

PART 2 ENVIRONMENTAL AUTHORISATION (EA) AMENDMENT ASSESSMENT PROCESS

DEFF Reference number: 14/12/16/3/3/1/1976/AM2

COMMENTS AND RESPONSE REPORT (C&RR) – REVISED DRAFT ENVIRONMENTAL AUTHORISATION (EA) AMENDMENT ASSESSMENT REPORT

PART 2 EA AMENDMENT PROCESS FOR THE PROPOSED DEVELOPMENT OF THE 325MW KUDUSBERG WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, BETWEEN MATJIESFONTEIN AND SUTHERLAND IN THE WESTERN AND NORTHERN CAPE PROVINCES

SUMMARY OF ENVIRONMENTAL ISSUES / CONCERNS AND SUGGESTIONS RAISED BY INTERESTED AND/OR AFFECTED PARTIES (I&APS), STAKEHOLDERS AND ORGANS OF STATE (OoS) / AUTHORITIES

NOVEMBER 2020 – JANUARY 2021

(Review of Draft EA Amendment Assessment Report: 18 November 2020 – 11 January 2021)

Interested and/or Affected Parties (I&APs), stakeholders and Organs of State (OoS) / Authorities who contributed issues ranging across all sectors of society are recorded in this Comments and Response Report (C&RR). Full record of every issue raised is available from the public participation office and is also included in **Appendix E5** of the Revised Draft EA Amendment Assessment Report.

Similar issues raised have been grouped together. The name, affiliation and date of the commentator are also indicated. All comments in the C&RR are verbatim as received. Comments addressed via email are indicated in the Responded by column

ABBREVIATIONS

BA	Basic Assessment
BAR	Basic Assessment Report
BID	Background Information Document
C&RR	Comments and Response Report
DEFF	Department of Environment, Forestry and Fisheries
DBAR	Draft Basic Assessment Report
EA	Environmental Authorisation
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
HIA	Heritage Impact Assessment
HWC	Heritage Western Cape
I&AP	Interested and/or Affected Parties
NC	Northern Cape
NHRA	National Heritage Resources Act
NID	Notice of Intent to Develop
SAHRIS	South African Heritage Resources Information System
SAHRA	South African Heritage Resources Agency
WC	Western Cape
WULA	Water Use License Application

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
1	13 November 2020	Email	<p>APPLICATION FOR PART 2 AMENDMENT OF AN ENVIRONMENTAL AUTHORISATION (EA): PROPOSED CONSTRUCTION OF THE KUDUSBERG WIND ENERGY FACILITY (WEF) NEAR SUTHERLAND, WESTERN AND NORTHERN CAPE PROVINCES DEFF Ref No.: 14/12/16/3/3/1/1976/AM1</p> <p>Please find attached a letter for your attention.</p> <p>If you are not the relevant person within your Department for this, please can you distribute this within your Department or provide us with the contact details for someone within your Department who can assist with this.</p> <p>Please do not hesitate to contact us should you have any queries in this regard.</p>	Hlengiwe Ntuli SiVEST Email: 17 November 2020	<p>Dear Hlengiwe,</p> <p>Your e-mail of 13 November 2020 refers. Kindly note that although the amendment application falls within Mr Toefy's administrative region, I am the Department's contact person for the proposed amendment application. You may direct the electronic copy of the Amendment Application Form to me. Kindly also notify me when the Part 2 Amendment Report is available for comment so that I can liaise with the relevant components in the Department for their comment?</p> <p>Please find for your information, the Department's initial comments on the Draft BAR for the Kudusberg WEF.</p> <p>The same commenting directorates will again be approached for their comments on the amendment application; however, different case officers may be appointed.</p> <p>Please feel free to contact me for any clarity.</p>	Adri La Meyer Directorate: Development Facilitation Environmental Affairs and Development Planning Western Cape Government Email: 16 November 2020
2	14 December 2018	Letter via Email	<p>COMMENT ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF THE 325MW KUDUSBERG WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE BETWEEN MATJIESFONTEIN IN THE WESTERN CAPE AND</p>	Adri La Meyer Directorate: Development Facilitation Environmental Affairs and	The Department's initial comments on the Draft BAR for the Kudusberg WEF provided in December 2018 are duly acknowledged and noted. No response to these comments have been provided as responses were provided as part of the original BA process for the Kudusberg WEF in 2018 and the Applicant did not want	Stephan Jacobs Environmental Consultant SiVEST – via C&RR

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>SUTHERLAND IN THE NORTHERN CAPE (DEA REF NO: 14/12/16/3/3/2/1976)</p> <p>1. The e-mail correspondence of 13 November 2018 regarding the availability of the Draft Basic Assessment Report (“BAR”) and the Draft BAR dated November 2018 that was received by the Department on 13 November 2018 refer. Please find consolidated comment from various directorates within the Department on the Draft BAR.</p> <p>2. Directorate: Development Management (Region 2) – Ms Saa-rah Adams (Saa- rah.Adams@westerncape.gov.za; Tel: (021) 483 0773):</p> <p>2.1 This Directorate notes that small sections of the study area are classified as Critical Biodiversity Areas (“CBAs”) and that the position of six turbines (Turbines 9, 27 – 29, 34 and 51) fall within a CBA whilst a seventh turbine (Turbine 10) falls partially in a CBA. This Directorate does not support development within a CBA as such development may result in biodiversity loss. This Directorate supports the recommendations of the ecologist that the turbines falling with the CBAs, should be moved</p>	Development Planning Western Cape Government	to contradict themselves by providing a different response than previously provided.	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>to alternative locations that are outside the CBAs.</p> <p>2.2 Although the proposed wind turbines will result in several negative impacts, based on the information provided, it is apparent that significant impacts on the receiving environment can also be attributed to the associated infrastructure, especially the access roads. As such, it is essential that all mitigation measures proposed by the various specialists relating to the proposed wind energy facility (“WEF”) and its associated infrastructure, are carried through to the Environmental Management Programme (“EMPr”) and implemented accordingly.</p> <p>2.3 Further to the above, with respect to roads specifically, existing roads should be utilised as far as possible, and new roads that require construction, should be kept to a minimum. Please note that consideration should be given to re-routing the preferred access road route to avoid impacting on heritage and freshwater features. (In this regard, also refer to paragraph 4.1 below.)</p> <p>2.4 This Directorate supports the findings and recommendations of the specialist studies</p>			

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>undertaken for the proposed development. Notably, the preferred location alternatives for the access roads, substation and construction camp as recommended by the visual, freshwater, heritage and ecology specialists, are supported. The preferred location alternatives of the mentioned components of the proposed development must be aligned in accordance with the recommendations and mitigation measures of all specialists.</p> <p>2.5 The proposed buffer zones and “no-go” areas, as detailed in the Draft BAR and delineated by the specialists, must always be respected.</p> <p>2.6 The proposed construction camp and concrete-batching plant must be located outside areas and buffers identified as highly sensitive as recommended in the specialist reports. Construction Camp Alternative 3 is not supported by this Directorate.</p> <p>2.7 It is noted that there are four confirmed roosts within the proposed Kudusberg WEF. This Directorate supports the recommendation in the Draft BAR that no wind turbines, electrical infrastructure, substations or new roads may be</p>			

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>permanently placed within a 500m buffer of the confirmed roosts.</p> <p>2.8 In agreement with the heritage specialist's recommendation, once the final layout of the proposed Kudusberg WEF has been established, a more intensive heritage survey of the area should be conducted, and further recommendations and mitigation measures made, if necessary.</p> <p>2.9 Monitoring and implementation of dust control measures are essential and should be ongoing for the duration of construction activities.</p> <p>2.10 The environmental assessment practitioner ("EAP") is reminded to include all documentation relating to the public participation process, as well as all representations and comments received and any responses by the EAP to those representations and comments, in the Final Bar.</p> <p>3. Directorate: Waste Management –</p>			

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>Ms Hadjira Peck Hadjira.Peck@westerncape.gov.za; Tel: (021) 483 3003):</p> <p>3.1 The Draft BAR and EMPr allude to the National Norms and Standards for the Storage of Waste promulgated in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) and published in Government Notice (“GN”) No. 926 of 29 November 2013. Please note that should more than 80m3 of hazardous waste be stored for a period exceeding 90 days, the storage of such waste must adhere to said Norms and Standards. Although the temporary storage of hazardous below the mentioned threshold is not regulated, section 28 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (“NEMA”) would apply.</p> <p>3.2 This Directorate notes that waste disposal slips/waybills will be kept on file as proof of disposal. It is recommended that the waste disposal certificates be retained for a minimum of 5 years.</p>			

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>3.3 Any event resulting in the spill or leak of chemicals or hazardous waste, as indicated in section 10.2.9 of the EMPr, must be reported within 14 days to all relevant authorities, including this Department's Directorate: Pollution and Chemicals Management. Incident management includes the reporting, immediate containment, and remediation of the affected area. All necessary documentation must be completed and submitted to the relevant authorities within the prescribed timeframes.</p> <p>4. Directorate: Pollution and Chemicals Management – Ms Shehaam Brinkhuis Shehaam.Brinkhuis@westerncape.gov.za; Tel: (021) 483 8309);</p> <p>4.1 This Directorate is supportive of Access Road Alternative 1, as it an existing jeep track over a shorter distance and would have a lesser freshwater impact. This Directorate further supports the slight realignment of the road so that it would not need to cross any watercourse, and only an upgrade to the existing crossing over the river would be required.</p>			

