

# THE GRID CONNECTION INFRASTRUCTURE ASSOCIATED WITH THE GRASPAN PV PLANT PHASE 1 (90MW), NORTHERN CAPE PROVINCE

(DFFE REFs: 14/12/16/3/3/2/276/2)

## COMMENTS AND RESPONSES REPORT

### TABLE OF CONTENT

	<b>PAGE</b>
<b>1. COMMENTS RECEIVED ON THE MOTIVATION REPORT</b> .....	1
1.1. Organs of State.....	1
1.2. Interested and Affected Parties .....	7

The public participation process associated with the amendment application for the Grid Connection Infrastructure Associated with the Graspan PV Plant Phase 1 (90MW) was initiated on Thursday, 03 August 2023. The Notification Letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries regarding the proposed project. The Motivation Report has been made available for a 30-day review and comment period from **03 August 2023** to **04 September 2023**. All written comments received have been included in this Comments and Responses Report (C&RR) and included in **Appendix E5** of the Motivation Report.

**NOTE:**

All comments captured in the C&RR are verbatim and have not been summarised.

**LIST OF ABBREVIATIONS / ACRONYMS**

C&RR	Comments and Responses Report	I&AP	Interested and Affected Parties
DFFE	Department of Forestry, Fisheries and the Environment	MW	Mega Watt
EAP	Environmental Assessment Practitioner	NEMA	National Environmental Management Act
EIA	Environmental Impact Assessment	PV	Photovoltaic

