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**HYPERION SOLAR DEVELOPMENT 2, NEAR KATHU, NORTHERN CAPE PROVINCE**

**DEA Ref. No: 14-12-16-3-3-2-1110**

**COMMENTS AND RESPONSES REPORT**

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**TABLE OF CONTENTS**

<b>1. COMMENTS RECEIVED DURING ENVIRONMENTAL IMPACT ASSESSMENT REPORT REVIEW AND COMMENT PERIOD: Organs of State</b>	<b>1</b>
<b>2. COMMENTS RECEIVED DURING ENVIRONMENTAL IMPACT ASSESSMENT REPORT REVIEW AND COMMENT PERIOD: Stakeholders and I&amp;APs</b> .....	<b>12</b>
<b>3. COMMENTS RECEIVED AFTER SCOPING REPORT REVIEW AND COMMENT PERIOD ENDED: Organs of State</b> .....	<b>17</b>
<b>4. COMMENTS RECEIVED BEFORE SCOPING REPORT REVIEW PERIOD: Stakeholders and I&amp;APs</b> .....	<b>30</b>
<b>5. COMMENTS RECEIVED BEFORE SCOPING REPORT REVIEW PERIOD: Organs of State</b> .....	<b>33</b>
<b>6. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW PERIOD: Stakeholders and I&amp;APs</b> .....	<b>35</b>
<b>7. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW PERIOD: Organs of State</b> .....	<b>41</b>
<b>8. OTHER</b> .....	<b>65</b>
<b>8.1. General Comments</b> .....	<b>65</b>
<b>8.2. Request for Registration as I&amp;AP</b> .....	<b>66</b>
<b>8.3. Request for Release Code to Project Information on Website</b> .....	<b>67</b>

The Hyperion Solar Development 2 Environmental Impact Assessment Process was announced on Friday, 21 September 2018. All written comments received since the announcement of the Environmental Impact Assessment and during the public review period of the Scoping Report, which was made available for a 30-day review and comment period from **Friday, 26 October 2018** to **Monday, 26 November 2018**, have been included herein.

All comments received during the review and comment period for the Environmental Impact Assessment Report (EIAR), which was available from **Friday, 05 April 2019** to **Friday, 10 May 2019**, have been included in the Final EIAR.

**NOTE:**

In terms of the EIA Regulations of December 2014 (as amended on 07 April 2017, Regulation 44(1)), please note that the comments raised and responses provided at the various Focus Group Meetings held during the 30-day review period of the Scoping Report and the Environmental Impact Assessment Report have been included in **Appendix C7**.

#### LIST OF ABBREVIATIONS / ACRONYMS

ATNS	Air Traffic and Navigation Services	BGG	Burial Grounds and Graves
BA	Basic Assessment	C&RR	Comments and Responses Report
DAFF	Department of Agriculture, Forestry and Fisheries	DEA	Department of Environmental Affairs
DENC	Department of Environment and Nature Conservation	DMR	Department of Mineral Resources
DRPW	Department of Roads and Public Works	DWS	Department of Water and Sanitation
EAP	Environmental Impact Assessment Practitioner	EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme	GLM	Gamagara Local Municipality
HIA	Heritage Impact Assessment	kV	Kilovolt
NEMA	National Environmental Management Act	NHRA	National Heritage Resources Act
RCM	Royal Chaka Minerals	SA CAA	South African Civil Aviation Authority
SAHRA	South African Heritage Resources Agency	SAHRIS	South African Heritage Resources Information System
SR	Scoping Report		

**1. COMMENTS RECEIVED DURING ENVIRONMENTAL IMPACT ASSESSMENT REPORT REVIEW AND COMMENT PERIOD: Organs of State**

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>1.1. We require the following plans that need to be in place:</p> <p>1.1.1. Waste Management Plan – approved by the Directors and the company CEO:</p> <ul style="list-style-type: none"> <li>• The plan must address all the issues during construction and operational phase</li> <li>• Waste Assessment / Inventory</li> <li>• Waste collection, handling and storage</li> <li>• Waste recycling</li> <li>• Hazardous waste handling and disposal</li> <li>• Management of waste storage areas</li> <li>• Disposal</li> <li>• Record keeping</li> <li>• Training</li> </ul> <p>1.1.2. End-of-life Management Plan for PV Modules</p> <p>1.1.3. Safety file module / chapter regarding waste management</p> <p>1.2. The municipality is moving towards a zero waste to landfill approach and this scenario need to be address in the Waste Management Plan in order to provide for the probability that the Municipality do not in future accept any waste from the solar plants.</p> <p>1.3. Wooden crates used in the packaging of PV modules can be reused in the poor communities for heating and food preparation purposes but only if the wood is not treated with a residue poison that is released when wood is burned. If wood is not safety for community use it need to be disposed of at a Hazardous waste landfill site.</p>	<p>Andre Mostert                      Manager: Solid Waste &amp; Environmental GLM</p> <p>E-mail: 16-04-2019</p>	<p>The applicant takes note of the Waste Management Plan and the End-of-life Management Plan required. A Waste Management Plan has been compiled and included as <b>Appendix H</b> of the EMPr. Prior to the commencement of construction phase, a detailed Waste Management Method Statement for the site will be compiled by the Engineering, Procurement and Construction (EPC) Contractor which will include the end-of-life plan for PC modules.</p> <p>The Waste Management Method Statement for Hyperion Solar Development 2 will consider and include a zero waste to landfill approach should the Municipality not accept any waste from solar plants in the future.</p> <p>Wooden crates used in the packaging of PV modules should be provided to poor communities to be reused for heating and food preparation (provided they are not treated). This has been included as a mitigation measure in Objective 12 included in the construction management programme and Objective 8 of the operation management programme of the EMPr (<b>Appendix K</b> of the EIA Report).</p>

NO.	COMMENT	RAISED BY	RESPONSE
	1.4. A letter from Department of Forestry must be supplied that confirmed that the removal of Camelthorn trees are approved on the site.		Comments have been obtained from DAFF on 26 March 2019. It was indicated that Hyperion Solar Development 2 can be constructed, without the need for an offset. DAFF has recommended that an offsite mitigation such as greening may be required. A permit would also be required for the removal of the affected camel thorn trees.
	1.5. Traffic control measures need to be in place at all junctions with main and secondary roads during the construction phase the prevent accidents.		Objective 11 in the construction management programme and Objective 7 in the operation management programme of the EMPr ( <b>Appendix K</b> of the EIA Report) provides mitigation measures to minimise impacts related to traffic. This includes, amongst others, the use of road signage and road markings in the vicinity of the site to enhance road safety.
	1.6. If access road alternative 3 or 4 are used then street lighting measures need to be in place at the junction with R380 that will lit the junction at night on a permanent basis. This include approved traffic signs and warning signs of turnoff.		The recommendation has been added to Objective 7 in the operation management programme of the EMPr ( <b>Appendix K</b> of the final EIA Report). It should however be noted that Access Road Alternative 1 is considered to be the preferred access road from an environmental perspective.
	1.7. All buildings on the premises need to comply with the Energy efficiency requirements of the national building regulations – SANS 10400 – XA and SANS 204. Keep in mind that Gamagara is a climatic zone 6 for energy efficiency purposes.		All buildings on the premises will comply with the energy efficiency requirements of the National Building Regulations (i.e. SANS 10400 - XA and SANS 204). The requirement has been included in Objective 4 in the planning and design management programme of the EMPr (refer to <b>Appendix K</b> of the final EIA Report).
	1.8. Provide a copy of the Water use License when approve by the Department of Water Affairs		The applicant will provide the Gamagara Local Municipality with a copy of the Water Use License once this has been obtained from the DWS.
	1.9. Detail need to be provided regarding water for drinking and washing purposes. If water is used from a borehole these need to be sampled bacteriologically on a quarterly basis and the results must be send to the Environmental section. Chemical analysis of drinking water need to be		The water to be used for drinking and washing purposes, will be extracted from an existing borehole and will be treated to a potable standard. The recommendation made to take samples on a quarterly basis and to provide these to the Environmental section of the Municipality, as well as the need for chemical analysis on an annual basis has been included in Objective 8 of the operation