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>4.2 In addition to bird mortality monitoring, the EMPr must provide remedial measures to be implemented in the event of bird mortalities, as these may be vectors for the spread of avian disease and contamination of the affected environment.</p> <p>4.3 The following suggested additional technology alternatives are provided. Please indicate whether these suggestions are feasible and implementable:</p> <p>4.3.1 The use of blade illumination (brightly coloured blades) to deter birds;</p> <p>4.3.2 The use of radar technology to detect birds within proximity of the wind turbines; and</p> <p>4.3.3 The use of ultrasonic acoustics to deter birds from coming within proximity of the wind turbines.</p> <p>5. Directorate: Air Quality Management – Peter Harmse (Peter.Harmse@westerncape.gov.za; Tel: (021) 483 4383):</p> <p>5.1 This Directorate notes that potential dust and noise impacts during the various phases</p>			

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>of the proposed development have been addressed in the EMPr. The generation of dust must comply with the National Dust Control Regulations (GN No. R. 827 of 1 November 2013), promulgated in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004).</p> <p>5.2 The EMPr must provide more information on what the dust abatement measures alluded to will entail.</p> <p>5.3 This Directorate notes that the Noise Impact Assessment compiled by Safetech dated 19 October 2018 indicates that with the effective implementation of mitigation measures presented in the specialist study, noise from the proposed wind turbines at the identified noise sensitive areas is predicted to be less than the 35 dB(A) night limit and 45 dB(A) day/night limit for rural areas as required by SANS 10103: 2008. The findings of the Noise Impact Assessment (noise impact with very low significance after mitigation) are acceptable to this Directorate.</p> <p>6. The applicant is reminded of its general duty of care and the remediation of environmental</p>			

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>damage in terms of section 28(1) of the NEMA which specifically states that: "...Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment..."</p> <p>7. Please direct any enquiries to the official indicated in this correspondence should you require any clarity on any of the comments provided.</p> <p>The Department reserves the right to revise or withdraw comments and request further information based on any or new information received.</p>			
3	17 November 2020	Email	<p>Good Morning Adri,</p> <p>Thank you for your email and comments.</p> <p>We will take note and action accordingly where applicable.</p> <p>We will revert back should we need anything else.</p>	Hlengiwe Ntuli SiVEST	<p>Hi Stephan,</p> <p>I am well, thank you. Hope you are too.</p> <p>Thank you very much for the e-copy of the Application Form and declaration. Note that as a commenting authority, we do not require the signatures of the applicant, EAP and specialists (contrary to what some</p>	Adri La Meyer Directorate: Development Facilitation Environmental Affairs and Development Planning

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
	19 November 2020	Email	<p>Good Morning Adri,</p> <p>I trust you are well.</p> <p>The email below refers.</p> <p>Please see the link below to download an electronic copy of the application for the amendment of the EA. The document was too large to send via email. Apologies. https://we.tl/t-v0xoxVbdZF</p> <p>Please note that the applicant declaration is a separate document as the electronic signature did not want to show up when I combined the document. We trust you will find everything is in order.</p> <p>Please do not hesitate to contact us should there be any issues or should you have any queries.</p>	Stephan Jacobs Environmental Consultant SiVEST	<p>officials believe). It is however compulsory for documents submitted to the CA.</p> <p>Would you please let me know when the Amendment Report is available for comment?</p>	Western Cape Government Email: 19 November 2020
4	19 November 2020	Email	<p>Good Morning Mr Mthombeni,</p> <p>I trust you are well.</p> <p>The email below refers.</p> <p>Please see the link below to download an electronic copy of the application for the amendment of the EA.</p>	Stephan Jacobs Environmental Consultant SiVEST	<p>Please be advised that this was a notification email containing an electronic copy of the application for the amendment of the EA which was sent to the Northern Cape Department of Environment and Nature Conservation (NC DENC), as required according to the EIA Regulations, 2014 (as amended). No response to this email has however been received to date.</p>	Stephan Jacobs Environmental Consultant SiVEST – via C&RR

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>The document was too large to send via email. Apologies.</p> <p>https://we.tl/t-v0xoxVbdZF</p> <p>Please note that the applicant declaration is a separate document as the electronic signature did not want to show up when I combined the document. We trust you will find everything is in order.</p> <p>Please do not hesitate to contact us should there be any issues or should you have any queries.</p>			
5	19 November 2020	Email	<p>Please find attached Eskom general requirements for works at or near Eskom infrastructure, as well as the Eskom setbacks guideline for renewable energy developments (latest version). Please send me KMZ files depicting the proposed developments in terms of the amendments.</p>	<p>John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division</p>	<p>Good Morning Mr Geeringh,</p> <p>The email below refers.</p> <p>Apologies for the delay in responding.</p> <p>Thank you for the Eskom general requirements for works at or near Eskom infrastructure, as well as the Eskom setbacks guideline for renewable energy developments documents. These documents will be incorporated into the Environmental Management Programme (EMPr) for the proposed developments to ensure that they are adhered to.</p> <p>SiVEST will also forward these to the Applicant for consideration.</p>	<p>Stephan Jacobs Environmental Consultant SiVEST Email: 30 November 2020</p>

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					<p>As requested, please find attached KMZ files depicting the proposed developments in terms of the amendments.</p> <p>Please do not hesitate to contact us should there be any issues or should you have any queries.</p>	
6	19 November 2020	Email	<p>Hi</p> <p>The reports were supposed to be on the website as from yesterday. They are still not available. By when will they be?</p>	<p>Abrie du Plessis Landowner</p>	<p>Dear Mr du Plessis</p> <p>We have just noted an upload error, thank you for bringing this to our attention.</p> <p>Please find the We Transfer link in the interim: https://we.tl/t-ccmg7pXRgB</p> <p>Please don't hesitate to contact me should you have any queries.</p>	<p>Liandra Scott-Shaw Environmental Consultant SiVEST Email: 19 November 2020</p>
7	19 November 2020	Email	<p>To whom it may concern</p> <p>In future please use eia@ewt.org.za</p>	<p>Constant Hoogstad Endangered Wildlife Trust (EWT)</p>	<p>Good Morning Constant,</p> <p>Your email is noted and your email address has been replaced with the eia one.</p> <p><i>*It should be noted that Constance Hoogstad's email address was replaced with the email address provided as soon as this message was received, and all further correspondence was sent to this email address.</i></p>	<p>Hlengiwe Ntuli SiVEST Email: 19 November 2020</p>
8	19 November 2020	Email	<p>Good morning,</p> <p>Please note that all development applications are processed via our online portal, the South African</p>	<p>Natasha Higgitt South African Heritage</p>	<p>Good Morning Natasha,</p> <p>Thank you for your email.</p>	<p>Stephan Jacobs Environmental Consultant SiVEST</p>

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>Heritage Resources Information System (SAHRIS) found at the following link: http://sahra.org.za/sahris/. We do not accept emailed, posted, hardcopy, faxed, website links or DropBox links as official submissions.</p> <p>Please create an application on SAHRIS and upload all documents pertaining to the Environmental Authorisation Amendment Application Process. As per section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA.</p> <p>Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the EA process are submitted as part of the application.</p>	Resources Agency (SAHRA)	<p>Please be advised that the heritage specialist has created a case (Case ID 15789) on SAHRIS for this proposed amendment and has uploaded all relevant documents. She has also changed the status to "SUBMITTED" as requested. Please see the link below, as well as screenshots as proof.</p> <p>https://sahris.sahra.org.za/cases/oya-wef-amendment-existing-ea</p> <p>We trust you will find everything is in order.</p> <p>Please do not hesitate to contact us should there be any issues or should you have any queries.</p>	Email: 19 November 2020
9	26 November 2020	Email	<p>Dear Sir or Madam,</p> <p>Could you please add my name (and email address) to the list of interested and affected parties concerning the proposed Kudusberg WEF near Sutherland and Matjiesfontin in the Northern and Western Cape.</p>	Hermann Boeddinghaus Landowner	<p>Good Morning Mr Boeddinghaus,</p> <p>Thank you for your email.</p> <p>Please be advised that SiVEST have added you (using the contact details in your email signature) to the database for the proposed amendment of the</p>	Stephan Jacobs Environmental Consultant SiVEST Email: 27 November 2020

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>I am in the process of taking transfer of 3 farms in close proximity to the proposed development. Kindly confirm receipt of this email and confirm that I have been added to your list.</p>		<p>Kudusberg WEF near Sutherland and Matjiesfontin in the Northern and Western Cape Provinces. You will receive all project related notifications going forward. Please note that your email address will be used as the main method of communication for project related notifications. We trust this is acceptable?</p> <p>Can you please advise what the names of the three (3) properties are (name, portion number and number of farm – e.g. Portion 1 of the Farm Gats Rivier No 156) so that we can update our records to reflect this accordingly?</p> <p>We trust you will find everything is in order. Please do not hesitate to contact us should there be any issues or should you have any further queries.</p>	
10	30 November 2020	Email	<p>Dear Stephan,</p> <p>Thank you for your email.</p> <p>Yes, please go ahead and use this email address as the main method of communication for project related notifications.</p> <p>Can you please also send me the link to any notifications / invitations relating to the existing public participation round concerning this project? For example, I am aware that the publication of a Draft</p>	Hermann Boeddinghaus Landowner	<p>Good Morning Mr Boeddinghaus,</p> <p>The emails below refer.</p> <p>Thank you for your emails.</p> <p>Noted, we will use your email address as the main method of communication as confirmed below. Thanks also for confirming the properties. We will make sure that we accurately record this in our project database. As requested, please see attached letters which were sent out to everyone registered on our project database</p>	Stephan Jacobs Environmental Consultant SIVEST Email: 30 November 2020