## 1. COMMENTS RECEIVED ON THE MOTIVATION REPORT

### 1.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p><b>AMENDMENT OF THE GRASPAN PV FACILITY AND NORTHERN CAPE PROVINCE</b></p> <p>With reference to your letter dated 22 August 2023.</p> <p>With reference to your above-mentioned application, I hereby confirm that Openserve approves the proposed application as indicated on your drawings in terms of the Electronic Communication Act No. 36 of 2005 as amended.</p> <p>No infrastructure of our client (Openserve) will be affected by this proposal; however, care should be taken should it become evident that there is in fact infrastructure of our client (Openserve) present at the actual sites. <b>We did our utmost to ensure that we indicate our route as accurate as possible and should you discover any of our cables that are not on the sketch please stop and contact us immediately to arrange a site meeting. Please make use of pilot holes in order not to damage our infrastructure. In the event that our cables are exposed and damaged/stolen by a third party the damages will be repaired at the customer's account. Please make use of pilot holes in order not to damage our infrastructure.</b></p> <p><b>Although our client (Openserve) will not be affected by this proposal, Mr Vivian Groenewald must be contacted at 054 338 6501 / 081 362 6738, 2 (Two) weeks prior of commencement on construction work.</b></p> <p>As per supplied drawings it would appear as if Openserve infrastructure would not be affected. However, care should still be</p>	<p>Mantwa Gabaitmele                      Mvelaphande Trading                      (Telkom)</p> <p>By Email: 30 August 2023</p>	<p>The comments have been noted by the applicant. It is noted that the approval is valid for 6 months and that re-application is required if the work is not completed within this period. The relevant person will be contacted prior to commencement of construction work as requested.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>taken should it become evident that there is in fact Openserve network present at the actual sites. Such lines should be treated in accordance with, and clearances stipulated in the occupational Health and Safety Act no. 85 of 1993, Electrical Machinery regulations 20 – Crossings, and Electrical Machinery Regulations 15 – Clearance Power Lines. If the specifications could not be met, all deviations costs will be for applicant's account. We also refer to section 25 of the Electronic Communication Act 36 of 2005</p> <p><b>On completion of this project, please certify that all requirements as stipulated in this letter have been met. Please note that should any of our client (Openserve) infrastructure has to be relocated or altered as a result of your activities the costs for such an alteration or relocation will be for your account in terms of section 25 of the Electronic Communications Act.</b></p> <p>This approval is valid for 6 months only, after which re-application must be made if the work has not been completed.</p> <p>Any changes / deviations from the original planning during or prior to construction must immediately be communicated to this office</p> <p><b>Although our client (Openserve) will not be affected by this proposal, Mr Vivian Groenewald must be contacted at 054 338 6501 / 081 362 6738 (Two) weeks prior of commencement on construction work.</b></p> <p>Please notify this office and forward an as built plan, within 30 days of completion of construction.</p>		
2.	<p><b>COMMENTS ON THE DRAFT AMENDMENT REPORT FOR THE APPLICATION FOR AMENDMENT TO THE ENVIRONMENTAL AUTHORISATION(EA) ISSUED ON THE 30 APRIL 2013 AS AMENDED, FOR</b></p>	<p>: Nyiko Nkosi,                      Integrated Environmental                      Authorities: Priority</p>	<p>The comments from the DFFE have been noted. Specific responses are provided in the sections which follow.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p><b>THE CONSTRUCTION OF THE GRID CONNECTION INFRASTRUCTURE ASSOCIATED WITH THE GRASPAN PHOTOVOLTAIC (PV) PLANT PHASE 1 (90MW), LOCATED ON THE REMAINING EXTENT OF THE FARM GRASPAN (FARM NO. 172) WITHIN THE SIYANCUMA LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE</b></p> <p>The Environmental Authorisation (EA) for the above-mentioned project dated 30 April 2013, the application for amendment of the EA received by the Department on 28 April 2023, acknowledgement of receipt and request for additional information dated 09 May 2023; the additional information received on 08 June 2023, the meeting held on the 14 June 2023, the amended additional information received by the Department on 20 June 2023, The Department's comments requesting further information dated 30 June 2023 and the draft amendment report received by the Department on 03 August 2023, refer.</p> <p><u>This letter serves to inform you that the following information must be included to the final Amendment Report:</u></p>	<p>Infrastructure Developments</p> <p>(DFFE)</p> <p>By Email: 25 August 2023</p>	
	<p><b><u>(a) Specific Comments</u></b></p> <p>(i) Since the proposed amendment is to extend beyond 10 years and further assessments has been conducted as per the Department's acknowledgement letter, The final report must include additional conditions (if applicable) that must be incorporated into the EA.</p>		<p>No additional conditions for inclusion in the EA have been specified by the specialists as part of the EA amendment process.</p>
	<p>(ii) Ensure that the requirements of the acknowledgment letter dated 09 May 2023, Department's comments dated 30 June 2023 and this comment letter are fully addressed and referenced in the final report.</p>		<p>The requirements of the acknowledgment letter dated 09 May 2023 have been addressed within the Motivation Report and associated specialist inputs.</p>
	<p><b><u>(b) Public Participation Process</u></b></p> <p>(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the final report.</p>		<p>(i) All written comments received from stakeholders and Organs of State are included <b>in Appendix E5: Comments Received of the Final Motivation Report.</b></p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>(ii) Comments from this Department provided during the acknowledgement of receipt of application as well as these comments must form part of commence and Response report indicating where these comments has been addressed in the final Motivation report.</p>		<p>(ii) All comments from DFFE, other stakeholder and Organs of State are included in <b>Appendix E5: Comments Received</b> of the Final Motivation Report.</p>
	<p>(iii) A Comments and Response trail report (C&amp;R) must be submitted with the final report. The C&amp;R report must incorporate all comments for this application. The C&amp;R report must be a separate document from the main report. Please refrain from summarising comments made by I&amp;APs. All comments from I&amp;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&amp;AP's comments.</p>		<p>(iii) All written comments received from stakeholders and Organs of State have been captured in this C&amp;RR and included as a separate document to the main report as <b>Appendix E5: Comments &amp; Responses Report</b> of the Final Motivation Report. The format of the C&amp;RR is in line with Appendix 1 of the DFFE's letter dated 25 August 2023.</p> <p>All comments received have been captured verbatim and have not been summarised and have been responded to, as applicable. No response was provided as "noted".</p>
	<p>(iv) Please ensure that all issues raised, and comments received during the circulation of the draft report from registered I&amp;APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final report. Proof of correspondence with the various stakeholders must be included in the final report. 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>(iv) All comments received have been responded to, as applicable.</p> <p>Correspondence to and from the various stakeholders is included in <b>Appendix E3: Proof of Notification</b> in the final Motivation Report. The appendix also includes the proof of attempt to obtain comments from registered I&amp;APs, the various key stakeholders and Organs of State.</p>
	<p>(v) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014 as amended.</p>		<p>(v) The Public Participation Process has been conducted in terms of Regulations 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended (GNR 326), as follows:</p> <ul style="list-style-type: none"> <li>• <b>Project database:</b> <ul style="list-style-type: none"> <li>▪ The register of I&amp;APs has been updated prior to the release of the Motivation Report and has been updated throughout the 30-day review and comment period (refer to <b>Appendix E1: I&amp;AP Database</b>).</li> </ul> </li> </ul>