NO.	COMMENT	RAISED BY	RESPONSE
	<p>done annually. If drinking water do not comply with bacteriological requirements it need to be chlorinated via an inline chlorinator.</p> <p>1.10. Building rubble and excavated earth need to be crushed on site and reused for construction purposes. Disposal of any excess material may be negotiated with the municipality under certain conditions.</p>		<p>management programme in the EMPr (refer to <b>Appendix K</b> of the final EIA Report).</p> <p>Where practically possible, construction and general wastes on-site will be reused or recycled (refer to Objective 12 of the construction management programme in the EMPr). Disposal of excess material must be in accordance with relevant legislative requirements, including the use of licensed contractors and will be negotiated with the municipality where required (refer to Objective 8 of the operation management plan in the EMPr).</p>
2.	<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 EIA and EMPr:</p> <ul style="list-style-type: none"> <li>• 38(4)a — The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit and Burial Grounds and Graves (BGG) Unit has no objections to the proposed development;</li> <li>• 38(4)b — Specific conditions for the development include:                             <ul style="list-style-type: none"> <li>i. a 50m no-go bufferzone around the Viermuisleegte must be adhered to;</li> </ul> </li> </ul>	<p>Natasha Higgitt                      Heritage Officer:                      SAHRA</p> <p>Letter: 06-05-2019</p>	<p>It is acknowledged that the SAHRA APM Unit and the BGG Unit has no objections to the proposed development.</p> <p>The 50m buffer considered to be a no-go area has been avoided by the development footprint. It should be noted that this buffer area is applicable to the solar PV facility and does not include the access road alternatives. The heritage specialist has recommended Access Road Alternative 1 as the preferred alternative as the area affected by this alternative is already disturbed (current farm access road), there is a potential positive cumulative impact through enhancing the understanding of the regional archaeological sequence, and the reuse of this alignment would prevent the destruction of currently undisturbed areas.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	ii. a 30 m no-go buffer zone must be adhered to around the identified heritage built structures and graves;		No heritage built structures or graves have been identified within the development area or 20m access road alternatives.
	iii. permits in terms of section 35(4) of the NHRA and Chapter II and IV of the NHRA Regulations must be applied for the recommended test excavations and sampling of the archaeological sites in areas where in situ gravel will be intersected by foundations, cable trenches and/or access roads. This permit must be applied for well in advance prior to construction;		Permits in terms of Section 35(4) of the NHRA and Chapter II and IV of the NHRA Regulations will be applied for for the recommended test excavations and sampling of archaeological sites in areas where in situ gravel will be intersected by foundations, cable trenches and/or access roads (refer to Objective 2 in the planning and design management programme of the EMPr).
	iv. A Heritage Management Plan inclusive of a Chance Finds Procedure must be developed to manage and protect <i>in-situ</i> heritage resources within the development area. This HMP must be submitted to SAHRA prior to the construction phase;		A Chance Find Procedure has been developed by the heritage specialist and has been included as <b>Appendix M</b> of the EMPr. The procedure and Objective 9 of the construction management programme of the EMPr includes the management and measures to protect in-situ heritage resources and recommends that a detailed Heritage Management Plan be compiled prior to the commencement of construction.
	<ul style="list-style-type: none"> <li>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 with section of the NHRA is an offense in terms of section 51(1)e of the NHRA and item 5 of the Schedule;</li> </ul>		The recommendation made by SAHRA has been included under Objective 9: Protection of Heritage Resources of the construction management programme in the EMPr ( <b>Appendix K</b> of the final EIA Report).

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	<ul style="list-style-type: none"> <li>• 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;</li> </ul>		<p>The recommendation made by SAHRA has been included under Objective 9: Protection of Heritage Resources of the construction management programme in the EMPr (<b>Appendix K</b> of the final EIA Report).</p>
	<ul style="list-style-type: none"> <li>• 38(4)d — See above;</li> </ul>		<p>The conditions made by SAHRA has been included under Objective 9: Protection of Heritage Resources of the construction management programme in the EMPr (<b>Appendix K</b> of the final EIA Report).</p>
	<ul style="list-style-type: none"> <li>• 38(4)e — The following conditions apply with regards to the appointment of specialists:</li> </ul>		
	<ul style="list-style-type: none"> <li>i. With reference to the mitigation work noted above, a qualified archaeologist must be appointed to undertake the work in terms of the permit applied for as noted above;</li> </ul>		
	<ul style="list-style-type: none"> <li>ii. If heritage resources are uncover during the course of the development, a professional archaeologist or paleontologist, 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 paleontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;</li> </ul>		<p>The final EIAr and EMPr will be uploaded onto SAHRIS, Case Number 12966, once finalised and submitted to the DEA for decision-making.</p>
	<ul style="list-style-type: none"> <li>• The Final EIA and EMPr must be uploaded to the SAHRIS application for record purposes;</li> </ul>		<p>The decision on the Application for Environmental Authorisation for the Hyperion Solar Development 2 will be uploaded to the SAHRIS, Case Number 12966, once the decision has been made available from the DEAs.</p>
	<ul style="list-style-type: none"> <li>• The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.</li> </ul>		

NO.	COMMENT	RAISED BY	RESPONSE
3.	<p>The area is located 12km NW of Sishen Airport, which is within the boundaries of the ICAO Annex 14 surfaces associated with the airport.</p> <p>The Solar PV facility will not affect the safety of flights, however, would have to conduct a formal assessment once the project is ready for construction.</p> <p>It may include a requirement for a glint and glare impact assessment to be done as per SACAA requirement (refer to: Obstacle Notice 4/2017 (17/11/2017): Additional Requirements for Solar Project Applications) on the SACAA website.</p>	<p>Simphiwe Masilele                      Obstacle Evaluator                      ANTS</p> <p>Email: 07-05-2019</p>	<p>It is acknowledged that a formal glint and glare impact assessment should be undertaken prior to the construction phase and has been recommended in Objective 4 of the planning and design management programme in the EMPr (refer to <b>Appendix K</b>). It should however be noted that the Visual Impact Assessment (refer to <b>Appendix H</b> of the final EIA Report) has assessed the impact of glint and glare and has considered the impact to be improbable and of low significance.</p>



NO.	COMMENT	RAISED BY	RESPONSE
4.	<p>Your enquiry regarding approval from the SACAA with regard to PV farms refers. There is a SACAA process whereby permission is applied for wrt obstacles which could pose an aviation hazard. More information can be obtained at <a href="http://www.caa.co.za">http://www.caa.co.za</a>. Click on information for industry 'Obstacles' on the LHS. Forms, Part 139-27 and submit on the form itself.</p> <ul style="list-style-type: none"> <li>• Kindly provide a .kml (Google Earth) file reflecting the footprint of the proposed development site including the proposed overhead electric power line route that will evacuate the generated power to the national grid.</li> <li>• Also indicate the <b>highest</b> structure of the project &amp; the Overhead electric power transmission line.</li> <li>• Note that there may be other wind farms and PV farms in the area. Unique names are preferable.</li> <li>• Please always use the proposed PV farm name in the Subject box when corresponding via email with this office and indicate the name &amp; address which should appear on the CAA approval/decline letter.</li> <li>• <i>There is an assessment fee of R920 per application</i></li> <li>• <i>For billing purposes: company name VAT nr. and postal details.</i></li> </ul>	<p>Lizell Stroh                      Obstacle Inspector                      PANS-OPS Section                      Air Navigation Services                      Department                      SA CAA</p> <p>E-mail: 07-05-2019</p>	<p>The required approval process as outlined by the SACAA was acknowledged and forwarded to the Applicant for compliance should they be a successful Bidder.</p> <p>A .kml file with the project layout was provided to Lizell Stroh on 13 May 2019. Information regarding the proposed grid connection does not form part of this EIA and will be undertaken as a separate Basic Assessment Process.</p>
5.	<p>The Department of Roads and Public Works (DRPW) does not have objections against the development of the solar energy facility as proposed, however the following conditions must be complied with at all times in the case of any work undertaken within the statutory road reserve or within a distance of 95 meters from the centerline of any building restriction road (Advertising on Roads and Ribbon Development Act, No. 21 of 1940) and within the statutory road reserve or within 5</p>	<p>I. Mulane                      Chief Director: Roads                      DRPW: NC</p> <p>Letter: 10-05-2019</p>	<p>It is acknowledged that the Department does not have any objections against the Hyperion Solar Development 2.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	meters from the statutory boundary of any public road (Roads Ordinance, 19 of 1976).		
5.1.	The applicant must consult with the relevant traffic department with regards to abnormal load haulage.		Consultation with the relevant traffic department regarding abnormal load haulage is acknowledged and forwarded to the Applicant for compliance should they be a successful Bidder.
5.2.	A Maintenance plan for/on all affected public gravel roads must be submitted to DRPW for review prior to development stage.		A maintenance plan will be compiled and submitted to the DRPW for review prior to the planning and design of the project and has been added to Objective 1 of the planning and design management programme in the EMPr.
5.3.	It is the applicant's duty to notify and meet all other affected stakeholders requirements and interests on the proposed development.		<p>It is confirmed that in terms of the EIA process, compliance to Chapter 6 of the EIA Regulations, 2014, as amended, has been complied with by the EAP for this proposed development on behalf of the Applicant. Proof of consultation is included in <b>Appendix C</b> of the EIA Report.</p> <p>During the construction and operation, the applicant will notify and consult affected stakeholders as required.</p>
5.4.	The Provincial proclaimed roads that will be affected by your proposal are MR938, MN13694 and OG26. N14 (SANRAL national road) will also be affected by your proposed operation during the establishment stage, therefore the applicant must also get consent from the relevant Road Authority.		All relevant authorisations required will be obtained by the Applicant for compliance should they be a successful Bidder.
5.5.	For any alterations and/or additional proposals post this response letter must be communicated to the DRPW for review prior to any execution.		Should any alterations and/or additional proposals occur, the DRPW will be informed.
5.6.	The applicant will bear all costs in connection with this proposal including investigations of existing services that might be affected passing through or alongside the specific road/s.		It is acknowledged that the applicant will bear all costs in connection with the proposal and the requirement and has been forwarded to the applicant for their consideration.

NO.	COMMENT	RAISED BY	RESPONSE
5.7.	No outdoor advertising is permitted on the fence and/or within the road reserve and any outdoor advertising within 95m from the road centerline must be submitted to the DRPW for approval.		Requirement has been acknowledged and added to Objective 1 of the planning and design management plan in the EMPr ( <b>Appendix K</b> of the final EIA Report).
5.8.	The applicant indemnifies the Department against, and holds it harmless from, any claim or damage which may be instituted or suffered by any person, including legal costs incurred, as a result of: <ul style="list-style-type: none"> <li>• non-compliance of the applicant with any condition to which this response letter relates;</li> <li>• the amendment or cancellation of any condition pertaining thereto or the imposition of any new condition including any disputes that may rise because of the above proposal;</li> </ul>		The comment has been acknowledged and forwarded to the applicant for consideration.
5.9.	This response letter does not exempt the applicant from complying with any other law that may be applicable to the proposed work and related activities.		It is acknowledged that the letter from the DRPW does not exempt the applicant from complying with any other law that may be applicable to the proposed work and related activities.
6.	<p><u>The Department has noted that the draft EIAR has complied with the requirement of EIA regulation, 2014 as amended.</u></p> <ul style="list-style-type: none"> <li>• Detailed motivation not to consider other alternative sites was provided in the draft EIAR.</li> <li>• Also the alternatives for placement of Solar PV and associated infrastructure outside sensitive areas were considered in the report.</li> <li>• Efficient public participation process (PPP) during circulation of the final scoping report was undertaken and comments were addressed in the draft EIAR.</li> </ul> <p><u>However, the Department draws your attention to the following:</u></p>	Thando Booie Case Officer: DEA  Letter: 13-05-2019	The applicant and EAP take note that the alternatives included, the public participation process undertaken and the assessment of impacts which is in line with the requirements of the EIA Regulations of 2014, as amended.