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>EA Amendment Assessment Report for Review was advertised in the national press on Friday 13 November and I would be grateful if you could provide me with a copy of that (or the website link so that I can download it). Similarly, I am aware that the publication of a Draft BA Report relating to the development of a 132KV overhead power line was advertised at the same time – again, please provide me with a copy or a link. Kind regards, Hermann</p> <p>*****</p> <p>Dear Stefan,</p> <p>With respect to Kudusberg (see my email below), I meant to mention that the three farms in which I am interested are RE153 (De Kruis), RE154 (Knoofloks Hoek) and Portion 1 of 154 (Gannahoek), Sutherland.</p>		<p>(including affected and adjacent landowners). I also attached the notifications for the 132KV overhead power line development. Let me know if you would like SiVEST to send you copies of any of the other notifications for these projects.</p> <p>As requested, please see below for a link to download a copy of the Draft EA Amendment Report (including appendices) for the proposed Kudusberg WEF EA Amendment project.</p> <p>https://we.tl/t-ABfwYC5bMr</p> <p>I trust you will find everything is in order. Please do not hesitate to let us know should there be any issue or should you require any other information.</p>	
11	26 November 2020	Email	<p>Hi Stephan,</p> <p>Me again, sorry! Can I have a WeTransfer or Dropbox link to access the documents please?</p>	Adri La Meyer Directorate: Development Facilitation Environmental Affairs and Development Planning	<p>Hi Adri</p> <p>Please see the we transfer link: https://we.tl/t-ccmg7pXRgB</p> <p>Please contact me if you have any problems.</p>	Liandra Scott-Shaw Environmental Consultant SiVEST Email: 26 November 2020

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
				Western Cape Government		
12	27 November 2020	Email	Hi Liandra, Apologies, but the link has expired.	Adri La Meyer Directorate: Development Facilitation Environmental Affairs and Development Planning Western Cape Government	Sorry! It must have expired today as I checked it last night! I will resend shortly	Liandra Scott-Shaw Environmental Consultant SiVEST Email: 27 November 2020
		No need to apologise, please! You are doing me a huge favour, so thank you very much. Many thanks!	Here you go! https://we.tl/t-aiodXKhZ3h			
		Works like a charm, thanks so much! Now to not get killed by the components for notifying them so late of the request for comments!				
13	14 December 2020	Letter via Email	COMMENTS ON THE PROPOSED DEVELOPMENT OF THE KUDUSBERG WIND ENERGY FACILITY, IN THE NORTHERN AND WESTERN CAPE PROVINCES The above mentioned report, dated 13 November 2018 reference number (CSIR/IU/O2SE/IR/2018/0006/A) has reference. The Breede-Gouritz Catchment Management Agency (BGCMA) has the following comments:	Makhosi Mthimkhulu Breede-Gouritz Catchment Management Agency (BGCMA)	No infrastructure associated with the projects will be built within the 1:100-year flood line. It should be noted that a Water Use License Application (WULA) process is being undertaken by the applicant. A flood line assessment is also being undertaken, the results of which will be taken into consideration during the WULA. However, all buffer areas recommended by the Freshwater specialist have been respected and will be adhered to accordingly, as per the surface water assessment. DWS were subsequently consulted with regards to the appropriate water use authorisation and	Stephan Jacobs Environmental Consultant SiVEST – via C&RR

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>1. No operation is allowed within 100m of a water resource or 1:100 year flood line, whichever is the greatest. If the proposed activity falls within this area, authorisation needs to be put in place in terms of the National Water Act (NWA), 1998 (Act No. 36 of 1998). This is to ensure that the riparian ecological status of the water resource will not be negatively impacted.</p> <p>2. Please note that any development within 500m from the boundary of any wetland requires authorisation in terms of the National Water Act (NWA), 1998 (Act No. 36 of 1998).</p>		<p>confirmed that the proposed water uses may be exercised as it falls within the ambit of the General Authorisation (GA) in terms of Government Notice 538 of 2016 for Section 21 (a) and Government Notice 509 of 2016 for Section 21 (c) & (i). DWS also confirmed that the Risk Matrix assessed the risk as low and therefore, the water uses for S21 (c) & (i) may be considered within the ambit of the GA. In addition, the DWS, in principle, has no objection to the proposed development provided the water uses do not impact other water users or the quantity or quality of the water resource, which the Applicant can confirm that it won't. The proposed developed will also only commence once a successful water use authorisation has been obtained. Please refer to Appendix J7 for a copy of the GA Confirmation Letter.</p> <p>It should be noted that a flood line assessment report will be submitted to the DWS as part of the application. Furthermore, this recommendation was also made by the Freshwater specialist has also been incorporated into the EMPr. All buffer areas recommended by the Freshwater specialist have been respected and will be adhered to accordingly, as per the surface water assessment. It should also be noted that the necessary authorisations are in the process of being obtained. It must be noted that new roads and upgrading of existing</p>	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>3. No water maybe abstracted from any surface water body and groundwater unless authorized by this Agency. Where will the water for the proposed activity are sourced from?</p>		<p>roads will occur within 32m of the water courses and this is being applied for with DWS.</p> <p>It is confirmed that no water will be abstracted from any surface water body and groundwater unless authorised by the BGCMA.</p> <p>The WULA process in terms of NWA, has been initiated and DWS confirmed that the proposed water uses may be exercised as it falls within the ambit of the General Authorisation (GA) in terms of Government Notice 538 of 2016 for Section 21 (a) and Government Notice 509 of 2016 for Section 21 (c) & (i). Proof of this has been provided in Appendix J7. In addition, as recommended by the DWS in the GA Confirmation Letter, the volume of water abstracted will not exceed the volume of water applied for and as permitted in the GA for S21 (a).</p> <p>It should be noted that the applicant is in the process of applying for water abstraction. This application is on the process of being submitted and it was confirmed that a GA is required (see above). It should however be noted that water will also be trucked in, if needed. The BGCMA has been consulted in this regard.</p>	
			<p>4. Where solid waste disposal is to take place on site, ensure that only non-toxic materials which have no risk of polluting the groundwater, are buried in designated approved areas at acceptable depths below ground level.</p>		<p>No solid waste will be disposed of on site. All waste will be temporarily stored on site for no more than 90 days and will be removed by a registered waste company and disposed of at the appropriately categorised landfill</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>5. No surface, ground or storm water may be polluted as a result of any activities on the site. Please use silt retention traps and a Storm water master plan to prevent erosion and pollution.</p> <p>6. The rehabilitation of the site must ensure that the final conditions of the site is environmentally acceptable and that there will be no adverse long term effects on the surrounding environment especially the water resources.</p> <p>7. Please note that all requirements as stipulated in the National Water Act (NWA), 1998 (Act No. 36 of 1998) must be adhered to.</p> <p>8. Please note that this Agency reserves the right to amend and / or add to the comments made above in the light of subsequent information received.</p> <p>If you have any questions please don't hesitate to contact the official at the above mentioned details.</p>		<p>site. Waste Management has been detailed in the EMPs (Appendix I1 and Appendix I2).</p> <p>No surface, ground or storm water will be polluted as a result of any activities on the site. Silt retention traps as well as a Storm water master plan will be used to prevent erosion and pollution.</p> <p>The rehabilitation of the site will ensure that the final conditions of the site is environmentally acceptable and that there will be no adverse long term effects on the surrounding environment, especially the water resources. A Freshwater Ecologist has also compiled a water course rehabilitation and management plan which will be strictly adhered to.</p> <p>All requirements as stipulated in the National Water Act (NWA), 1998 (Act No. 36 of 1998) have been adhered to during the EIA process, and will be adhered to going forward.</p> <p>The BGCMA's comment is duly acknowledged. The BGCMA will be consulted and engaged with as the WULA process progresses.</p>	
14	15 December 2020	Letter via Email	<p style="text-align: center;"><u>Final Comment</u></p> <p>It must be noted that the following comments and conditions pertain only to the Northern Cape section</p>	Natasha Higgitt South African Heritage		Stephan Jacobs Environmental Consultant

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>of the proposed development. Heritage Western Cape must be contacted for comments on the Western Cape section of the proposed development.</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 Amendment Report and EMPr: 38(4)a</p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed amendments to the authorised development;</p> <p>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:</p> <ul style="list-style-type: none"> ▪ The Final Comment issued on SAHRIS Case ID 13208 is valid for both the proposed Oya and new Kudusberg WEF and the conditions therein must be applied to both developments, with the exception of the need to conduct walkdowns and the drafting of a Heritage Management Plan (HMP) for the Oya WEF; 	Resources Agency (SAHRA)	<p>SAHRA's comments are duly acknowledged and have been considered when compiling the Revised Draft EA Amendment Assessment Report and incorporated into the report (where possible). Please see below:</p> <p>The comment from the SAHRA APM Unit is duly acknowledged. No further action or response is required in this regard.</p> <p>The recommendations of the specialists have been incorporated into the Oya EMPr (Appendix I1) and will be strictly adhered to. With regards to the additional specific conditions provided, the conditions contained in the final comments for both the proposed Oya and Kudusberg WEF will be applied to both developments, as requested. It should be noted that the required heritage walkdown has subsequently been undertaken, the results of which have been provided in Appendix D4. The relevant buffers have been applied to all heritage resources and/or features identified during this walkdown and will be avoided accordingly. The</p>	SIVEST – via C&RR