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> <li>• <b>Notification of availability of Motivation Report and Public Participation process announcement:</b> <ul style="list-style-type: none"> <li>▪ A Site Notice was placed at the development site on Thursday, 03 August 2023 (refer to <b>Appendix E2: Site Notices &amp; Newspaper Advertisement</b> of the final Motivation Report).</li> <li>▪ An advertisement was placed in the NoordkaapBulletin, a community newspaper in the study area, on Thursday, 03 August 2023 (refer to <b>Appendix E2: Site Notices &amp; Newspaper Advertisement</b> of the final Motivation Report).</li> <li>▪ The Notification Letter announcing the availability of the Motivation Report for the 30-day review and comment was distributed to all registered I&amp;APs via email on 03 August 2023 (refer to <b>Appendix E3: Proof of Notification</b> of the final Motivation Report. Organs of state that have jurisdiction in respect of the proposed development received personalised letters notifying them of the availability of the Motivation Report.</li> </ul> </li> <li>• <b>Attempt to obtain comments on the Motivation Report:</b> <ul style="list-style-type: none"> <li>▪ An e-mail was sent to all registered I&amp;APs and OoS as a reminder that the Motivation Report review and comment period would be ending soon and that the documents are still available on Savannah Environmental's website for download on 29 August 2023 (refer to <b>Appendix E3: Proof of Notification</b> the final Motivation Report).</li> </ul> </li> <li>• <b>Consultation:</b> <ul style="list-style-type: none"> <li>▪ Proof of consultation with I&amp;APs and Organs of State throughout the 30-day review and comment period are included in <b>Appendix E3: Proof of Notification</b> of the final Motivation Report.</li> </ul> </li> <li>• <b>Comments &amp; Responses Report:</b> <ul style="list-style-type: none"> <li>▪ All comments received during the 30-day review and comment period of the Motivation Report have been</li> </ul> </li> </ul>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>captured in this C&amp;RR (refer to <b>Appendix E5: Comments &amp; Responses Report</b>), and responded to as applicable, and included as a separate document to the final Motivation Report.</p>
	<p>(vi) Please provide proof of the newspaper advert and site notice and communication with I&amp;APs.</p>		<p>(vi) A Site Notice was placed at the development site on Thursday, 03 August 2023 (refer to <b>Appendix E2: Site Notices &amp; Newspaper Advertisement</b> of the final Motivation Report).</p> <p>An advertisement was placed in the NoordkaapBulletin, a community newspaper in the study area, on Thursday, 03 August 2023 (refer to <b>Appendix E2: Site Notices &amp; Newspaper Advertisement</b> of the final Motivation Report).</p> <p>Proof of consultation with I&amp;APs and Organs of State throughout the 30-day review and comment period are included in <b>Appendix E3: Proof of Notification</b> of the final Motivation Report.</p>
	<p><b>(c) Specialist assessments</b>                      (i) Specialist Declaration of Interest form for all specialist commissioned for this amendment, must be submitted.</p>		<p>(i) Specialist declarations are included in Appendix G of the final Motivation Report.</p>
	<p>(ii) The EAP must provide a reasoned opinion or conclusion, which considers the specialists' recommendations and outcomes of their assessments and provide sufficient motivation in support of approving the amendment application. For e.g., the biodiversity study has used the recommended mitigations from the original study completed in 2012 and added on additional requirements and found cumulative impacts to be negligible.</p>		<p>(ii) A reasoned opinion, conclusion and recommendation regarding the amendment is provided in Section 6 of the Final Motivation Report.</p>
	<p>(iii) The EAP must include a table of comparison showing the impact table findings of the initial studies versus the current information provided in the specialist letters to demonstrate the changes (if any) to the identified impacts and provide a</p>		<p>(iii) As detailed in the Motivation Report, impacts identified within the original report are still applicable for the proposed project, as concluded by the specialists who provided inputs to this motivation for amendment (refer to Appendix A-D of the Motivation Report). No additional impacts or changes in</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>reasoned conclusive opinion in support or dispute of the findings.</p>		<p>impact significance will result because of the amendments as the environment has not changed. Comparative tables are included in Chapter 6 of the final Motivation Report.</p>
	<p>(iv) The EAP must indicate and ensure that all additional mitigation measures as recommended by the Specialists which are to be included in the EA are specified clearly and it must be detailed and clearly indicated where they must be inserted into the EA (if necessary). These can be included in the section where you discuss the recommendation and conclusion by EAP</p>		<p>(iv) No additional mitigation measures for inclusion in the EA have been specified by the specialists as part of the EA amendment process.</p>
	<p>(v) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p>		<p>(v) No contradicting recommendations have been specified by the specialists.</p>
	<p><b>General:</b></p> <p>Please note that the final motivation report for this proposed application for amendment is due on the 10 September 2023. Should you fail to meet the above timeframes, 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>The final Motivation Report will be submitted within the timeframe specified.</p> <p>The Applicant is aware of the provisions of Section 24F of NEMA.</p>

**1.2. Interested and Affected Parties**

NO.	COMMENT	RAISED BY	RESPONSE
1.	<b>No Comments from Interested and Affected Parties</b>		