

**Mercury Cluster Solar PV Project:
Kleinfontein Solar PV1 (120MW)
(on Portion 1 of the Farm Kleinfontein No 369, Free State Province)**

Comments & Responses Report

Public Participation Process Followed

The PPP was confirmed with DFFE by DFEE on 26 October 2021 and confirmed during the Pre-Application Meeting held with the DFFE on 5 April 2022.

The Public Participation Programme (PPP) that is being followed is described below. The PPP is being conducted in terms of the Sections 39, 40, 41, 42, 43 & 44 of the NEMA EIA Regulations 2014, as amended. The newspaper advertisements, onsite notices and Background Information Document (BID) advertised the entire Mercury Solar PV Cluster (5x solar PV facilities as well as the grid connections).

- ***IAP Register: Landowner, Government Departments, Municipalities and other IAPs***

An Interested & Affected Party (IAP) register was compiled which includes the directly affected landowners, adjacent landowners, municipalities, government departments and other applicable organisations. This register is being updated throughout the EIA process.

- **Initial Advertising & Communication**

Focus Group Meetings with Directly Affected Landowners

Onsite meetings were held with the relevant directly affected landowners at different on-site locations on Thursday 18 November 2021.

Onsite notification

Three A2 laminated onsite notices were placed on 22 March 2022 at the following places:

- Along the S729 (from which road the facility will be accessed) that connects the R76 and the S643
- The Mercury Main Transmission Substation
- The gate of the Viljoenskroon Post Office

Newspaper advertisement

Newspaper advertisements were placed in

- The Citizen (national newspaper) on 30 March 2022
- The Vrystaat Kroon (local newspaper) on 30 March 22

Background Information Document

A BID was distributed to everyone on the IAP Register for a 30-day commenting period (31 March – 30 April 2022).

- ***Distribution of the Draft BAR***

The Draft BAR (this document) is being distributed as follows:

- All IAPs identified in the IAP Register received notification via email that the Draft BAR is available for comment (proof thereof will be provided in the Final BAR).

- The Draft BAR is being distributed for a 30-day (plus holidays) commenting period.
- All IAPs received an email with the Executive Summary and Draft BAR as an attachment. A link to the Draft BAR and all the Appendixes is available on the Landscape Dynamics website (www.landscapedynamics.co.za) – detailed instructions on how to access these documents were provided in the said email.
- A copy of the Draft BAR is made available at the Nostalgia Coffee Shop in Viljoenskroon - the availability of the hard copy of the Draft BAR at this location was mentioned in the abovementioned emails.
- The Application Form together with the Draft BAR was submitted to DFFE for comment via their online system.

- **Submission of Final BAR**

Comment received on the Draft BAR will be included in the Final BAR. The Final BAR will be distributed for a further 30-day commenting *if* substantial changes to the BAR have been made that may impact on the rights of the IAPs.

The Final BAR will be submitted to DFFE for their consideration for Environmental Authorisation.

All comments and responses received regarding this project are and will be summarised and addressed on the following pages under the following headings:

- Communication resulting from the Initial Advertising Period
- Communication resulting from the distribution of the Draft BAR
- Communication on the Final BAR if relevant

Communication resulting from the Initial Advertising & Communication

Focus Group Meetings held with the Directly Affected Landowners

The purpose of the meetings with the farmers was to obtain the following information :

- Confirm the areas of land on their properties which they want to make available for solar farm development
- Obtain their opinion in terms of agricultural potential of the land
- Confirm restrictions in terms of agricultural development on specific portions of land.

KEY NOTES RESULTING FROM DISCUSSIONS WITH FARMERS

The Gossayn Family

- They confirmed that sections of land are plantable but not highly producing.
- Sections of land have little water retention and are situated on shallow soils and 'oukclip'.
- The land suitable for planting is mostly limited to maize farming. Other farm products include peanuts, soya, beans and sunflowers.
- They have little rainfall and no formal irrigation in place.
- They indicated on the A1 map provided which areas are economically viable to farm and which cannot be economically farmed for the reasons provided above. This information will be considered by Mr Lanz in his agric screening report.
- No farm labourers will be replaced, neither will any of the 7 permanent workers lose their jobs as a result of

the solar farms

- No graves occur on the land.
- No land claims are registered against the land.
- Mr Gossayn said that they could provide offset land, but Mr Lanz confirmed that DALRRD wants to protect land with agricultural potential to be used in the future.
- They agreed to obtain evidence in terms of soil tests, depths, classification, etc

Mr Hans Pretorius

- He only farms with maize, but is restricted due to shallow ground and 'oukclip'.
- The depth of his soil is less than 120cm.
- A large portion of his land (approximately 340ha) has been used only for grazing over the last 10 years.
- His land has a relative flat topography and some areas are waterlogged which results in the drowning of the crops.
- Mr Lanz confirmed that DALRRD is not as concerned about grazing land as it is about land on which crop cultivation can take place.