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					recommendations of the walkdown have also been incorporated into the Oya EMPr (Appendix I1). A Heritage Management Plan (HMP) for the Oya WEF has also subsequently been drafted and has been incorporated into the EMPr (Appendix I1) for implementation and will be adhered to.	
			The submitted HMP for the proposed Oya WEF is supported and approved;		The comment from the SAHRA is duly acknowledged. It should be noted that there have been no changes to the HMP which has been submitted with the Revised Draft EA Amendment Assessment Report. In addition, as mentioned, the approved HMP has been incorporated into the Oya EMPr (Appendix I1) for implementation and will be adhered to.	
			A HMP must be drafted for the Kudusberg WEF and submitted to SAHRA for review and comment;		A HMP for the Kudusberg WEF will be drafted by a suitably qualified specialist and will be submitted to SAHRA for review and comment once the final layout has been confirmed and has been submitted for approval.	
			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		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, the SAHRA APM Unit (Natasha Higgitt / Phillip Hine 021 462 5402) will be alerted as per section 35(3) of the NHRA. This	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;		recommendation has been incorporated into the Oya EMPr (Appendix I1).	
			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;		If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase / Mimi Seetelo 012 320 8490), will be alerted immediately as per section 36(6) of the NHRA. This recommendation has been incorporated into the Oya EMPr (Appendix I1).	
			38(4)d – See section 51(1) of the NHRA;		The Department's comment is duly acknowledged. The applicant / developer will be informed to familiarise themselves with section 51(1) of the NHRA.	
			38(4)e – The following conditions apply with regards to the appointment of specialists: i) 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 operation may be required subject to permits issued by SAHRA;		If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, will 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 operation will be undertaken, subject to permits issued by SAHRA.	
			The Final Amendment report and EMPr must be submitted to SAHRA for record purposes;		The Draft and Revised Draft EA Amendment Assessment Reports and EMPrs (Appendix I1 and Appendix I2) were submitted to SAHRA using the	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					South African Heritage Resources Information System (SAHRIS). These were uploaded to the case application (Case ID 15789) which was created. The Final Amendment Report and EMPr will also be submitted to SAHRA for record purposes, once submitted to the DEFF for decision-making.	
			The decision regarding the EA Amendment Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.		Once a decision regarding the EA Application has been made, this will be communicated to SAHRA and uploaded to the SAHRIS Case application (Case ID 15789).	
15	07 January 2021	Email	<p>Good day Hlengiwe,</p> <p>I hope you are well and enjoying a good start to the new year.</p> <p>With reference to the below, would it be possible to obtain a copy of the documents that are available for review, via DropBox / OneDrive / WeTransfer (or similar) please? (I seem to be experiencing some challenges registering on the G7 website – I suspect due to my network’s firewall).</p>	Stephnie Kot African Clean Energy Developments Interested and/or Affected Party (I&AP)	<p>Dear Stephnie</p> <p>As requested, please see below for a WeTransfer link to download the Draft EA Amendment Report (including appendices) for the Kudusberg WEF.</p> <p>https://we.tl/t-UUmBP4bDzA</p> <p>We have also provided an additional link for the report below, should there be any issues with the WeTransfer link provided.</p> <p>http://enviroenergy.sivest.co.za/download/16325KuD</p> <p>We trust this is acceptable? Please let us know if there are any issues.</p>	Stephan Jacobs Environmental Consultant SiVEST Email: 07 January 2021

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					Please do not hesitate to contact us should there be any issues or should you have any queries.	
16	06 January 2020	Email	<p>Good morning</p> <p>Hope you are well.</p> <p>Kindly send the Draft EA Amendment Report for the Kudusberg WEF, the link provided does not work.</p>	<p>Aulicia Maifo Intern: Biodiversity Mainstreaming EIA Department of Environment, Forestry & Fisheries (DEFF)</p>	<p>Good Morning Ms. Maifo,</p> <p>I am well thank you. Hope you are too.</p> <p>Thank you for your email and for bringing this to our attention. We checked the website link again and it appears to be working fine. However, as requested, please see below for a WeTransfer link to download the Draft EA Amendment Report (including appendices) for the Kudusberg WEF.</p> <p>https://we.tl/t-UUmBP4bDzA</p> <p>We have also provided an additional link for the report below, should there be any issues with the WeTransfer link provided.</p> <p>http://enviroenergy.sivest.co.za/download/16325KuD</p> <p>We trust this is acceptable? Please let us know if there are any issues.</p> <p>We trust you will find everything is in order. Please do not hesitate to contact us should there be any issues or should you have any queries.</p>	<p>Stephan Jacobs Environmental Consultant SiVEST Email: 06 January 2020</p>
			Received, thank you.		Pleasure Ms. Maifo. Feel free to contact us should there be any problems or if you have any queries.	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
17	06 January 2020	Email	<p>What happened to Kudusberg WEF Amendment 1 (14/12/16/3/3/1/1976/AM1) that was started on 18 /11/2020?</p> <p>Please find attached Eskom general requirements for construction works at or near Eskom infrastructure and servitudes, as well as the Eskom setbacks guideline for the IPP to consider. Please send me new KMZ files of any changes to the layout, affected property and proposed Grid connection.</p>	<p>John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division</p>	<p>Good Afternoon Mr Geeringh, Thank you for your email.</p> <p>This is still the same amendment process which you were previously notified about (see attached email), however, this is now the second amendment to the EA which was originally issued by the Department of Environment, Forestry and Fisheries (DEFF) and thus it now becomes AM2 at the end of the reference number (i.e. is no longer AM1). The EA has already been amended once and thus the WEF already had a DEFF reference number with AM1 at the end before we started this amendment process. This AM2 number is also the reference number which was provided by the DEFF for this amendment process when they acknowledged receipt of the application form and draft report. Feel free to give me a call if you have any questions in this regard.</p> <p>Thank you for the Eskom general requirements for construction works at or near Eskom infrastructure and servitudes, as well as the Eskom setbacks guideline documents. Please note that these documents were already provided by Eskom on the 30th of November 2020 and were subsequently forwarded to the Applicant for consideration to ensure that they are adhered to. We</p>	<p>Stephan Jacobs Environmental Consultant SIVEST Email: 06 January 2020</p>

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p align="center">*****</p> <p>Ok thanks, just thought I missed out on the AM1 on my system!</p>		<p>will however forward these again just to be sure they have them.</p> <p>As requested, please find attached KMZ files of the outer boundaries of proposed WEF's as well as the amended turbine layout for each WEF. The turbine layouts have been amended slightly so that the proposed Oya WEF (following the proposed split) will now have 18 wind turbines while the authorised Kudusberg WEF will have 38. Two (2) turbines have been removed from the proposed Oya WEF (turbine 2 and 6 in the KML for the original layout I sent you), while two (2) have been added to the Kudusberg WEF (to the east of turbine 30 and north of turbine 13 and 12 in the KML for the original layout I sent you). There have however been no other changes to the layout or affected properties (i.e. application sites).</p> <p>In addition, please be advised that there is no grid connection which forms part of this amendment process. Any grid connection will be undertaken as a separate / standalone process and you will be notified about this accordingly and provided with a chance to comment.</p> <p>We trust you will find everything is in order. Feel free to contact me should you wish to discuss this or should you require any further information.</p>	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					<p>*****</p> <p>Good Afternoon Mr Geeringh,</p> <p>The emails below refer.</p> <p>I made a mistake in the email below, apologies. You originally provided SiVEST with the Eskom general requirements for construction works at or near Eskom infrastructure and servitudes, as well as the Eskom setbacks guideline documents on the 19th of November 2020, and NOT the 30th as I have stated below. Only picked this up after I sent the email already. Apologies for this.</p>	
18	07 January 2020	Email	Dear Stephan, can you possibly send me a copy of the AM1 EA since I see I do not have it on records.	John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division	<p>Good Morning Mr Geeringh,</p> <p>As requested, please find attached a copy of the Amended EA AM1 (1st amendment of the original EA) which was issued by the DEFF on 10/04/2019.</p> <p>This was a Part 1 amendment process which involved correcting administrative errors on pages 6 & 7 of the EA, as you will see in the attached Amended EA.</p> <p>We trust you will find everything is in order. Feel free to contact us should you have any queries.</p>	Stephan Jacobs Environmental Consultant SiVEST Email: 07 January 2020
20	07 January 2020	Email	Good day,	Simphiwe Masilela	Good Morning Simphiwe,	Stephan Jacobs

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>Find attached information for Windfarm Developments around aerodromes and prescribed SACAA Regulations, processes and procedures to follow towards Development where applicable for your comments.</p> <p>Kindly follow the SACAA procedure and processes as per the website.</p> <p>http://www.caa.co.za/Pages/Default.aspx http://www.caa.co.za/Pages/Obstacles/Urgent-notices.aspx please read the notices for extra information that are required, as well fees applicable to the said application http://www.caa.co.za/Obstacles%20Forms/CA139-27.pdf application form, apply one centre point co-ordinate, to the said proposed site.</p> <ul style="list-style-type: none"> ▪ As per Obstacle Notice 2/2017 (17/11/2017), wind farm applications have to be accompanied by an aviation Communication, Navigation & Surveillance (CNS) Impact Assessment Report obtained from ATNS ▪ Required to provide a kml/kmz (Google Earth) file reflecting the footprint of the proposed development site. 	Inspector: Obstacles Procedure Design & Cartography SA CAA	<p>I trust you are well.</p> <p>The email below refers.</p> <p>Thank you for your email and for the information regarding Windfarm Developments around aerodromes and prescribed SACAA Regulations, processes and procedures to follow. These documents and information will be forwarded to the applicant / developer for consideration and to ensure that they follow the necessary SACAA procedure and processes (as required and detailed below). The applicant / developer will also be made aware of the information requirements listed in the email below and the processed to be followed and will also be informed to familiarise themselves with SACATS Part 139.01.30 Technical Standards related to Wind Farms.</p> <p>As requested, please find attached kml/kmz (Google Earth) files reflecting the footprint of the proposed development sites (following the proposed project split). This includes the outer boundaries of proposed WEF's as well as the turbine layout for each WEF.</p> <p>In terms of the highest structure of the projects, this will be the wind turbines and wind measuring lattice masts, as stated in the Draft EA Amendment Assessment Report. The authorised Kudusberg WEF will consist of</p>	Environmental Consultant SIVEST Email: 08 January 2020