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> <li>Please ensure all project components namely all four access road alternatives are included in section 5 of the application form.</li> </ul>		<p>The application form has been updated to reflect all access road alternatives and has been submitted with the final EIA Report.</p>
	<ul style="list-style-type: none"> <li>Please confirm the area to be cleared for the construction of access road alternative two (2) in section 7 of the application form.</li> </ul>		<p>The application form submitted in December 2018 indicated that Access Road Alternative 2 will traverse a CBA2. Access Road Alternative 2 was renamed to Access Road Alternative 3 during the EIA Phase. The application has been updated to reflect this change and has been submitted with the final EIA Report. Approximately 12 240m<sup>2</sup> of indigenous vegetation will be cleared for Access Road Alternative 3.</p>
	<ul style="list-style-type: none"> <li>Please ensure that maps illustrate all the project components inclusive of all four access road alternatives.</li> </ul>		<p>A layout map of Hyperion Solar Development 2 including all four access road alternatives has been compiled and included in <b>Appendix N</b> of the final EIA Report.</p>
	<ul style="list-style-type: none"> <li>Please provide details of the offsite mitigation measures that are to be implemented to mitigate impacts of clearance of <i>Vachellia erioloba</i> and <i>Vachellia haematoxylon</i> species.</li> </ul>		<p>The Ecological Impact Assessment (refer to section 3.6, <b>Appendix D</b> of the final EIA Report) includes details of the offsite mitigation measures to be implemented for Hyperion Solar Development 2 as well as guidelines to be considered.</p>
	<ul style="list-style-type: none"> <li>Ensure that the layout plan for each of the Hyperion developments project encompasses the entire Hyperion development footprint with the specific Hyperion development project highlighted to give an overall representation of the infrastructure for the proposed development.</li> </ul>		<p>A layout map indicating the project site with the development footprint for all four Hyperion Solar Developments have been compiled and included in <b>Appendix N</b> of the final EIA Report.</p>
	<ul style="list-style-type: none"> <li>A layout plan overlaid by all the sensitive features including the Critical Biodiversity Area two (CBA 2) which shows the location of all the proposed development infrastructure together with the existing structures must be submitted with the final EIAR</li> </ul>		<p>The environmental sensitivity and layout map has been updated to include the location of the CBA 2 and has been included as Figure 10.3 in Chapter 10 and in <b>Appendix N</b> of the final EIA Report.</p>
	<ul style="list-style-type: none"> <li>Further ensure that all features are clearly indicated on the legend of the sensitivity layout plan.</li> </ul>		<p>The legend of the sensitivity layout map clearly indicates all infrastructure and features identified.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> <li>Furthermore, you are reminded to ensure that all issues raised and comments received during the circulation of the draft EIA from registered I&amp;APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIA</li> <li>Also ensure that proof of correspondence with the various stakeholders during the draft EIA must be included in the final EIA.</li> <li>Should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be submitted to the Department for consideration.</li> </ul>		<p>All written comments received during the 30-day review and comment period of the draft EIA have been captured in the C&amp;RR and the issues / comments raised have been adequately addressed. Please refer to <b>Appendix C8</b> of the final EIA.</p> <p>Proof of correspondence with registered I&amp;APs are included in <b>Appendix C5</b> and proof of correspondence with Organs of State are included in <b>Appendix C4</b> of the final EIA</p> <p>Proof of reminders to submit comments are included in <b>Appendices C4 and C5</b> of the final EIA.</p>
	<p><u>General Comments</u></p>		
	<p>The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended.</p>		<p>The Public Participation Process is being conducted in accordance with Regulations 39, 40, 41, 42, 43 and 44 of the 2014 EIA Regulations (GNR 326) as amended. An overview of the Public Participation Process is provided in Chapter 6, Section 6.4.3 of the Final EIA Report.</p>
	<p>You are further reminded that the final EIR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Environmental Impact Assessment Report in accordance with Appendix 3 and Regulation 23(1) of the amended EIA Regulations, 2014.</p>		<p>The Final EIA Report complies with the requirements in terms of the scope of assessment and has been compiled in accordance with Appendix 3 and Regulation 23(1) of the EIA Regulations 2014.</p>
	<p>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).</p>		<p>The applicant is cognisant of Regulation 45 of the EIA Regulations of 2014 (as amended). All prescribed timeframes have been met by the applicant.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.</p>		<p>The applicant is cognisant of the need to comply with Section 24F of NEMA with regards to commencing with listed activities. No activities have or will commence on site prior to environmental authorisation being granted by the DEA.</p>

**2. COMMENTS RECEIVED DURING ENVIRONMENTAL IMPACT ASSESSMENT REPORT REVIEW AND COMMENT PERIOD: Stakeholders and I&APs**

1.	<p>Your email has been well received by Royal Chaka Minerals.                      May I humbly bring to your attention that RCM has been awarded a prospecting permit on farm Lyndoch no.432 by the DMR.</p>	<p>Thabo Chaka                      Director: Royal Chama Minerals (Pty) Ltd                       E-mail: 05-04-2019Letter</p>	<p>Savannah Environmental was informed by the DMR of the awarded prospecting right and the information has been forwarded to the Applicant for their attention.</p>
2.	<p>Royal Chaka Minerals Pty Ltd 2007/027173/07 objects to the Solar developments 1 and 2 associated infrastructure on Farm Lyndoch 432, reason being we are granted a prospecting right on the mentioned farm specifically for mining activity.</p> <p>RCM hopes that our objection will receive urgent attention.</p> <p>The above objection should not be interpreted as unwillingness by RCM to negotiate a workable solution for the parties involved.</p>	<p>Letter: 18-04-2019</p>	<p>It has been acknowledged that RCM objects to the establishment of Hyperion Solar Development 2 as a result of a prospecting right on the affected property.</p> <p>In response to RCM's objection, Building Energy South Africa (Pty) Ltd had a meeting with RCM on 30 April 2019. A summary of the meeting has been included in <b>Appendix O2</b> of the final EIA Report. In the meeting, it was confirmed that RCM received the prospecting right in 2009, and that RCM wishes to commence with prospecting within the next three months and that they are awaiting the sign-off of the execution right by the DMR. It was noted at the meeting that RCM had been in contact with the landowner advising him that they would like to enter into an agreement in order to consent to the EIA Application for the development of Hyperion Solar Farm to be able to proceed with its solar construction on Remaining Extent of Farm Lyndoch 432. Following the meeting, the applicant has obtained a Geological Report which confirmed that there are no iron ore, manganese or any other mineral that can be commercially mined on the</p>

			affected property. Considering the findings of the applicant, the applicant has formally responded to RCM on 13 May 2019. The response has been included in <b>Appendix O2</b> of the final EIA Report and includes the Geological Report.
3.	<ul style="list-style-type: none"> <li>Ek wil graag terugvoer kry op die posisie van die toegangspad.</li> </ul> <p><b>Translation:</b>                  Requested feedback regarding the position of the access road.</p>	Nico Steyn Landowner: Farm Cowley  E-mail: 07-05-2019	Access Road Alternative 1 is considered the preferred alternative from an environmental perspective. Access Road Alternative 4 is the second preferred alternative. The DEA will determine which alternative will be authorised.
<ul style="list-style-type: none"> <li>Die toegangs beheer wat toegepas gaan word. Die beheer van toegang van die sonplaas na buurplase.</li> </ul> <p><b>Translation:</b>                  What access control that will be in place and the access control from the PV plant to the neighbouring properties.</p>	The construction site will be fenced of and there will be controlled access at the entrance of the development area.		
<ul style="list-style-type: none"> <li>Die beheer van wind erosie.</li> </ul> <p><b>Translation:</b>                  Control of wind erosion.</p>	The impact of wind erosion has been assessed by the soils specialist and included in <b>Appendix G</b> of the final EIA Report. It was indicated by the specialists that although wind erosion may have an impact before revegetation on adjacent areas, the loss of soil as a resource will be restricted to the actual footprint of Hyperion Solar Development 2. The specialist recommended feasible mitigation measures which has been included in Objective 2 and Objective 10 of the construction management programme in the EMPr. An erosion management plan has also been compiled and included as <b>Appendix F</b> of the EMPr. This plan will be updated and refined once the construction/ civil engineering plans have been finalised following detailed design.		
<ul style="list-style-type: none"> <li>Die vlak van lig besoedeling.</li> </ul> <p><b>Translation:</b>                  Level of light pollution.</p>	The impact of light pollution was considered and assessed by the visual specialists and included as <b>Appendix H</b> and Chapter 8, section 8.6.3 of the final EIA Report. It was determined that the impact will be of low significance with the implementation of mitigation measures such as the use of low key lighting around		