Messrs Peet & Cobus Botha

- They indicated on the A1 map provided which areas do not have good agricultural potential.
- This is based on the occurrence of lots of sand, limited soil depths, 'oukclip' and a bluegum bush.
- They confirmed that the maize either drowns or dies of drought in specific areas

Response from the EAP

The way forward was confirmed as follows:-

Mr Johann Lanz (the agricultural specialist) would provide a risk assessment based on his site verification as well as the communication with the farmers. His findings would be integrated with the recommendations of the other specialists and a combined preliminary sensitivity map could then be submitted to Mulilo for consideration. Should Mulilo decide to go ahead with this project, his detailed report will include a soil analysis of the relevant sections of land.

South Africa Heritage Resource Agency: APM Assistant: Sityhilelo Ngcatsha

1. Archaeological sites spanning the Earlier, Middle and Later Stone Age have been found in the region despite the extensive agricultural transformation. Burial grounds were identified within the broader region, therefore, an archaeological field survey is recommended. The archaeological component of the HIA should follow the SAHRA 2007 Minimum Standards: Archaeological Component of Impact Assessment Report.
2. Given the identification of palaeontological sites near part of the study area and the indicators of fossil sensitivity identified during the Screening assessment, it is recommended that a palaeontologist conduct a field survey of the proposed solar PV areas. The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.
3. Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must also be assessed.
4. The NEMA EIA documents and appendices must be submitted at the start of the public review periods in order for an informed comment to be issued that can be incorporated into the final reports for submission to the competent authority.

Response from the EAP

1. An archaeological field survey was undertaken and is discussed under Chapter 6 of this report and attached under Appendix F. Only one, *out of context*, artefact was found on the Hormah PV site and mitigation is not required.
2. A Palaeontology desktop assessment was undertaken and it concluded that the palaeontological heritage is extremely low and mitigation is not proposed.
3. A comprehensive HIA was undertaken and it concluded that no heritage, archaeological or palaeontological findings that require specific mitigation was identified and the project should, from a heritage perspective, proceed.
4. All NEMA documents will be submitted to SAHRA for their comment and record keeping as part of the public participation programme.

Department of Water & Sanitation: Office of the provincial head: Pule Joseph Lenong

1. The DWS confirmed receipt of the BID document and stated that it is receiving attention.

Response from the EAPs

No further comment from DWS was received.

Department of Police, Roads & Transport: Assistant Director Land Acquisition: Mr Hannes Maree and Directorate Road Asset Management Systems: Mr JPW Maree

1. The following provincial roads are being affected:
 - Vlakfontein Solar PV1
 - Secondary road S643 (statutory road reserve width of 25m)
 - Tertiary road T3762 (statutory road reserve width of 16m)
 - Kleinfontein Solar PV1
 - Tertiary roads T3762 and T4388 (statutory road reserve width of 16m)
 - Zaaiplaats Solar PV1
 - Secondary road S729 (statutory road reserve width of 25m)
 - Hormah Solar PV1
 - Primary road P15/2 (statutory road reserve width of 32m)
 - Secondary road S1294 (statutory road reserve width of 25m)
 - Ratpan Solar PV1
 - Primary road P15/2 (statutory road reserve width of 32m)
 - Secondary road S1294 (statutory road reserve width of 25m)
2. The Department supports the above-mentioned development subject to the following conditions:
 - 2.1 No structures may be erected within 95m, measured from the centre line of the provincial road without written approval for the relaxation of the building line (structures include any overhead power line that will be erected parallel with or across the alignment of a provincial road).
 - 2.2 The Department will only be able to consider and approve any specific access/es on receipt of a completed application and drawing that shows the geometric layout and exact locality of the access/es. An application form was attached. The application for access can be considered once a formal application has been submitted.
 - 2.3 The condition of the provincial gravel roads (secondary roads S642, S643, S729, S1294 and tertiary roads T3762 and T4388) is not in a good condition. The increase in traffic during the construction phase will require more intense routine maintenance and certain sections will have to be re-gravelled. Mulilo Renewable Project Developments (Pty) Ltd will therefore be required

to carry out such maintenance at their expenditure.

- 2.4 No provincial borrow pits may be utilised for construction of the development. The Department must be contacted to indicate the positions of the provincial borrow pits (there are no provincial borrow pits and on the properties affected by the Mercury Solar PV Cluster).
- 2.5 Applications for wayleave for any other operations, such as power lines, within the 95m measured from the centre line of the provincial roads, must be submitted on the similar application form as attached to their comment.

Response from the EAP

All of the above-mentioned conditions have been included in the EMPr.

SOLA Group: Jnr Project Developer Ms Abigail Forbes

Ms Forbes requested to be registered as a stakeholder for the Mulilo Mercury Cluster PV Projects on the basis that SOLA is developing similar projects in the area. A kml of the development proposal was requested.

Response from the EAP

- Ms Forbes was added to the IAP register and the requested KMZ files were emailed.
- No further comment was received

Environamics: Senior EAP: Ms Lisa Opperman

1. Ms Opperman requested to be registered as an IAP since they are the EAPs for the Phofu Solar Power Plant, which is just south of the proposed Ratpan PV1 facility.
2. The project information and access to any reports which have been released to the public to date were requested.