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by																												
			<ul style="list-style-type: none"> ▪ Required to provide coordinates, Height and Elevation for each turbine as per excel spreadsheet attached herein (Windfarm Information) ▪ Also indicate the highest structure of the project Kindly familiarise with SACATS Part 139.01.30 Technical Standards related to Wind Farms <p>Should you require more information please contact the inspectorate at obstacles@caa.co.za.</p>		<p>wind turbines with hub heights of up to 140m and rotor diameters of up to 180m (90m blade lengths). The proposed Oya WEF (following the proposed project split) will consist of wind turbines with hub heights of up to 101m and rotor diameters of up to 158m (75m blade lengths). For the authorised Kudusberg WEF, two (2) wind measuring lattice masts of up to 140m high (depending on final hub height) will be required, while two (2) wind measuring lattice masts of up to 120m high will be required for the Oya WEF. See table below:</p> <table border="1" data-bbox="1294 635 1935 1227"> <thead> <tr> <th></th> <th>Authorised</th> <th>Oya WEF</th> <th>Kudusberg WEF</th> </tr> </thead> <tbody> <tr> <td>Overall Capacity</td> <td>325MW</td> <td>99MW</td> <td>239MW</td> </tr> <tr> <td>Number of turbines</td> <td>56</td> <td>18</td> <td>38</td> </tr> <tr> <td>Hub height</td> <td>Up to 140 m</td> <td>101m</td> <td>Up to 140 m</td> </tr> <tr> <td>Rotor diameter</td> <td>Up to 180 m</td> <td>158 m</td> <td>Up to 180 m</td> </tr> <tr> <td>Blade length</td> <td>Up to 90 m</td> <td>75 m</td> <td>Up to 90 m</td> </tr> <tr> <td>Wind Measuring Lattice Masts</td> <td>Up to 4 x 140 m high depending</td> <td>2 x 120 m</td> <td>2 x up to 140 m high depending the</td> </tr> </tbody> </table>		Authorised	Oya WEF	Kudusberg WEF	Overall Capacity	325MW	99MW	239MW	Number of turbines	56	18	38	Hub height	Up to 140 m	101m	Up to 140 m	Rotor diameter	Up to 180 m	158 m	Up to 180 m	Blade length	Up to 90 m	75 m	Up to 90 m	Wind Measuring Lattice Masts	Up to 4 x 140 m high depending	2 x 120 m	2 x up to 140 m high depending the	
	Authorised	Oya WEF	Kudusberg WEF																															
Overall Capacity	325MW	99MW	239MW																															
Number of turbines	56	18	38																															
Hub height	Up to 140 m	101m	Up to 140 m																															
Rotor diameter	Up to 180 m	158 m	Up to 180 m																															
Blade length	Up to 90 m	75 m	Up to 90 m																															
Wind Measuring Lattice Masts	Up to 4 x 140 m high depending	2 x 120 m	2 x up to 140 m high depending the																															

Comments on the Environmental Impact Assessment Report										
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response		Responded by			
					<table border="1"> <tr> <td></td> <td>the final hub height.</td> <td></td> <td>final hub height.</td> </tr> </table> <p>The Excel spreadsheet which has been provided for the coordinates, Height and Elevation for each turbine (for each proposed WEF, following the proposed project split) will also be forwarded to the applicant / developer for completion and will be sent to you once this is returned to SiVEST. We trust you will find this is in order?</p> <p>We trust you will find everything is in order. Please do not hesitate to contact us should there be any issues or should you have any queries.</p>		the final hub height.		final hub height.	
	the final hub height.		final hub height.							
19	11 January 2020	Letter via Email	<p>COMMENTS ON THE ENVIRONMENTAL AUTHORISATION (EA) AMENDMENT FOR THE PROPOSED DEVELOPMENT OF THE 325 MW KUDUSBERG WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, BETWEEN MATIJESFONTEIN AND SUTHERLAND IN THE WESTERN CAPE AND NORTHERN CAPE PROVINCES</p> <p>The Directorate: Biodiversity Conservation has reviewed and evaluated the aforementioned report. According to the Part 2 Environmental Authorisation Amendment Report, the Site falls within the</p>	Seoka Lekota Acting Director: Biodiversity Conservation Department of Environment, Forestry and Fisheries (DEFF)		Stephan Jacobs Environmental Consultant SiVEST – via C&RR				

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>Succulent Karoo and Fynbos biome, with the occurrence of two main vegetation types: The Central Mountain Shale Renosterveld (Fynbos biome) and the Koedoesberge-Moordenaars Karoo (Succulent Karoo biome), both regarded as Least Threatened (LT). The authorized Kudusberg WEF falls entirely within the Renewable Energy Zone (REDZ) 2 (i.e. Komsberg REDZ), which was Gazetted in February 2018 by the Minister of Environmental Affairs (GN 114), and therefore the proposed Oya WEF will also fall entirely with the above-mentioned REDZ.</p> <p>Based on the information provided in the report, the proposed amendment will not result in any significant changes to the impacts that have already been assessed.</p> <p>Notwithstanding the above, the following recommendations must be implemented and adhered to:</p> <ul style="list-style-type: none"> ▪ High sensitive areas i.e. (CBA, IBA) in close proximity to the development footprint must be demarcated as no-go area i.e. drainage lines. ▪ Search and rescue plan for the identified Species of Conservation Concern (SCC) must be developed and submitted. 		<p>The comment from the DEFF's Biodiversity Conservation is duly acknowledged. No further action or response is required in this regard.</p> <ul style="list-style-type: none"> ▪ All high sensitive areas in close proximity to the development footprint have been demarcated as 'no-go' areas by the respective specialists (where required). It should be noted that the impact on watercourses (i.e. drainage lines) has been assessed as part of the Freshwater Assessment (Appendix C8). The proposed Kudusberg WEF construction camp is located approximately 11 m from a watercourse, the Kudusberg substation is located approximately 26 m from a watercourse and the Kudusberg WEF Turbine 23 crane pad is 	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<ul style="list-style-type: none"> ▪ Alien Invasive Plant (AIP) Species Management Plan must be developed and submitted as part of the final report. 		<p>located approximately 26 m from a watercourse. All other surface infrastructure is located at least 42 m from the watercourses. New roads are proposed to traverse watercourses and roads located across watercourses are also proposed to be upgraded, including the R356 access road. The proposed Oya WEF overhead collector power line will also traverse several watercourses, however the pylons will be constructed outside the 32m NEMA zone of regulation. No infrastructure will therefore be placed in the identified watercourses expect for linear infrastructure.</p> <ul style="list-style-type: none"> ▪ A Search and rescue plan for the identified Species of Conservation Concern (SCC) has been developed by the Terrestrial Ecologist. This has been incorporated into the Oya EMPr (Appendix I1) and submitted with the Draft and Revised Draft EA Amendment Assessment Report. This will also be submitted as part of the Final EA Amendment Assessment Report. A Search and rescue plan for the identified SCC for the Kudusberg EMPr (Appendix I2) will be compiled before construction commences, when the layout has been finalised and approved. ▪ An Alien Invasive Plant (AIP) Species Management Plan has been developed by the Terrestrial Ecologist. This has been incorporated into the Oya EMPr (Appendix I1) and submitted with the Draft 	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>The Public Participation Process documents related to Biodiversity EIA review and queries should be submitted to the Directorate: Biodiversity Conservation at Email; BCAdmin@environment.gov.za for attention of Mr. Seoka Lekota.</p>		<p>and Revised Draft EA Amendment Assessment Report. This will also be submitted as part of the Final EA Amendment Assessment Report. An AIP Species Management Plan for the Kudusberg EMPr (Appendix I2) will be compiled before construction commences, when the layout has been finalised and approved.</p> <p>The Public Participation Process documents related to Biodiversity EIA review and queries will be submitted to the Directorate: Biodiversity Conservation using the email address provided and marked for the attention of Mr. Seoka Lekota, as requested.</p>	
20	11 January 2020	Letter via Email	<p>Dear Ms Scott-Shaw</p> <p>COMMENTS ON DRAFT AMENDMENT REPORT FOR THE APPLICATION FOR SPLIT AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 25 MARCH 2019 FOR THE PROPOSED DEVELOPMENT OF THE 325MW KUDUSBERG WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, BETWEEN MATJIESFONTEIN AND SUTHERLAND IN THE WESTERN AND NORTHERN CAPE PROVINCES</p> <p>The Environmental Authorisation (EA) for the above-mentioned project dated 25 March 2019, the</p>	Sabelo Malaza Chief Director: Integrated Environmental Authorisations Department of Environment, Forestry and Fisheries (DEFF)	<p>The Departments comments are duly noted. These comments have been taking into consideration during the compilation of the Revised Draft EA Amendment Assessment Report.</p> <p>Please see below:</p>	Stephan Jacobs Environmental Consultant SiVEST – via C&RR