	<ul style="list-style-type: none"> <li>• Waar gaan water vandaan gekry word met monitoring van ondergrondse water vlakke.  <b>Translation:</b>                  Where will water be sourced from and how will the groundwater levels be monitored.</li> <li>• Die vervoer plan na bou fase om voertuie te verminder.  <b>Translation:</b>                  The transportation plan after the construction phase to minimise traffic.</li> <li>• Wat sal geraas vlakke wees?  <b>Translation:</b>                  What will be the level of noise?</li> </ul>		<p>buildings and operational areas that is triggered only when people are present and to ensure that lighting is focused on the development with no light spillage outside the site.</p> <p>Water will be sourced from three existing boreholes located on the affected property. However, these boreholes will be registered with the Department of Water and Sanitation, prior to the project commencing construction. Therefore, groundwater levels will be monitored should this be required by the respective waterboards and/or the DWS.</p> <p>A traffic management and transportation plan was compiled and is included as <b>Appendix I</b> of the EMPr. Objective 11 of the construction management programme and Objective 7 of the operation management programme in the EMPr (<b>Appendix K</b>) include mitigation measures to minimise the impacts related to traffic management and transportation of equipment and materials to site.</p> <p>It has been recommended that a construction period traffic management plan for the site access roads be compiled and implemented to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted.</p> <p>Noise during the construction and operation phases of the project will be within lawfully acceptable levels. In order to reduce low intensity noise levels, work areas need to be effectively screened to reduce or deflect noise. Engineering controls such as modifications to equipment or work areas to make it quieter, the acquisition of equipment designed to emit low noise and vibration, creation of noise barriers, proper maintenance of tools and equipment must be considered (refer to Objective 5 of the construction management programme in the EMPr). Noise from vehicles and powered machinery and equipment on-site should not exceed the manufacturer's specifications, based on the installation of a</p>
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			silencer (refer to Objective 5 of the construction management programme in the EMPr).
4.	Please allow me to make the following comments / observations:	Karl van Heerden Board Member Saasveld Boerdery	
4.1.	I do not feel that the effects of wind erosion was adequately addressed. Any sand blown away from around the structures will be deposited some distance away (outside the actual foot-print, page 174) and could lead to the formation of small dunes. Proper care need to be taken to prevent the sand around the bases of the structures to be swept up by winds, such as the use of geo-sheeting or gravel.	Email: 10-05-2019	<p>The impact of wind erosion has been assessed by the soils specialist and included in <b>Appendix G</b> of the final EIA Report. It was indicated by the specialists that although wind erosion may have an impact before revegetation on adjacent areas, the loss of soil as a resource will be restricted to the actual footprint of Hyperion Solar Development 2. The only impact that may have effects beyond the development footprint is erosion which may cause the sedimentation of the adjacent wetlands (refer to page 174 of the final EIA Report).</p> <p>The specialist recommended feasible mitigation measures which has been included in Objective 2 and Objective 10 of the construction management programme in the EMPr. An erosion management plan has also been compiled and included as <b>Appendix F</b> of the EMPr. This plan will be updated and refined once the construction/ civil engineering plans have been finalised following detailed design.</p>
4.2.	Invasion of alien species. This is well researched with proper actions/controls in place, but as Hyperion 1 borders the farm Saasveld, control of alien species introduced by these developments, might have to be across farm boundaries.		<p>The impact of alien invasive species has been considered and a separate alien plant and open space management plan has been compiled (refer to <b>Appendix C</b> of the EMPr). The plan provides a framework for the management of alien and invasive plant species during the construction and operation of the Hyperion Solar Development 2 and associated infrastructure. Furthermore, Objective 6 of the construction management plan and Objective 3 of the operation management plan in the EMPr (<b>Appendix K</b>) includes mitigation measures to minimise the establishment and spread of alien invasive plants.</p>

4.3.	Mention is made of 5 full time employees. Will there be a limit on family staying on site, e.g direct family only (spouse and kids?).		No employees will be living on-site during the operation phase of the project.
4.4.	Mention is also made of up to 500 employees during the construction phase. Will these employees be housed on-site or brought in by daily transport?		The majority of the labour force is expected to be sourced from the surrounding towns, and no labour will be accommodated on-site during the construction period. Employees will be transported to site on a daily basis by busses should this be required. .
4.5.	Security and crime prevention. In line with 3 and 4 above the mitigation for increase crime nowhere refers to controlled access and mitigation will be reactive rather than preventative and page 240 refers to regional level, but it should be local. I strongly feel that the developers together with the relevant farm owners affected by this development should agree to introduce access control for all vehicles entering this area from the main road during the construction phase. It will also assist the developers with verification of loads delivered. In line with this, all job applicants should be interviewed off-site to minimise the flow of unauthorised people in this area.		<p>The increase in crime has been assessed by the social specialist and is included in the Social Impact Assessment (<b>Appendix J</b> of the Final EIA Report). Page 240 referred to the cumulative impact of the increase in crime (Chapter 9, section 9.8 of the final EIA report). The impact related to the increase in crime associated with the Hyperion Solar Development 2 has been assessed in Chapter 8, section 8.8.3 of the final EIA Report. Mitigation measures proposed by the specialist is on a local level and includes the requirement for controlled access to the development site.</p> <p>The recommendation regarding interviews to be held off-site has been added to Objective 4 of the planning and design management programme in the EMPr.</p>
4.6.	Mention is made of utilising water from boreholes in the vicinity as well as a water purification plant. In the report it is mentioned that 10,000m3 of water per year will be required over the construction period, this is 10 million liter averaging out at 833,333 liters per month, 27,000 liters per day. Nowhere in the report does it mention additional storage dams to store water in off-peak periods. Please note that this will place extreme demands on the boreholes and drought affects the water table as well as output from the boreholes.		Water will be extracted on a when-required basis and no storage of water will take place. The applicant has advised that should the boreholes not produce sufficient water or the allocation of water use is too large for the boreholes, then the applicant will transport water by means of trucks and these will be stored in rainwater tanks. This is considered to be a standard practice.
4.7.	In line with 6 above, the water quality in this area, can be brackish with high salinity and this makes the water unsuitable for building as it attacks the cement mixture,		The water purification plant will purify water extracted, to a potable standard.

	water quality to be taken into consideration in the construction phase.		
4.8.	Access road. If alternative 1 (current road) is selected, it might be wise to review the turn off from the N14 as there has been many close calls when vehicles from behind (travelling from Kuruman to Kathu), try to overtake the vehicle turning right. For road safety an additional lane might be needed on the N14, left lane straight, right lane right turn only. Possibly the same concept for traffic from Kathu.		Should Access Road Alternative 1 be authorised, the layout and design will be finalised. The recommendation for an additional lane has been forwarded to the developer for consideration.
4.9.	LED lights is known to affect owls at night due to their high frequency, but mitigation refers to fitment of motion sensors which will minimise the risk on the perimeter lighting.		Comment acknowledged. All night-lighting should use low-UV type lights (such as most LEDs), which do not attract insects.
4.10.	Page 200 refers to a community liaison officer, this will be lead to peace of mind and lead to good communication and relations. Very important to have in place.		Comment acknowledged. A community liaison officer will be appointed to represent the community and assist the Owner, Contractor and the Engineer with communication between them and the community.

