



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 PRETORIA 0001 · Environment House 473 Steve Biko Road, Arcadia, · PRETORIA
Tel (+ 27 12) 399 9372

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Enquiries: Ms Mmamohale Kabasa

Telephone: (012) 399 9420 **E-mail:** MKabasa@environment.gov.za

Ms Ashlea Strong
WSP Environmental (Pty) Ltd.
PO Box 98867
SLOANE PARK
2152

Telephone Number: (011) 361 1392
Email Address: Ashlea.strong@wspgroup.co.za

PER E-MAIL / MAIL

Dear Ms Strong

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED 250 MW MARALLA EAST WIND ENERGY FACILITY SOUTH OF THE TOWN OF SUTHERLAND WITHIN THE LAINGSBURG AND KAROO HOOGLAND LOCAL MUNICIPALITIES IN THE WESTERN AND NORTHERN CAPE PROVINCES

The draft Environmental Impact Assessment report (EIAr) dated February 2017 and received by this Department on 02 February 2017 refers.

This Department has the following comments on the abovementioned application:

- i. Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.
- ii. If the activities applied for in the application form differ from those mentioned in the final EIAr, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link <https://www.environment.gov.za/documents/forms>.
- iii. Please ensure that all issues raised and comments received during the circulation of the draft EIAr from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed and included in the final EIAr. Proof of correspondence with the various stakeholders must be included in the final EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 and 44 of the EIA Regulations 2014.
- iv. The Public Participation Report must contain clear and legible copies of the newspaper adverts.
- v. The preferred Layout Plan with the preferred substation, service routes, existing roads and new roads, and construction camp must be indicated in the final EIAr. A map combining the final Layout Plan superimposed (overlain) on the environmental sensitivity map must also be included in the final EIAr.
- vi. Please ensure that all hardcopy and softcopy maps are clear and legible. Hardcopy maps must be at least A3 size.
- vii. Following a review of the EIAr and the bat monitoring report, the EAP must provide a design alternative where turbines 21, 44, 46, 48, 51, 57, 60, 67 and 70 are removed from the layout. This alternative must

- also be assessed to enable the Department to review and make a comparative assessment between the two design alternatives.
- viii. Comments from all other developers surrounding the development must be obtained and included in the final EIAr.
 - ix. Recommendations provided by specialist reports must be considered and used to inform the preferred layout alternative. Specifically, turbines and associated services must be removed from all sensitive areas as recommended by the specialists.
 - x. Please note that the final EIAr must comply with all conditions of the acceptance of the scoping report signed on 01 December 2016, and must address all comments contained in the FSR and this letter.
 - xi. The EMPr must include a provision to make the following reports available to the Department and applicable competent authority on request: alien/invasive plant management report; plant rescue and protection report; and re-vegetation and habitat rehabilitation report.
 - xii. It is noted that the 12 months bats monitoring study has been conducted in terms of the 2014 SABAAP Guidelines. The Department requires that all buffer recommendations be finalised in line with the most recent good practise SABAAP guidelines.
 - xiii. Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.
 - xiv. Three specialist studies were undertaken by in-house specialists i.e. Freshwater Habitat Identification, Noise Specialist Study and Land Capability Assessment. This Department, in the acceptance of the FSR had requested that all specialist studies conducted in-house must be peer-reviewed by external specialists. Such peer review by external specialists must form part of the final EIAr. The format of each peer-review must address the following:
 - A CV clearly showing expertise of the peer reviewer;
 - Acceptability of the terms of reference;
 - Is the methodology clearly explained and acceptable;
 - Evaluate the validity of the findings (review data evidence);
 - Discuss the suitability of the mitigation measures and recommendations;
 - Identify any short comings and mitigation measures to address the short comings;
 - Evaluate the appropriateness of the reference literature;
 - Indicate whether a site-inspection was carried out as part of the peer review; and
 - Indicate whether the article is well-written and easy to understand.
 - xv. Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following:
 - Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.
 - Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.
 - The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed.
 - xvi. The EIAr must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. A sample of the minimum information required is listed under point 2 of the EIA information required for wind energy facilities as requested in the acceptance of SR.
 - xvii. You are further reminded that the final EIAr to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of the EIAr in accordance with Appendix 3 of the EIA Regulations, 2014.
 - xviii. Further note that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).

xix. The EAP is requested to contact the Department to make the necessary arrangements to conduct a site visit prior to the submission of the final EIAr.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Mr Coenrad Agenbach

Designation: Deputy Director: Strategic Infrastructure Developments

Date: 27/02/2017

cc:	J Nyker	Biotherm Energy (Pty) Ltd	Email: eiaadmin@biothermenergy.com
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