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>amendment to the EA dated 04 April2019, the application for amendment of the EA and the draft motivation report received by the Department on 18 November 2020, and the acknowledgement letter dated 01 December 2020, refer.</p> <p><u>The Department has the following comments on the abovementioned amendment application:</u></p> <p>(a) <u>Amendment Report</u> It has been noted that the Draft motivation report does not specify the exact wind energy turbines that will fall within the Oya WEF and which turbines will fall within the Kudusberg WEF. Please ensure that this information is included in the final motivation report.</p> <p>(b) <u>Listed Activities</u> The amendment report must include the table of listed activities that applies to each split EA.</p> <p>(c) <u>Layout & Sensitivity Maps</u> The final motivation report must include an environmental sensitivity map for each split EA indicating environmental sensitive areas, buffer</p>		<p>This information has been provided in the Revised Draft EA Amendment Assessment Report (this report), as requested by the Department. This information is provided in Table 1 in section 1. This is also indicated on the project maps (Appendix F), as well in the coordinates (Appendix J6).</p> <p>The amendment report has been updated to include a table of listed activities that applies to each split EA, as requested by the Department. Table 7 in section 2.3 contains the listed activities that apply to each split EA. It should be noted that the proposed WEF projects are very similar in nature and the proposed amendments do not trigger any new listed activity.</p> <p>Environmental sensitivity maps for each split EA indicating environmental sensitive areas, buffer areas and features identified during the amendment assessment process were included as part of the Draft EA Amendment Assessment Report, as Figure 6 and</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>areas and features identified during the assessment process</p>		<p>Figure 7 respectively. These maps have been updated and included as part of this Revised Draft EA Amendment Assessment Report. Please refer to Figure 6 and Figure 7 respectively for environmental sensitivity maps for each proposed project following the proposed split (i.e. each split EA) indicating environmental sensitive areas, buffer areas and features identified during the amendment assessment process. Larger maps can be found in Appendix F.</p>	
			<p>A copy of the layout map for each split EA must be submitted with the final amendment report. All available biodiversity information must be used in the layout map. The layout map must amongst other things, indicate the following:</p> <ul style="list-style-type: none"> ▪ All supporting onsite infrastructure e.g. roads (existing and proposed) for both Oya WEF and Kudusberg WEF; ▪ The location of sensitive environmental features on site e.g. drainage lines etc. that will be affected; ▪ Buffer areas; and ▪ All "no-go" areas. 		<p>A copy of the final preferred layout map for each split EA (with a clear legend describing all features on each proposed layout) has been provided. All available biodiversity information has been used when compiling these layout maps. These maps show the final development layouts superimposed (overlain) by the environmental sensitivities. Please refer to Figure 6 and Figure 7 respectively. Larger maps are provided in Appendix F.</p> <p>The findings of the specialist assessments undertaken as part of the amendment process have been used in the finalisation of the respective layout maps and existing infrastructure has been used as far as possible. In addition, the layout maps indicate the information / features requested by the Department.</p> <p>The proposed preferred site layouts have avoided all sensitive and/or 'no-go' areas identified and all</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>(d) <u>Environmental Management Programme (EMPr)</u></p> <p>The EMPr and layout map for each split EA to be submitted with the final amendment motivation report must be updated to include and incorporate all mitigation measures recommended by the specialist.</p>		<p>recommended buffers have been avoided accordingly. The above-mentioned maps will be updated (if required) and also provided as part of the Final EA Amendment Assessment Report, which will be submitted to the DEFF for decision-making.</p> <p>EMPrs and layout maps for each proposed project following the project split (i.e. each split EA) were submitted with the Draft EA Amendment Assessment Report. The layout maps were provided as Figure 6 and Figure 7 in the report respectively. The EMPrs were provided in Appendix I.</p> <p>The approved EMPr authorised as part of the Kudusberg EA has been amended to each WEF. The EMPr for the Kudusberg WEF remains unchanged since it was approved as part of the original EA (14/12/16/3/3/1/1976). This EMPr was merely updated to include updated layout maps. The EMPr for the Oya WEF was compiled and updated to incorporate the final layout for the Oya WEF, management plans and the walk-throughs and also includes all mitigation measures recommended by the specialists as part of the amendment and walk down process.</p> <p>The above-mentioned EMPrs have been updated to reflect the project changes made after the submission of the Draft EA Amendment Assessment Report and are provided as part of this Revised Draft EA</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>(e) Public Participation</p> <p>Please ensure that copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final amendment report. Kindly ensure that the Square Kilometre Array (SKA) comments and comments from this Departments Biodiversity and Conservation Directorate are included in the document</p>		<p>Amendment Assessment Report (Appendix I). These updates have however not resulted in any material changes to the mitigation measures or management plans and included updates to the project maps and technical details. The EMPr and layout maps for each split EA will be updated (if required) and submitted with the final amendment motivation report, as requested. These will incorporate all applicable mitigation measures recommended by the respective specialists.</p> <p>Copies of all original comments received to date from all relevant I&APs and Organs of State (OoS), which have jurisdiction in respect of the proposed activity, have been submitted to the Department with the Revised Draft EA Amendment Assessment Report (this report). These have been provided in Appendix E5.</p> <p>It should be noted that the Square Kilometre Array (SKA) and the DEFF's Biodiversity and Conservation Directorate have been included as part of the amendment process and comments from these Departments have been sought and included in the Revised Draft EA Amendment Assessment Report, where provided. Appendix E8 includes a database of all stakeholders / OoS who have been included in the amendment process, as well as the method in which they received information and/or were contacted.</p>	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					<p>It should be noted that a formal comment letter was submitted by the DEFF's Biodiversity and Conservation Directorate. It was confirmed that the proposed amendment will not result in any significant changes to the impacts that have already been assessed. The Department however provided recommendations, which have been taken into consideration in the compilation of the Revised EMPr and Revised Amendment Report. The comments received by from the DEFF's Biodiversity and Conservation Directorate have been addressed in the Comments and Response Report (C&RR) (Appendix E6). Once formal omments have been received from the SKA to date.</p> <p>Attempts were made to obtain comments from registered I&APs, landowners / occupiers, key stakeholders and OoS / authorities. Appendix E8 includes a database of all stakeholders / OoS who have been included in the amendment process, as well as the method in which they received information and/or were contacted. This is also provided in section 7.8 of the report. Appendix E4 includes a database of all registered I&APs who have been included in the amendment process, as well as the method in which they received information and/or were contacted.</p> <p>Copies of all original comments received from I&APs and OoS as part of the amendment process will be</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>Furthermore, ensure that all issues raised and comments received during the circulation of the draft amendment report from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final amendment report.</p> <p>Proof of correspondence with the various stakeholders must be included in the final amendment report. This must indicate that this draft amendment report has been subjected to 30 days public participation process, stating the start and end date of the PPP. 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>submitted to the Department with the final amendment report, as requested.</p> <p>All comments received to date (including during the circulation of the Draft EA Amendment Assessment Report) from registered I&APs, key stakeholders and OoS / authorities which have jurisdiction in respect of the proposed activity have been adequately addressed in this Draft EA Amendment Assessment Report and are included in the C&RR (Appendix E6). Proof of correspondence with the various I&APs and key stakeholders / OoS / authorities has been included in Appendix E5.</p> <p>It should be noted that the registered I&APs, key stakeholders / OoS / authorities were reminded to provide comments. Proof of this is included in Appendix E2. This is also detailed in Table 16. Proof of this is also included in the Revised Draft EA Amendment Assessment Report (this report) (section 7.8), as well as in Appendix E8.</p> <p>All issues raised and comments received during the circulation of the Revised Draft EA Amendment Assessment Report (this report) will be included and adequately addressed in the final amendment report.</p>	
			General		<p>The Public Participation Process has been conducted in accordance with Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended. Please</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>refer to section 7 and Appendix E for details regarding the Public Participation Process which was conducted as part of the amendment process. It should be noted that the PPP was undertaken in accordance with the agreed Public Participation Plan (Appendix E9) which was approved by the DEFF (Appendix B and Appendix E9).</p>	
			<p>You are further reminded to comply with Regulation 32(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: <i>"The applicant must within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority-</i></p> <ul style="list-style-type: none"> <i>(a) a report, reflecting-</i> <ul style="list-style-type: none"> <i>(i) an assessment of all impacts related to the proposed change;</i> <i>(ii) advantages and disadvantages associated with the proposed change; and</i> <i>(iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and</i> <i>(iv) any changes to the EMPr;</i> <p><i>which report -</i></p> <ul style="list-style-type: none"> <i>(aa) had been subjected to a public participation process, which had been agreed to by the competent</i> 		<p>Due to the project changes made by the Applicant after the submission of the Draft EA Amendment Assessment Report, the applicant will submit the Final Amendment Report within 140 days of receipt of the application by the competent authority, in terms of Regulation 32 (1)(b) of the NEMA EIA Regulations, 2014 (as amended). This is due to the fact that there have been changes and new information that has been added to the motivation report or EMPr which were not contained in the Draft EA Amendment Assessment Report consulted on during the initial public participation process (18 November 2020 to 11 January 2021).</p> <p>It should be noted that written notification that the final report will be submitted within 140 days of receipt of the application by the competent authority, in terms of Regulation 32(1)(b) of the NEMA EIA Regulations, 2014 (as amended), was subsequently submitted to the DEFF on 20 January 2021 (Appendix B). The DEFF provided a response on 25 January 2021 and</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p><i>authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and</i></p> <p><i>(bb) reflects the incorporation of comments received, including any comments of the competent authority."</i></p> <p>Should there be significant changes or new information that has been added to the motivation report 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 32(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: <i>"the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority- (b) a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised report will be subjected to</i></p>		<p>subsequently granted the EAP permission so submit the final report within 140 days of receipt of the application (Appendix B). In light of this, a Revised Draft EA Amendment Assessment Report (this report) which contains the new information / changes is being made available for another 30-day review and comment period, from 25 January 2021 to 24 February 2021.</p> <p>It should be noted that the Revised Draft EA Amendment Assessment Report complies with Regulation 32(1)(a) of the NEMA EIA Regulations, 2014, as amended, and meets all relevant requirements. This is detailed in Table ii on page xix. The Final EA Amendment Assessment Report will also comply with Regulation 32(1)(a) of the NEMA EIA Regulations, 2014, as amended, and meet all relevant requirements.</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p><i>another public participation process of at least 30 days".</i></p> <p>In the event where subregulation (1)(b) applies, the report which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.</p>		<p>The Applicant will ensure that the Final EA Amendment Assessment Report will be submitted to the competent authority within 140 days of receipt of the application by the competent authority and that this report incorporates all comments received as part of the amendment process (where possible and/or required), including any comments of the competent authority.</p> <p>Due to the fact that Regulation 32(1)(b) of the NEMA EIA Regulations, 2014 (as amended) is applicable, a Revised Draft EA Amendment Assessment Report (this report) which contains the new information / changes is being made available for another 30-day review and comment period, from 25 January 2021 to 24 February 2021. Following the completion of this review and comment period, this report will be updated to incorporate any comments received (where possible and/or required), including any comments of the competent authority, and the final report will be submitted to the competent authority within 140 days of receipt of the application by the competent authority.</p>	
			<p>Should you fail to meet any of the timeframes stipulated in Regulation 32 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.</p>		<p>The Department's comment is duly acknowledged. The EAP has ensured that all the timeframes stipulated in Regulation 19 of the NEMA EIA Regulations, 2014, as amended, have been met. As mentioned, the Final EA Amendment Assessment will be submitted to the DEFF</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					<p>within 140 days of receipt of the application. The Draft EA Amendment Assessment Report was submitted to the DEFF on 18 November 2020 and was subsequently subjected to a public participation process of at least 30 days (excluding public holidays and the DEFF's December Closure Period), from 18 November 2020 to 11 January 2021.</p> <p>Due to the fact that Regulation 32(1)(b) of the NEMA EIA Regulations, 2014 (as amended) is applicable, a Revised Draft EA Amendment Assessment Report (this report) which contains the new information / changes is being made available for another 30-day review and comment period, from 25 January 2021 to 24 February 2021. Following the completion of this review and comment period, this report will be updated to incorporate any comments received (where possible and/or required), including any comments of the competent authority, and the final report will be submitted to the competent authority within 140 days of receipt of the application by the competent authority.</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.		The Department's comment is duly acknowledged. The proposed development will not proceed without an EA being granted by the DEFF.	
21	11 January 2020		COMMENT ON THE DRAFT ENVIRONMENTAL AUTHORISATION ("EA") AMENDMENT	Keshni Rughoobear		Stephan Jacobs