### 3. COMMENTS RECEIVED AFTER SCOPING REPORT REVIEW AND COMMENT PERIOD ENDED: Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1. 1.1.	Thank you very much for allowing officials of the Department of Agriculture, Forestry and Fisheries (DAFF) and the provincial Department of Environment and Nature Conservation (DENC) to do a site inspection at the Remaining Extent of Farm Lyndoch 432 near Kathu on 26 February 2019, for the proposed Hyperion Solar 1, 2, 3 and 4 projects. Your request for feedback refers.  The proposed four (4) 75 MW PV facilities planned on the Remaining Extent of Farm Lyndoch 432, 16 km north of Kathu, refers. The proposed development may have	Mr Julius Kgomanyane Deputy Director: Forestry Management (Other Regions) DAFF  Letter: 26-03-2019	It is acknowledged that Hyperion Solar Development 1, 2, 3 and 4 will have a significant impact on <i>Vachellia erioloba</i> and <i>Vachellia haematoxylon</i> . The impact to these species has been assessed within the Ecological Impact Assessment Report (refer to <b>Appendix D</b> of the EIA Report). The ecologist considered the impact of Hyperion Solar Development 2 on these species in isolation, and cumulatively.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>significant impacts on <i>Vachellia erioloba</i> and <i>Vachellia haematoxylon</i>. As mentioned before, the Department will assess cumulative impacts of the four proposed developments, even if constructed by different companies and / or at different time intervals (if authorised), because it is located on one property. The proposed development(s), if authorised, would have significant impacts on protected trees. The ecologist, Mr. Simon Todd found that the portion of the property located to the east of Vlermuisleegte, is too sensitive for development due to the large numbers of mature Camel thorn trees. This area was marked as a no-go area for development (see figure 1). DAFF agrees with his recommendation</p> <p>The portion of the property to the west of Vlermuisleegte, was found to be more suitable for development of the four solar energy facilities next to each other, each with a development footprint of 200 ha to 250 ha.</p> <p>Mr. Todd's survey revealed that 1 4 000 Camel thorn trees will be destroyed per PV facility, thus about 16 000 in total for the four facilities. In addition, approximately 42 000 Grey Camel thorn trees will be destroyed per facility, thus in total about 168 000 Grey Camel thorns.</p> <p><b>Figure 1 included in Appendix C6</b></p>		
1.2.	<p>Hyperion Solar 1 is planned on the area affected by a veldfire in 2010. The veld is recovering, but many of the trees found in this area are smaller Camel thorn trees and coppicing Grey Camel thorns. The Department is of the opinion that Hyperion Solar 1 can be</p>		<p>This comment is acknowledged. Response to this comment is included in the C&amp;RR for Hyperion Solar Development 1.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	constructed on the burnt area, without the need for an offset.		
1.3.	The Department can possibly also permits construction of Hyperion Solar 2 without an offset, although it may be subjected to offsite mitigation conditions such as greening. Normally a ratio of 3:1 is used; for every protected tree destroyed three (3) seedlings must be planted.		It is acknowledged that Hyperion Solar Development 2 does not require the need for an offset. The DAFF's recommendation is supported by the conclusion drawn from the Ecological Impact Assessment (refer to <b>Appendix D</b> ) which states that the site is not exceptional in terms of the size or density of trees present, and that an offset is not required. The loss of the affected individuals should be seen as being secondary to the loss of habitat. It is furthermore acknowledged that the project may be subjected to offsite mitigation such as greening.
1.4.	Hyperion Solar 3 and 4 is likely to trigger offsets under the NFA due to the cumulative quantities of protected trees involved.		This comment is acknowledged. Response to this comment is included in the C&RR for Hyperion Solar Development 3 and Hyperion Solar Development 4.
1.5.	The DAFF Scientific Services recommends that an offset specialist be appointed, to make recommendations. It is difficult to say upfront exactly what the nature of the offset must be and what it will cost. Getting an offset in place is a process of negotiation between the developer and the regulating authorities. It is also a very time consuming process. If an offset specialist is not appointed, then the off-set guidance in appendix 1 should be followed.		The EAP and Applicant takes note of DAFF's recommendation for the appointment of an offset specialist. This will be undertaken should the projects be selected as a preferred bidder in the Department of Energy's Renewable Energy Independent Power Producer Procurement (REIPPP) Programme and the projects proceed to construction.
1.6.	Ideally, an offset should be in the form of land set aside for conservation and formally declared as a Protected Area or Nature Reserve under the relevant applicable legislation. Provision must also be made for the long-term management of the offset area		The developer proposes to conserve the eastern side of the site as an off-set under the relevant applicable legislation and manage this as a conservation area until the solar facilities are decommissioned. This will be further discussed with the DAFF/DENC and should both parties come to an acceptable agreement then this will; be implemented.
1.7.	Preference would be given to expansion of existing land offsets / nature reserves / conservation areas i.e. Kathu Forest Protected Woodland and Kathu Forest		It is acknowledged that preference will be given to the expansion of existing land offsets / nature reserves / conservation areas i.e. Kathu Forest Protected Woodland and Kathu Forest Nature Reserve. In the

NO.	COMMENT	RAISED BY	RESPONSE
	Nature Reserve. If that is not feasible, an alternative might be to try and expand the existing Brooks and Bredenkamp offset areas / Nature Reserve in the vicinity of Kathu.		event that an offset is required, a suitable area will be agreed with DAFF.
2.	<p>You may proceed with the EIA process in accordance with the tasks contemplated in the PoSEIA and the requirements of the EIA Regulations 2014, as amended. However, you must take note of the following comments from the Department:</p> <p><u>Technical Details of the proposed facility and design alternative</u></p> <ul style="list-style-type: none"> <li>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 for the minimum information required is listed under point 2 of the EIA information required for PV facilities below.</li> <li>Further, the EIAR must include the design alternative for the proposed 75MW PV facility.</li> </ul> <p><u>Application for re-zoning</u></p> <p>The EIAR must include proof indicating that an application for the re-zoning has been lodged with the National Department of Agriculture as development on agricultural land needs to be approved by the National Department of Agriculture in terms of the subdivision of Agricultural Land Act 70 of 1970 (SALA).</p>	Thando Booï Case Officer: DEA  Letter: 25-01-2019	<p>Chapter 2, Table 2.2 of the EIA Report provides the technical details for Hyperion Solar Development 2, including their description and/or dimensions.</p> <p>Chapter 3 of the EIA Report provides a description of the various alternatives considered for Hyperion Solar Development 2. The design alternative proposed for the project is considered to be the most reasonable and feasible alternative for the development and therefore no design alternatives were identified or assessed.</p> <p>A rezoning application will be undertaken as a separate process by the developer once the project has been selected as a preferred bidder project in the Department of Energy's Renewable Energy Independent Power Producer Procurement (REIPPP) Programme. Please further note that in order for the rezoning application to commence, the Developer is required to have an existing and valid EA. Should a positive decision be made by the Competent Authority on this Application, then shortly thereafter a rezoning application/SALA will be lodged with the relevant Municipality and the DAFF.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p><u>The EIA must also provide the following:</u></p> <ul style="list-style-type: none"> <li>• Clear description of all associated infrastructure. This description must include, but not limited to the following:                             <ul style="list-style-type: none"> <li>○ Power lines;</li> <li>○ Internal roads infrastructure; and</li> <li>○ All supporting onsite infrastructure such as laydown area, guard house and control room etc.</li> <li>○ All necessary details regarding all possible locations and sizes of the proposed satellite substation and the main substation.</li> <li>○ Information on services required on the site, e.g. sewage, refuse removal, water and electricity, agreements with suppliers and confirmation of capacity been obtained must be provided.</li> </ul> </li> </ul>		<p>The Hyperion Solar Development 2 and all associated infrastructure has been described in Chapter 2 of the EIA Report. Information on services required on the site (e.g. sewage, refuse removal, water and electricity), agreements with suppliers and confirmation of capacity had been requested from the municipality but not confirmation has been received to date.</p> <p>Proof of the requests have been included in <b>Appendix O</b> of the EIA Report. Licensed contractors for such services will be utilised when and if required should insufficient capacity is in fact confirmed by the Municipality.</p>
	<p><u>Need and Desirability of the proposed development</u></p> <p>The Department has noted that there are other projects of similar nature in the area, therefore; your EIA must provide detailed description of the need and desirability of the proposed development taking into account cumulative impacts as a result of similar development in the area.</p>		<p>The need and desirability of the project has been described in detail in Chapter 5 of the EIA Report which considers other projects operating and under construction in the area. Chapter 9 of the EIA Report assesses the potential for cumulative impacts associated with the project and other projects in the area.</p>
	<p><u>A copy of the final site layout map and alternatives.</u></p> <p>All available biodiversity information must be used in the finalisation of the layout map.</p> <ul style="list-style-type: none"> <li>• The layout map must indicate the following:                             <ul style="list-style-type: none"> <li>○ PV positions and its associated infrastructure;</li> <li>○ Permanent laydown area footprint;</li> <li>○ Internal roads indicating width (construction period width and operation period width) and</li> </ul> </li> </ul>		<p>A copy of the final site layout map which indicates the information requested by DEA in the Acceptance of Scoping is provided in <b>Appendix N</b> of the EIA Report.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>with numbered sections between the other site elements which they serve (to make commenting on sections possible);</p> <ul style="list-style-type: none"> <li>o Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used;</li> <li>o The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;</li> <li>o Substation(s) and/or transformer(s) sites including their entire footprint;</li> <li>o Connection routes (including pylon positions) to the distribution/transmission network;</li> <li>o All existing infrastructure on the site, especially roads;</li> <li>o Buffer areas;</li> <li>o Buildings, including accommodation; and</li> <li>o All "no-go" areas.</li> </ul>		
	<p><u>Topographical and sensitive Maps</u></p> <ul style="list-style-type: none"> <li>• An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process must be on an A3 page with a clear legend.</li> </ul>		<p>An A3 environmental sensitivity map is provided in <b>Appendix N</b> to the EIA Report.</p>
	<ul style="list-style-type: none"> <li>• A topographical map combining the final layout map superimposed (overlain) on the environmental sensitivity map must be submitted with the final EIAR.</li> </ul>		<p>A layout map overlain by environmental sensitivities is provided in <b>Appendix N</b> to the EIA Report.</p>
	<p><u>Shapefile of the preferred Development layout</u></p>		



NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> <li>• A shapefile of the preferred development layout/footprint must be submitted to this Department.</li> <li>• The shapefile must be created using the Hartebeesthoek 94 Datum and the data should be in Decimal Degree Format using the WGS 84 Spheroid.</li> <li>• The shapefile must include at a minimum the following extensions i.e. .shp; .shx; .dbf; prj; and, .xml (Metadata file). If specific symbology was assigned to the file, then the avl and/or the .lyr file must also be included.</li> <li>• Data must be mapped at a scale of 1:10 000 (please specify if an alternative scale was used). The metadata must include a description of the base data used for digitizing.</li> <li>• The shapefile must be submitted in a zip file using the EIA application reference number as the title. The shape file must be submitted to:  <b>Postal Address:</b> Department of Environmental Affairs                      Private Bag X447 Pretoria 0001  <b>Physical address:</b> Environment House 473 Steve Biko Road Pretoria  <b>For Attention:</b> Muhammad Essop Integrated Environmental Authorisations Strategic Infrastructure Developments  <b>Telephone Number:</b> (012) 399 9406  <b>Email Address:</b> MEssop@environment.gov.za</li> </ul> <p><u>The Environmental Management Programme (EMPr)</u>                      The EMPr to be submitted as part of the EIAR must include the following:</p>		<p>Shapefiles of the preferred development layout / footprint will be submitted to the DEA with a copy of the final EIA Report for Hyperion Solar Development 2.</p> <p>The EMPr prepared for the project is attached as <b>Appendix K</b> to the EIA Report, copies of which have been submitted to DEA for its review and comment.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	i. All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.		i. The EMPr contains all recommendations and mitigation measures recorded in the EIA Report and the specialist studies conducted (refer to <b>Appendix D to J</b> of the EIA Report).
	ii. A good quality final site layout map with clear legend.		ii. The final site layout map is included in Appendix A of the EMPr prepared for the project and attached as <b>Appendix K</b> to the EIA Report.
	iii. Measures as dictated by the final site layout map and micro-siting.		iii. Measures as dictated by the final site layout map are included in the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.
	iv. An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.		iv. The environmental sensitivity map is included in Appendix A of the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.
	v. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		v. A map which superimposes the final layout map over the environmental sensitivity map is included in Appendix A of the EMPr, prepared for the project and attached as <b>Appendix K</b> of the EIA Report.
	vi. An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.		vi. A map which superimposes the final layout map over the environmental sensitivity map is included in Appendix A of the EMPr, prepared for the project and attached as <b>Appendix K</b> of the EIA Report.
	vii. A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.		vii. A plant rescue and protection plan has been prepared for the project, and is included in Appendix D of the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>viii. A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.</p>		<p>viii. A re-vegetation and habitat rehabilitation plan has been prepared for the project, and is included in <b>Appendix E</b> of the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.</p>
	<p>ix. A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.</p>		<p>ix. A traffic management plan has been prepared for the project, and is included in Appendix I of the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.</p>
	<p>x. A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage</p>		<p>x. A storm water management plan has been prepared for the project, and is included in <b>Appendix G</b> of the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	measures must promote the dissipation of storm water run-off.		
	xi. A fire management plan to be implemented during the construction and operation of the facility.		xi. A fire management plan has been prepared for the project, and is included in <b>Appendix J</b> of the EMPr, prepared for the project and attached as <b>Appendix K</b> to the EIA Report.
	xii. Measures to protect archaeological sites, artefacts, paleontological fossils or graves from construction and operational impacts.		xii. Measures to protect archaeological sites, artefacts, paleontological fossils or graves have been identified and are included in the EMPr prepared for the project, and attached as <b>Appendix K</b> to the EIA Report.
	The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and not included in the EMPr.		Where there are deviations from DEA's requirements stipulated in the Acceptance of Scoping, a motivation has been provided.
	You are hereby reminded that should the EIAr fail to comply with the requirements of this acceptance letter, the proposed Hyperion Solar Development 4 and associated infrastructure project in the Northern Cape Province will be refused in terms of the EIA Regulations 2014, as amended. Public Participation		Savannah Environmental is cognisant of the requirements stipulated in the Acceptance of Scoping and have addressed these in the EIA Report (as detailed within this table).
	<u>Public Participation</u>		
	Ensure that all relevant stakeholders' comments are submitted to the Department with the final EIAr. This includes but is not limited to the Department of Environmental Affairs: Biodiversity and Conservation Directorate, the Department of Agriculture, Forestry and Fisheries (DAFF), Northern Cape Department of Environment and Nature Conservation, the South African Civil Aviation Authority (SACAA), the Department of Transport, Gamagara Local Municipality, Department of Water and Sanitation (DWS), the South African National Roads Agency Limited (SANRAL), the South African Heritage Resources Agency (SAHRA), the Endangered Wildlife		Comments received to date from all relevant stakeholders, have been included within this Comments and Responses Report. Proof of correspondence to and from these stakeholders are included in <b>Appendix C5</b> and <b>Appendix C6</b> of the EIA Report.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>Trust (EWT), Department of Mineral Resources, National Energy Regulator of South Africa(NERSA), National Department of Energy, South African National Defense Force, Eskom, Cape Nature and Birdlife South Africa.</p> <p>Proof of all correspondence must be included in the EIAR. 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>The applicant is hereby reminded to comply with the requirements of Regulation 45 with regard to the time period allowed for complying with the requirements of the Regulations, and Regulations 43 and 44 with regard to the allowance of a comment period for interested and affected parties on all reports submitted to the competent authority for decision-making. The reports referred to are listed in Regulation 43(1).</p>		<p>All comments received to date have been included within this Comments and Responses Report. Where comments haven not been obtained, proof that attempts were made to obtain comments have been included in Appendix C4 (organs of state correspondence) and Appendix C5 (stakeholder correspondence). A distribution list for the EIA Report has been drafted and will be updated with the waybill numbers and the proof of follow-up for written comments. This document will be included in Appendix C5 in the final EIA Report.</p> <p>The database with the registered I&amp;APs are included as <b>Appendix C1</b> in the EIA Report.</p> <p>Savannah Environmental is cognisant of the need to comply with Regulations 43, 44 and 45 of the 2014 EIA Regulations (GNR 326).</p> <p>» <b>Regulation 43 (GNR 326):</b>                      This EIA Report has been made available for a 30-day public review period from <b>05 April to 10 May 2019</b>. The EIA Report has been distributed to relevant Organs of State and a copy has been made available at the Kathu Public Library, corner of Hendrik van Eck Road and Frikkie Meyer Street, Kathu. The EIA Report which has been submitted to the national DEA, the Northern Cape DENC, and relevant Organs of State is also available for download from Savannah Environmental's website (<a href="https://www.savannahsa.com/public-documents/energy-generation/">https://www.savannahsa.com/public-documents/energy-generation/</a>) or on CD on request from Savannah Environmental (Pty) Ltd.</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>» <b>Regulation 44 (GNR 326):</b>                      Comments from I&amp;APs received to date are included in the Comments and Response (C&amp;R) Report attached as Appendix C8 to this EIA Report.</p> <p>» <b>Regulation 45 (GNR 326):</b>                      Acceptance of Scoping was received from DEA on 29 January 2019. In accordance with Regulation 23(1)(a) (GNR 326) the applicant must within 106 days of the acceptance of the Scoping Report submit to the authority an EIA Report inclusive of any specialist reports, and an EMPr, which must have been subjected to a public participation process of at least 30-days and which includes the incorporation of comments received, including any comments of the competent authority. The EIA Report has been released for a 30-day public review period from 05 April to 10 May 2019. Comments received during this 30-day public review period will be incorporated into the C&amp;R Report to be attached as Appendix C8 to the Final EIA Report. The Final EIA Report inclusive of specialist studies and an EMPr is due to be submitted by 10 May 2019.</p>
	<p>Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38(8) of the National Heritage Resources Act, Act 25 of 1999. Comments from SAHRA and/or the</p>		<p>Savannah Environmental acknowledges that should the application be subject to Section 38 of the National Heritage Resources Act, Act 25 of 1999, the Department will require a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority. Comments from SAHRA and/or the provincial department of heritage have been requested.</p>

NO.	COMMENT	RAISED BY	RESPONSE
3.	<p>provincial department of heritage must be provided in the EIAr.</p> <p>We acknowledge receipt of your application in the abovementioned matter. We have noted the contents thereof.</p> <p>I wish to inform/notify you that in order for this office to provide you with proper comments as requested, consultations with various role players of this Department has to take place, namely:</p> <ul style="list-style-type: none"> <li>i. The Principal Inspector of Mines, Northern Cape Region;</li> <li>ii. The Director: Mine Surveying (Pretoria)</li> </ul> <p>The aforesaid consultation process may take longer than the prescribed 60 days period, therefore if we do not comment within the prescribed timeframe it should not be construed as if we do not have any comments to furnish.</p>	<p>Mboneni Mutheiwana                      Acting Regional                      Manager: Northern                      Cape: DMR                      Letter: 31-02-2019</p>	<p>The relevant contact people have been added to the project database (refer to <b>Appendix C1</b>) and will be consulted as required.</p> <p>Note that as this application is in terms of the EIA Regulations, 2014, as amended, <b>Regulation 3(4)</b> "When a State department is requested to comment in terms of these Regulations, such State department must submit its comments in writing within 30 days from the date on which it was requested to submit comments and if such State department fails to submit comments within such 30 days, it will be regarded that such State department has no comments."</p> <p>Any comments submitted after the regulated 30-days should be submitted directly to the case officer for this project (i.e. Ms. Dakalo Netshiombo, Email: DNetshiombo@environment.gov.za).</p>
3.1	<p>According to our available records there is a granted right by Royal Chaka Minerals (Pty) Ltd (PO Box 82, Windsorton, 8750, Tel 053 551 0089), there is an accepted permit held by GTC Project Management (Pty) Ltd (Shop 43, Kathu, 8446, Cell: 079 124 8247, Email: <a href="mailto:alberto@abcr.co.za">alberto@abcr.co.za</a>). You are therefore requested to consult with the above entities and submit proof thereof within 30 days of this letter.</p>		<p>It can be confirmed that the two (2) permit holders are captured on the project database and will receive all future project related documents (refer to <b>Appendix C1</b>).</p> <p>Telephonic contact has been made with Mr Alberto Meyer from GTC Project Management. It was requested that project information be forwarded to Mr Charl Isaacs, Director: GTC Project Management to the e-mail address provided. Proof of information sent to Mr Isaacs is included in Appendix C5 of the EIAr.</p> <p>During the telephone discussion held, Savannah Environmental was informed that Royal Chaka Minerals (Pty) Ltd was the previous permit holders, before GTC Project Management. Royal Chaka Minerals (Pty) Ltd could not be reached as the telephone number, as provided, does not exist.</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>A follow-up call was made to the affected landowner who indicated that he will forward the contact details he has of Royal Chaka Minerals (Pty) Ltd to Savannah Environmental. Follow up will be made to attempt to obtain comments.</p> <p><b>EIA review period:</b>                      Contact has been made and proof of notification and subsequent communication with both parties are included in <b>Appendix C5</b> of the final EIA.</p> <p>Written comments on the EIA were received from Royal Chaka Minerals and is included in <b>Appendix C6</b> of the final EIA.</p>