Response from the EAP

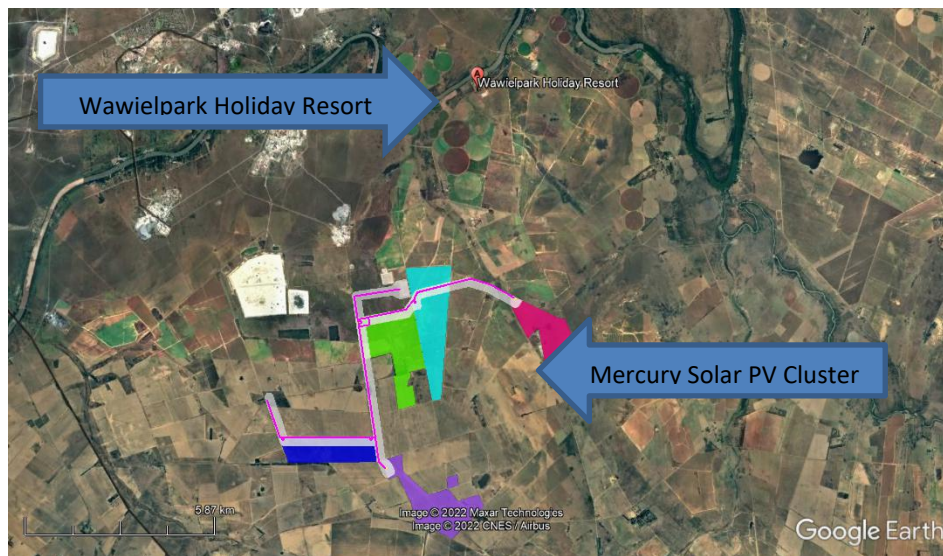
1. The IAP Register was updated with the contact details as requested.
2. The BID, which was the only documented distributed to date, was attached for their perusal and comment.
3. Landscape Dynamics requested to be added to the IAP Register for the Phofu Solar Power Plant project.

Adjacent landowner: The Remainder of the Farm Kleinfontein, No 369 and the Owner of Wawielpark Holiday Resort: Mr Hansie Muller. Comment written and submitted by Mr Hannes Ollewagen on behalf of Mr Hansie Muller.

1. Mr Muller has in principle no objection to the development of solar PV facilities in the Viljoenkroon area.
2. It seems as if some of the proposed PV facilities are being planned on high quality crop land, which would most probably not be approved by the Department of Agricultural. Other solar developments in the area use grazing and not crop land for solar developments.
3. The Wawielpark Holiday Resort is situated to the north of the proposed Mercury solar PV Cluster and it should be determined what the impact of the developments will be on this holiday resort. The resort must be easily accessible at all times and construction of the solar PV facilities must not hinder access to this development at any time. Holiday resorts have suffered greatly during the last 2 years.

Response from the EAP

1. It is noted that Mr Muller has in principle no objection to the proposed solar PV development.
2. A comprehensive Agricultural Impact Assessment was undertaken for this project and the development proposal as submitted in the BID changed to specifically exclude high quality agricultural land. Further note that application has been made to the Department of Agriculture for No Objection letters, without which Environmental Authorisation will in all probability not be granted. High quality agricultural land will thus not be developed.
3. The Wawielpark Holiday Resort is approximately 6km away from the closest proposed solar PV facility. The resort is furthermore on the banks of the Vaal River and not in close proximity to the major routes that will be used during either the construction or operational period of the proposed solar PV facilities. A Traffic & Transport Management Plan was compiled by JG Afrika traffic engineers and it was concluded that, with the implementation of mitigation measures, the impact on the traffic during all phases of development will be low and acceptable. It is highly unlikely that access to the Wawielpark Holiday Resort will be hindered during all phases of the Mercury Solar PV Cluster development.



Harmony Gold Mining Company: Electrical Engineer – Renewable Energy: Mr Louis Botha

1. Mr Botha requested to be registered as an IAP
2. The kml files of the proposed development was requested
3. Mr Botha phoned Landscape Dynamics and explained that a special procedure needs to be followed when power lines crosses land belonging to a mine.

Response from the EAP

1. Mr Botha and the Harmony mine is a registered IAP.
2. The requested KMZ files were emailed to Mr Botha
3. It is Landscape Dynamics' understanding that the following two properties may be affected (the white blocks on the map below):
 - a. Remainder of the Farm, Moab, No 279
 - b. The Farm Zaaiplaats, Portion 2, No 190



5. Landscape Dynamics requested Mr Botha in several emails to raise his concerns in writing or that a meeting with Mulilo can be arranged, but no further reply from Mr Botha was received.

Communication resulting from the distribution of the Draft BAR

Comment received on the Draft BAR will be included and addressed in the Final BAR.

Communication on the Final BAR

If significant comment on the Draft BAR was received that could change the outcome of the recommendations of the application, an amended BAR should be circulated for final comment.

Conclusion of the Public Participation Process

No objection regarding the proposed project has yet been received. At this stage it appears as if the project is not unwanted in the area. A final conclusion will be made. The Public Participation Programme was concluded successfully.