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
		Letter via Email	<p>ASSESSMENT REPORT FOR THE PROPOSED SPLITTING OF THE EA AND AMENDMENTS TO THE EA FOR THE 325MW KUDUSBERG WIND ENERGY FACILITY BETWEEN MATJIESFONTEIN IN THE WESTERN CAPE AND SUTHERLAND IN THE NORTHERN CAPE: WITZENBERG AND KAROO HOOGLAND LOCAL MUNICIPALITIES (DEFF REF NO: 14/12/16/3/3/2/1976/AM1)</p> <p>1. The e-mail correspondence of 13 November 2020 notifying the Department of the intended application for amendment to the environmental authorisation (“EA”) for the Kudusberg wind energy facility (“WEF”), and the e-mail notification of 19 November 2020 to potential interested and affected parties (“I&APs”) regarding the availability of the Draft EA Amendment Assessment Report, refer.</p> <p>2. The Department concurs with the recommendation of the environmental assessment practitioner (“EAP”) that the Environmental Management Programme (“EMPr”) for the amended 239MW Kudusberg WEF should not be approved and should be submitted along with the final layout before construction activities commence. The Department further requests to be provided with</p>	Directorate: Development Facilitation Department of Environmental Affairs and Development Planning Western Cape Government	<p>We thank the Department for their comments and for submitting these timeously. The Department’s comments are duly acknowledged. The comments and/or recommendations have been taken into consideration and incorporated into the Revised Draft EA Amendment Assessment Report, where required. In addition, adequate responses to the comments / recommendations are provided below:</p> <p>It should be noted that project changes were made by the Applicant after the submission of the Draft EA Amendment Assessment Report. Written notification that the final report will be submitted within 140 days of receipt of the application by the competent authority, in terms of Regulation 32(1)(b) of the NEMA EIA Regulations, 2014 (as amended), was submitted to the DEFF on 20 January 2021 (Appendix B). The DEFF provided a response on 25 January 2021 and</p>	Environmental Consultant SiVEST – via C &RR