**4. COMMENTS RECEIVED BEFORE SCOPING REPORT REVIEW PERIOD: Stakeholders and I&APs**

NO.	COMMENT	RAISED BY	RESPONSE
5.	<p>Die pad deur die plaas Lyndoch, parallel met Vlermuisleegte is die hoof toegangs pad na die plaas SAASVELD.                      KOMMENTAAR: (soos gelys op die aansoek vorm en addisioneel).</p> <p><b>Translated:</b>                      The road through the farm Lyndoch, parallel with Vlermuisleegte is the main access road to the farm Saasveld.                      COMMENTS: (as listed on the Reply Form and additional)</p>	<p>Karl van Heerden                      Board Member                      Saasveld Boerdery</p> <p>Email and Reply Form:                      03-10-2018</p>	<p>It is noted that T26 gravel road is an existing road and is used regularly by residents in the area as the main access road to the farm Saasveld and the farm Lyndoch.</p>
	<p>COMMENTS: (as listed on the Reply Form and additional)</p>		



NO.	COMMENT	RAISED BY	RESPONSE
5.1.	<p>Sekerheid oor gebruik van die toegangs pad via Lyndoch, en impak van addisionele swaar verkeer en onderhoud op die huidige toegangspad (T26) vanaf die N14.</p> <p><b><u>Translated:</u></b>                      Certainty on the use of the access road via Lyndoch and the impact of additional heavy traffic and maintenance on the current access road (T26) from the N4.</p>		<p>In-depth specialist studies and field investigations are to be undertaken during the Environmental Impact Assessment (EIA) Phase of the project, which will inform the preferred access road alternative. A comparative assessment will be undertaken whereby the potential positive and negative impacts will be weighed up against each other for each alternative route, to determine the preferred environmental option. Suitable mitigation measures will be formulated by the specialists where required.</p>
5.2.	<p>SAASVELD boerderye moet asseblief op sirkulasie van Omgewings impak studie geplaas word.</p> <p><b><u>Translated:</u></b>                      Saasveld farming must please be placed on the circulation of the Environmental Impact study.</p>		<p>Saasveld Boerdery has been added to the project database and will be informed once the Scoping Report is available for public review</p>
5.3.	<p>Daar moet 'n rehabilitasie fonds wees om die area te rehabiliteer indien die projek gestaak sou word (om watter rede ookal) vir elk van die 4 applikante / ontwikkelaars.</p> <p><b><u>Translated:</u></b>                      There has to be a rehabilitation fund to rehabilitate the area should the project be discontinued (for whatever reason) for each of the 4 applicants/developers.</p>		<p>A rehabilitation plan will be compiled as part of the EMPr during the EIA Phase. As the project is in the early stages of the project planning phase, information regarding a rehabilitation fund is not available at this stage of the project.</p>
5.4.	<p>Die area is 'n gras savannah met redelike baie Kameeldoringboom (en ook swarthaak wat vervuild is). Maar die plantegroei hou die toplaag sand in beheer. Wat gaan die effek van wind-erosie rondom die son-panele wees?</p> <p><b><u>Translated:</u></b></p>		<p>The impact of soil erosion due to the movement of water and wind has been considered as part of the Soil and Agricultural Potential Assessment for the project (refer to <b>Appendix G</b> of the Scoping Report). Soil erosion is considered a possible impact, especially where vegetation will be removed during the construction phase of the project. The significance of the impact will be assessed in detail in the EIA Phase, and detailed mitigation measures will be</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>The area is a savannah grassland with very reasonable Camelthorn trees (including Swarthaak that is infested). The topsoil is controlled by the flora which keeps the sand in control. What effect will wind erosion have around the solar panels?</p>		<p>proposed to minimise and reduce the potential impact of wind and soil erosion as far as possible. The proposed mitigation measures will be included in the Environmental Management Programme (EMPr) which will need to be implemented by contractors during the operation phase and the developer in the operation phase, where required.</p>
5.5.	<p>Verhoogde brandgevaar as gevolg van "vergrootglas effek" op gebreekte glas en addisionele krag lyne en sub-stasie.</p> <p><b><u>Translated:</u></b>                      Higher fire danger as a result of "magnifying glass effect" from broken glass and additional power lines and substation.</p>		<p>The potential increased risk of fire as a result of the proposed development (including the on-site substation) will be assessed as part of the EIA Phase of the project. The 132kV power line will be assessed as part of a separate Basic Assessment (BA) process and the increased risk of fire as a result of the power line will not form part of this EIA process. As per point 1.5 above, the proposed mitigation measures will be included in the EMPr which will need to be implemented by contractors during the operation phase and the developer in the operation phase, where required.</p>
5.6.	<p>Ligging van Kantore, Werks-winkel, store en tydelike werwe ten opsigte van plaas SAASVELD (Veiligheids risiko as gevolg van toenemende onbeheerde toegang tot plase). Rehabilitasie van tydelike werwe / ongebruikte geboue.</p> <p><b><u>Translated:</u></b>                      Location of offices, workshops, warehouses and temporary sites with regards to the farm Saasveld (Safety risk with regards to the rising of uncontrollable access to farms). Rehabilitation of temporary sites / unused buildings.</p>		<p>Controlled access will be established at the entrance of the project site. No construction workers will be allowed to wander around onto other properties. Safety and security impacts will be assessed as part of the EIA Phase. All areas where temporary infrastructure will be placed, will be rehabilitated post-construction. Recommended rehabilitation methods will be included in the EMPr to be compiled as part of the EIA Phase.</p>
5.7.	<p>Visuele en geraas impak vanaf kantore en werks-winkel.</p> <p><b><u>Translated:</u></b>                      Visual and Noise impact from offices and workshops.</p>		<p>Visual and noise impacts (during construction) will be assessed as part of the EIA Phase of the project.</p>

NO.	COMMENT	RAISED BY	RESPONSE
5.8.	Oprigting van 132kV oorhoofse kraglyn. Duidelikheid benodig oor posisie van die kraglyn vanaf die interne sub-stasie tot by die FERRUM lyn (of alternatief).  <b><u>Translated:</u></b> Construction of the 135kV overhead power line. Clarity needed on corridor of the power line from the internal substation to the FERRUM line (or alternative).		The power line, which will be a 132kV capacity power line, will be assessed as part of a separate BA process which has not as yet commenced. The power line does not form part of this application.
5.9.	Ons waardeer die uitnodiging om te registreer as ge-afekteerde en beangstellende party.  <b><u>Translated:</u></b> We appreciate the invitation to register as an interested and affected party.		It is acknowledged that it is appreciated that an invitation to participate has been extended to yourself.

#### 5. COMMENTS RECEIVED BEFORE SCOPING REPORT REVIEW PERIOD: Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	The following comments were submitted:	Natasha Higgitt	
1.1.	As the proposed development is undergoing an EA Application process in terms of the National Environmental Management Act, 107 of 1998 (NEMA), and the NEMA Environmental Impact Assessment (EIA) Regulations it is incumbent on the developer to ensure that a Heritage Impact Assessment (HIA) is done as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). This must include an archaeological component, palaeontological component and any other applicable heritage components. The HIA must be conducted as part of the EA Application in terms of NEMA and the NEMA EIA Regulations. The quickest process to follow for the	Heritage Officer SAHRA  Letter: 03-10-2018	The recommendation received from the South African Heritage Resources Agency (SAHRA) is acknowledged.  A Heritage Impact Assessment (HIA) as per section 38(3) and 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA) has been undertaken as part of the Scoping Phase of the project and is included as <b>Appendix I</b> of the Scoping Report. The HIA compiled complies with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments. A detailed impact phase HIA will also be included and submitted accordingly at a later stage, should approval to proceed with the EIA Phase be received by the DEA. This study too, will comply with

NO.	COMMENT	RAISED BY	RESPONSE
	archaeological component would be to contract a specialist (see www.asapa.org.za or www.qphp.org.za to provide an Archaeological Impact Assessment (AIA). The AIA must comply with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments.		SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Component of Impact Assessments.
1.2.	The proposed prospecting area is located within an area of moderate sensitivity in terms of palaeontological resources. An assessment of the impact of the development on palaeontological resources is required to be completed by a qualified palaeontologist. The report must comply with the SAHRA 2012 Minimum Standards: Palaeontological Component of Heritage Impact Assessments (a list of qualified palaeontologists can be supplied upon request).		It is noted that the project site is located within an area of moderate palaeontological sensitivity. The impact of the proposed development on palaeontological resources has been assessed as part of the Scoping Phase and is included in <b>Appendix I</b> of the Scoping Report. The assessment has been undertaken by a qualified palaeontologist.
1.3.	Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as maritime archaeology, 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.		All heritage resources as defined in section 3 of the NHRA that may be impacted by the Hyperion Solar Development 2 has been considered and assessed as part of the HIA included in <b>Appendix I</b> of the Scoping Report. A detailed impact phase HIA will also be included and submitted accordingly at a later stage, should approval to proceed with the EIA Phase be received by the Department of Environmental Affairs (DEA). This study too, will comply with Section 3 of the NHRA, and will be assessed accordingly.
1.4.	The draft Scoping report and appendices must be submitted at the start of the public review period so that an informed comment may be issued.		The draft Scoping report and appendices will be submitted to SAHRA via the SAHRIS website once it is available for review and comment at the start of the public review period accordingly.

