for the proposed Botterblom Wind Energy Facility on the Remainder of the farm Sous 226, near Loeriesfontein, Northern Cape Province.

A draft Scoping Report (DSR) was submitted in terms of the National Environmental Management Act, Act 107 of 1998 (NEMA) and the NEMA EIA Regulations (As amended). The proposed development will include the construction of up to 35 wind turbines with a hub height of 150 m and rotor diameter up to 175 m, a battery energy storage systems (BESS), concrete turbine tower foundations, cabling between turbines, internal and access road, permanent workshop area and office for control, maintenance and storage, and temporary laydown areas.

Heritage Contracts and Archaeological Consulting (HCAC) were appointed to provide the heritage specialist reports as part of the EA process as required in terms of section 24(4)b(iii) of NEMA and in terms of section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Van der Walt, J. 2021. Heritage Scoping Report for the proposed Botterblom Wind Energy Facility Northern Cape Province, South Africa.

The specialist has noted that heritage resources such as Stone Age lithics surface scatters (however scarce), a historical farmstead and memorial are located within the study area.

Recommendations provided in the report include the following:

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 17068

Date: Friday October 08, 2021
Page No: 2

- The study area should be subjected to a Heritage Impact Assessment; and
- The study area must be subjected to a desktop Palaeontological Assessment.

Interim Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit notes the pending assessment of the impact to heritage resources and requests that the assessment comply with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). Additionally, the assessment of the impact to archaeological resources must be conducted by a qualified archaeologist and comply with the 2007 SAHRA Minimum Standards: Archaeological and Palaeontological Components of Impact Assessments.

As the development application area is located in an area of moderate, high and very high sensitivity for palaeontological resources as per the SAHRIS PalaeoSensitivity map, a field-based Palaeontological Impact Assessment (PIA) must be required to be undertaken by a qualified palaeontologist. (See <https://www.palaeosa.org/heritage-practitioners.html> for a list of qualified palaeontologists). The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.

Further comments will be issued upon receipt of the above requested reports and the draft EIA inclusive of appendices.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Our Ref:



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 17068

Date: Friday October 08, 2021
Page No: 3

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/581854>