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>an opportunity to comment on the final layout of the amended 239MW Kudusberg WEF and associated EMPr once the final layout for the Kudusberg WEF has been informed by detailed specialist walkthroughs and on-site micro-siting.</p>		<p>subsequently granted the EAP permission so submit the final report within 140 days of receipt of the application (Appendix B). In light of this, a Revised Draft EA Amendment Assessment Report which contains the new information / changes is being made available for another 30-day review and comment period, from 25 January 2021 to 24 February 2021.</p> <p>The Department will therefore be provided with an opportunity to comment on the layout and EMPr being put forward in the Revised Draft EA Amendment Assessment Report, as well as the final layout and associated EMPr put forward for authorisation as part of the final report, once the final layout for the Kudusberg WEF has been confirmed. It should be noted that the final layouts for the Kudusberg and Oya WEFs have been informed by detailed specialist walkthroughs and on-site micro-siting which have already been undertaken (Appendix D).</p>	
			<p>3. Please find the collated comments from various directorates in the Department on the Draft EA Amendment Assessment Report dated 18 November 2020 that was downloaded from the website and Dropbox link provided by the EAP.</p>		<p>We thank the Department for their comments. The comments and/or recommendations have been taken into consideration and incorporated into the Revised Draft EA Amendment Assessment Report, where required. In addition, adequate responses to the comments / recommendations are provided below:</p>	
			<p>4. Directorate: Development Management (Region 1) - Ms Bernadette Osborne / Ms Andrea Thomas</p>		<p>The comments from the Development Management Directorate are duly acknowledged. The recommendations of the original specialist studies</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>(Bernadette.Osborne@westerncape.gov.za / Andrea.Thomas@westerncape.gov.za; Tel: (021) 483 3679 / 2790):</p> <p>4.1 This Directorate supports the findings and recommendations of the original specialist studies undertaken for the initial Basic Assessment ("BA") process, follow-up specialist assessments for the proposed amendments, and the specialist walk-throughs that were undertaken for the proposed 86MW Oya WEF. Particularly, the recommendation in the follow-up avifaunal and bat assessments that a joint evaluation of the two wind energy facilities, once operational, be undertaken to effectively monitor the cumulative impacts of the two WEFs on birds and bats, is supported.</p> <p>4.2 Confirmation must be obtained from the Breede - Gouritz Catchment Management Agency regarding the type of water use authorisation (i.e. general authorisation or water use licence) required in terms of the National Water Act, 1998 (Act No. 36 of 1998) for the proposed amendments.</p>		<p>undertaken for the initial BA process, follow-up specialist assessments for the proposed amendments, and the specialist walk-throughs that were undertaken for the proposed 99MW Oya WEF have been incorporated into the EMPr and will be adhered to accordingly. Particularly, the recommendation in the follow-up avifaunal and bat assessments that a joint evaluation of the two wind energy facilities, once operational, be undertaken to effectively monitor the cumulative impacts of the two WEFs on birds and bats, is supported. No further response to this is required.</p> <p>Comment from the BGCMA has been received as part of the Draft EA Amendment Assessment Report review period. Their comments along with responses have been detailed in the C&RR and can be found in Appendix E6. As mentioned in point No. 14 above, a WULA process is being undertaken by the applicant. DWS were subsequently consulted with regards to the appropriate water use authorisation and confirmed that the proposed water uses may be exercised as it falls within the ambit of the GA in terms of Government Notice 538 of 2016 for Section 21 (a) and Government</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			4.3 Comment from all relevant organs of state should be obtained, included and addressed in the Final EA Amendment Assessment Report, as required in terms of regulation 41(2)(b)(v) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended).		<p>Notice 509 of 2016 for Section 21 (c) & (i). DWS also confirmed that the Risk Matrix assessed the risk as low and therefore, the water uses for S21 (c) & (i) may be considered within the ambit of the GA. It should be noted that the Applicant is applying for the water uses for S21 (a). In addition, the DWS, in principle, has no objection to the proposed development provided the water uses do not impact other water users or the quantity or quality of the water resource, which the Applicant can confirm that it won't. The proposed developed will also only commence once a successful water use authorisation has been obtained. Please refer to Appendix J7 for a copy of the GA Confirmation Letter.</p> <p>Please be advised that all buffer areas recommended by the Freshwater specialist have been respected and will be adhered to accordingly.</p> <p>Comments from all relevant Organs of State (OoS), have been sought as part of the EA Amendment process. It should be noted that all registered I&APs, landowners / occupiers, key stakeholders and OoS / authorities were reminded about the closure of the 30-day comment and review period and also reminded to provide comments (if required). Appendix E4 includes a list of all registered I&APs, landowners / occupiers, key stakeholders and OoS / authorities. Appendix E8 includes a database of all stakeholders / OoS who have</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					<p>been included in the EA Amendment process, as well as the method in which they received information and/or were contacted.</p> <p>All issues raised and comments received during the circulation of the Draft EA Amendment Assessment Report from registered I&APs and OoS which have jurisdiction in respect of the proposed activity have been adequately addressed in the Revised Draft EA Amendment Assessment Report. All issues, comments and concerns raised were also captured in the C&RR, which is included in Appendix E6, and responses have been provided in the C&RR. This includes all comments received following the 30-day review and comment period of the Draft EA Amendment Assessment Report (18 November 2020 – 11 January 2021).</p> <p>Proof of correspondence with the various stakeholders has been included in the Draft EA Amendment Assessment Report (Table 16) as well as the database in Appendix E8. Section 7 of the Draft EA Amendment Assessment Report details the public participation process undertaken to date as part of the EA Amendment process and indicates that the Draft EA Amendment Assessment Report has been subjected to 30 days' public participation process (provides the start and end date of the PPP). I&APs, landowners / occupiers, key stakeholders and OoS / authorities were</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>4.4 The EAP is reminded to include all documentation relating to the public participation process as well as all representations and comments received from I&APs, and any responses by the EAP to those representations and comments, in the Final EA Amendment Assessment Report.</p>		<p>reminded to provide comments before the end of the Draft EA Amendment Assessment Report's 30-day review and comment period. Proof of this is included in Appendix E2 of the Revised Draft EA Amendment Assessment Report. In addition, attempts were made to contact all OoS / authorities who did not comment on the Draft EA Amendment Assessment Report. This is detailed in Table 16. Proof of this follow-up is included in the Revised Draft EA Amendment Assessment Report (section 7.8), as well as in Appendix 7I.</p> <p>All comments received from relevant stakeholders have been submitted to the DEFF with the Revised Draft EA Amendment Assessment Report (Appendix E5).</p> <p>All documentation relating to the public participation process undertaken as part of the EA amendment process, including all representations and comments received from I&APs, and any responses by the EAP to those representations and comments, have been submitted as part of the Revised Draft EA Amendment Assessment Report (Appendix E). This documentation (including all representations and comments received from I&APs, and any responses by the EAP to those representations and comments, following the 30-day review and comment period for the Revised Draft EA Amendment Assessment Report) will also be provided as part of the Final EA Amendment Assessment Report, as part of Appendix E.</p>	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>4.5 Please note that Ms Duduzele Kunene is no longer the Regional Manager: Department of Mineral Resources and Energy (page 119 of the Draft EA Amendment Assessment Report). All correspondence should be addressed to the new Regional Manager, Mr Pieter Swart (Pieter.Swart@dmr.gov.za).</p>		<p>The Department's comment is duly acknowledged. We thank you for bringing this to our attention. Ms Duduzele Kunene has been replaced by Mr Pieter Swart as the Regional Manager: Department of Mineral Resources and Energy in the relevant project databases (Appendix E4 and Appendix E8). All correspondence will be addressed Mr Pieter Swart using the contact details provided accordingly.</p>	
			<p>4.6 The legends of some of the figures and images included in the Draft EA Amendment Assessment Report are illegible and must be corrected in the Final Report.</p>		<p>The Department's comment is duly acknowledged. The EAP has attempted to make the legends of all figures and images included in the Revised Draft EA Amendment Assessment Report more legible / clearer, to the best of their abilities. It should however be noted that it is difficult to include all information within the legends at the scale the developments are mapped. Larger maps have however also been provided in Appendix F and can be used in order to "zoom" in on the legends of the respective maps. Should this still be an issues, the EAP can make alternative arrangements to provide the Department with high quality maps which can be "zoomed-in" on.</p>	
			<p>4.7 The required specialist walk-throughs for the amended 239MW Kudusberg WEF must be undertaken to inform the micro-siting of the structures and infrastructure before commencement of construction activities.</p>		<p>The Department's comment is duly noted. All recommend walk-throughs will be undertaken prior to the submission of the final layout to the DEFF for review and approval, prior to consecution commencing.</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>4.8 The proposed Oya and Kudusberg WEFs fall within the boundaries of the Northern Cape and Western Cape Provinces. It is noted that a newspaper advert was placed in one local newspaper in the Northern Cape and a provincial newspaper in the Western Cape. In terms of regulation 41(2)(d) of the NEMA EIA Regulations, 2014 (as amended), a newspaper advert must be placed in at least one provincial or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken. The EAP is advised to ensure that Die Burger newspaper is also available in the Northern Cape, or else publish a newspaper advertisement in a regional newspaper available for the Namakwa District Municipality.</p> <p>5. Directorate: Pollution and Chemicals Management – Mr Gunther Frantz (Gunther.Frantz@westerncape.gov.za; Tel: (021) 483 2975):</p> <p>5.1 Based on the specialist findings regarding the proposed amendments, no new environmental impacts were identified and therefore the mitigation measures and/or</p>		<p>Please be advised that a Newspaper Advert was in fact placed in <i>Die Burger</i>. This advert was published on Friday 13 November 2020 and proof (in the form of a tear sheet) was included in Appendix E3 of the Draft EA Amendment Assessment Report, along with proof of the Newspaper Advert which was published in the <i>Noordwester</i> on 06 November 2020.</p> <p>The Department's comment is duly acknowledged. NO further response is required in this regard.</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>recommendations proposed as part of the BA process for the original Kudusberg WEF remain unchanged. As such, this Directorate does not anticipate significant pollution risks to the environment from the proposed amendments and has no further comment on the amendment application.</p> <p>6. Directorate: Waste Management - Ms Hadjira Peck (Hadjira.Peck@westerncape.gov.za; Tel: (021) 483 3003):</p> <p>6.1 This Directorate has, in principle, no objection to the amendment application subject to the following comments being considered by the EAP:</p> <p>6.1.1 The EMPr for the Oya WEF must include mitigation/management actions to ensure that no solid waste may be burned or buried on-site during the construction phase. Reference is only made to the prohibition on burning of garden waste.</p> <p>6.1.2 The EMPr for the Oya WEF must be strictly adhered to by the applicant/developer and all contractors during all phases of the project.</p>		<p>The Department's comment is duly acknowledged. The EMPrs has been updated to include the recommendations of the Waste Management Directorate. This includes mitigation / management actions to ensure that no solid waste may be burned or buried on-site during the construction phase. The Oya EMPr is included in Appendix I1. The EMPr will also be strictly adhered to by the applicant / developer and all contractors during all phases of the project.</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>7. Directorate: Air Quality Management - Mr Sibusiso Sinuka / Mr Peter Harmse (Sibusiso.Sinuka@westerncape.gov.za / Peter.Harmse@westerncape.gov.za; Tel: (021) 483 2805):</p> <p>7.1 It is noted that the potential dust impacts have been adequately addressed in the EMPr's for both WEFs. Appropriate dust suppression methods must be implemented strictly as per both EMPr's.</p>		<p>The Department's comment is duly acknowledged. Appropriate dust suppression methods have been incorporated into the Oya EMPr and will be implemented strictly. The EMPrs are included in Appendix I1 and Appendix I2 respectively.</p>	
			<p>7.2 This Directorate acknowledges that:</p> <p>7.2.1 The noise impacts identified in the original BA assessment have not changed after splitting the layouts of the two WEFs; and</p> <p>7.2.2 The turbines for both WEFs have not been placed close to any noise sensitive receptors.</p>		<p>The Department's comment is duly acknowledged. No response is required in this regard.</p>	
			<p>7.3 It is noted that the proposed WEFs traverse two provinces, namely the Western and Northern Cape Provinces. Comment from the Northern Cape Department of Environment and Nature Conservation is also required. This Directorate therefore has no objections to the proposed amendments of the authorised 325MW Kudusberg WEF.</p>		<p>The Department's comment is duly acknowledged. We thank you for confirmation that this Directorate has no objections to the proposed amendments. The Northern Cape Department of Environment and Nature Conservation (NC DENC) have been included in the amendment process and comments have been sought from this Department. A copy of the application to amend the EA was forwarded to this Department on 13 November 2020 (Appendix E7). However, no formal</p>	

Comments on the Environmental Impact Assessment Report						
No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
					<p>response or comments have been received from this Department.</p> <p>All registered I&APs, key stakeholders / OoS / authorities were reminded to provide comments. Proof of this is included in Appendix E2. In addition, attempts were made to contact all stakeholders / OoS / authorities who did not comment on the Draft EA Amendment Assessment Report. This is detailed in Table 16. Proof of this follow-up is also included in the Revised Draft EA Amendment Assessment Report (this report) (section 7.8), as well as in Appendix E8.</p>	
			<p>8. The developers of the proposed WEFs are reminded of their “<i>general duty of care towards the environment</i>” as prescribed in section 28 of the NEMA, 1998 which states that “<i>Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.</i>”</p>		<p>The Department’s comment is duly acknowledged. This will be brought to the attention of the Applicant / Developers of the proposed WEFs. Please note that all environmental impacts have been taken into account and consideration in the Final EMPr for the Oya WEF and the EMPr of the Kudusberg EMPr. The Developer is bound by law to adhere to the conditions in their EA and the mitigation measures of the EMPr, which they will ensure are complied with at all times.</p>	
			<p>9. Please direct any enquiries to the official/s indicated in this correspondence should you</p>		<p>The Department’s comment is duly acknowledged. Any enquiries will be directed to the official/s indicated in the</p>	

Comments on the Environmental Impact Assessment Report

No.	Date Received	Method	Issue/ Comment/ Correspondence	Sent By	Response	Responded by
			<p>require any clarity on any of the comments provided.</p> <p>The Department reserves the right to revise initial comments and request further information based on any information received.</p>		<p>correspondence, should the EAP or applicant require any clarity on any of the comments provided.</p> <p>The Department's right to revise initial comments and request further information based on any information received is duly acknowledged.</p> <p>It is trusted that all comments have been adequately addressed as part of this C&RR.</p>	
22	13 January 2020	Emails	<p>Dear Hlengiwe and Veronique,</p> <p>Unfortunately I did not get a chance to download the relevant documents before the deadline for comment closed. Would it be possible to get a copy of the avifaunal report and amendment application for our records?</p> <p>I would also like to encourage G7 to consider running the Verreaux's Eagle Risk Assessment Model for the site as this will help identify if there are any high risk turbines that may require operational phase mitigation.</p>	<p>Samantha Ralston-Paton Birds and Renewable Energy Project Manager BirdLife South Africa</p>	<p>Hi Sam,</p> <p>Happy New Year. I hope 2021 brings you everything you plan.</p> <p>Thank you very much for your email. Please note the report will be going out for another 30 day PPP and Birdlife will be afforded an opportunity to comment on the report then.</p>	<p>Veronique Fyfe Project Manager G7 Renewable Energies (Pty) Ltd</p>
23			<p>Brilliant. Thanks Veronique and all the bets for 2021 to you too.</p>			