**6. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW PERIOD: Stakeholders and I&APs**

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>We have received documentation regarding the proposed access road to Lyndoch solar facility. Our farms, Oupos and Uitkoms, are some of the farms that will be influenced by option 2 access road. In option 2, the road is proposed to meet T25 at a sharp (almost 90 degrees) bend. Taking into consideration that T25 already has very high traffic, the proposed road in option 2 will be hazzardous. An entrance can't be made on that sharp bend, since you don't have a clear view of oncoming traffic on the other side of the bend. Traffic also moves quite fast on that part of the road. Thus, we strongly oppose to option 2 access road to Lyndoch solar facility using T25.</p>	<p>Schalk Burger                      Landowner                       Email: 30-10-2018</p>	<p>Your opposition to access road Alternative 2 is acknowledged on the basis that traffic may pose a safety risk at the 90 degree bend point along the T25. The aspects of this impact will be forwarded to the visual and social specialist, and evaluated further in the impact phase where an assessment will be undertaken. Kindly note that all impacts will therefore be taken into consideration, and evaluated against each of the access road alternatives proposed in the impact phase. An environmentally preferred option will be proposed based on environmental merit, which may also take into account other variables such as social, economic and technical criteria. In addition, it must also be mentioned that the investigation of additional alternative access routes are currently being undertaken at this stage due to environmental sensitivities identified on both the proposed alternative access routes, and will be included in the impact phase once finalized for detailed assessment in the impact phase.</p>
2.	<p>I hereby want to object against the possible access via the T25 road. The Kathu Solar Farm project showed us how unsafe and reckless taxi- and truck drivers can be, especially on a gravel road with a lot of dust. To enter and exit the T25 from the side with a new overload of traffic will be irresponsible and totally unsafe. The gravel road produces heavy dust with very poor visibility. The construction of a new solar development will require a lot of trucks which will have to turn across the road and that will cause very high risk for accidents. Please use the straight T26 to the sight. The T25 already carries traffic for 1 solar development, it definitely will not be able to handle a second development.</p>	<p>Linda Burger                      I&amp;AP                       Email: 6-11-2018</p>	<p>Your opposition to access road Alternative 2 is acknowledged on the basis that traffic (trucks and taxis) may pose a safety risk due to dust along the T25. The aspects of this impact will be forwarded to the visual and social specialist, and evaluated further in the impact phase where an assessment will be undertaken. Kindly note that all impacts will therefore be taken into consideration, and evaluated against each of the access road alternatives proposed in the impact phase. An environmentally preferred option will be proposed based on environmental merit, which may also take into account other variables such as social, economic and technical criteria. In addition, it must also be mentioned that the investigation of additional alternative access routes are currently being undertaken at this stage due to environmental sensitivities identified on both the proposed alternative access routes, and will be</p>

NO.	COMMENT	RAISED BY	RESPONSE
			included in the impact phase once finalized for detailed assessment in the impact phase.
3.	We live on the farm Oupos, next to Lyndoch. We use the T26 more than once on a daily basis. It will be an absolute disaster if another group of heavy traffic access this gravel road. Apart from the surface of the road which will not keep up with the traffic, the dust and especially the entrance at the bend with no visibility will cause many accidents.	Jan Burger I&AP  Email: 7-11-2018	Your concern with regards to access road Alternative 1 is acknowledged on the basis that heavy traffic may pose a degradation, safety risk and dust impacts along the T26. The aspects of this impact will be forwarded to the visual and social specialist, and evaluated further in the impact phase where an assessment will be undertaken. Kindly note that all impacts will therefore be taken into consideration, and evaluated against each of the access road alternatives proposed in the impact phase. An environmentally preferred option will be proposed based on environmental merit, which may also take into account other variables such as social, economic and technical criteria. In addition, it must also be mentioned that the investigation of additional alternative access routes are currently being undertaken at this stage due to environmental sensitivities identified on both the proposed alternative access routes, and will be included in the impact phase once finalized for detailed assessment in the impact phase.
4.	Farm owner adjacent to the Hyperion project Uiterwijk Familie Trust on farm Eidon and Westfield the following questions/concerns:	Jurie Nel Landowner	No response required.
4.1.	WATER CONSUMPTION. What is the quality of the water needed the source thereof and the consumption per development and in total. There is very little quality underground water available in this area,	Email: 26-11-2018	As per Section 2.5.3 of the Scoping Report, approximately 10 000m <sup>3</sup> of water per year is required over a 12 to 18-month period during construction, and approximately 50 000m <sup>3</sup> of water per year is required per year over the 25-year operational lifespan of the project. Water will be sourced from two (2) existing boreholes located on the project site. A water purification plant may be constructed. The water purification plant will be required for the purposes of purifying water, to be drawn from the two existing boreholes located on the project site, to drinking standards for use during construction and operation.

NO.	COMMENT	RAISED BY	RESPONSE
4.2.	<p>VEGETATION. It is understood from your documentation that the 180 ha per development of the construction area will be landscaped to enable construction which means the area will be a barren plain. Please supply your rehab plan with the type and specie of vegetation planned to revegetate this barren area immediately after construction and the maintenance plan to keep vegetation under control during the lifespan of the project. The rehab plan after the economic lifespan of the to enable further usage of the land. Dust generation as well as wind erosion in this arid area especially downwind in the westerlies should also be a concern,</p>		<p>The requirement for a vegetation rehabilitation plan will be an outcome of the impact phase ecological report which will advise on the need for a rehabilitation plan. However, the impact phase assessment is yet to be undertaken and will only be undertaken following a positive decision on the Plan of Study for the Final Scoping Report to be submitted to the DEA. Your concern in terms of rehabilitation, control of vegetation, dust generation and wind erosion has been provided to the ecological specialist for consideration in the impact phase ecological assessment accordingly.</p>
4.3.	<p>LIGHT POLLUTION. Lighting needed for maintenance and security should be at very low levels given the surrounding land usage. The infrared range for security purposes should be a priority. Please supply your design values for the lighting levels pre and after construction for the affected areas,</p>		<p>It has been identified in the visual scoping report (dated October 2018, Section 5.3, Page 30) that the need to investigate security and operational lighting in the impact phase is to be carried out. This will therefore be undertaken in the impact phase following a positive decision (should this be granted) on the Plan of Study for the Final Scoping Report to be submitted to the DEA.</p>
4.4.	<p>MAINTENANCE AND CONTROL OF UNUSED LAND OR NON DEVELOPEMENT3-4 AND PERIMETER FENCING OF TOTAL PROPERTY. The change in land use leave a concern about the type of outside fencing to be erected and the maintenance there of. Please supply detail of fencing and the maintenance plan.</p>		<p>The proposed development area will be fenced for each proposed project. Each facility will be fenced with faunal sensitive fencing to allow for small faunal movements. In addition, the perimeter fencing will likely be fitted with cameras for security purposes. This will be further detailed in the impact phase of the proposed development, following the decision on the Plan of Study for the Final Scoping Report to be submitted to the DEA.</p>
4.5.	<p>ACCESS ROAD AND CONTROL. The type of road paved/unpaved and the access/control point to this road need to be spelled out.</p>		<p>The details on the type of road surface (paved/unpaved etc.) as well as the access control point will only be provided in the impact phase when the site layouts will be made available for assessment. The project layout sites are therefore not available as yet. This</p>

NO.	COMMENT	RAISED BY	RESPONSE
			information will be made available in the impact phase, which will be taken into account in the assessments.
5.	I have focused mostly on Hyperion 1 as this is adjacent to the farm Saasveld (Portion 1 of Lyndoch). What you will find below is some of my personal observations, as well as feedback to the specific reports. Please see below our comments:	Karl van Heerden Landowner  Email: 26-11-2018	No response required.
5.1.	Access road: In the 1:50,000 topographic map (map section) it shows proposed Access road 1 at Cowley farm to run in the Vlermuisleegte, this road however always runs on the western edge of the laagte in mostly gravel soil. Trying to make it straight from leaving the N14 as per the map will leave you in very thick sand as well as encountering some big Camel thorn trees. You will have to follow the current route.		We are aware that the proposed Alternative 1 access road routes along and partially within the Vlermuisleegte as per the delineations provided in the Watercourse Scoping Report dated October 2018. We are also aware that should this alternative be selected as the preferred and taken through to construction, that the widening of the proposed Alternative 1 access road may result in the clearance of protected tree species. However, at this stage, a preferred alternative has not yet been selected in terms of the access road as the approval of the Plan of Study for the scoping report is required to be approved by the Department of Environmental Affairs to proceed into the impact phase where detailed specialist reports will be undertaken, and will inform the preferred access alternative.
5.2.	The access road to the Hyperion sites is also the access road to Lyndoch portion 1 and needs to be clearly identified as an access road with guaranteed access.		As referred to in point 5.1 above, a preferred alternative has not yet been selected in terms of the access road as the approval of the Plan of Study for the scoping report is required to be approved by the Department of Environmental Affairs (DEA) to proceed into the impact phase where detailed specialist reports will be undertaken, and will inform the preferred access alternative.
5.3.	Currently the farms Cowley, Soetdoring, Lyndoch and Lyndoch portion 1 most possibly houses less than 80 people. At the peak of construction it is noted that there will be up to 500 workers on-site. Nowhere in the scoping reports is public safety addressed. How will the developers ensure the safety of the current occupants		As referred to in point 5.1 above, a preferred alternative has not yet been selected in terms of the access road as the approval of the Plan of Study for the scoping report is required to be approved by the Department of Environmental Affairs to proceed into the impact phase where detailed specialist reports will be undertaken, and will inform the preferred access alternative. In particular, the



NO.	COMMENT	RAISED BY	RESPONSE
	and well as focus on live-stock / game losses? Minimum requirement will be a security check point to be erected at the N14 turn-off onto the access road.		social impact assessment will take into account movement of workers in and out of the site, as well as safety and theft concerns as noted. These concerns will also be provided to the social specialist for their consideration. The social impact report will also include suitable mitigation measures (such as controlled access, as recommended) to address the potential impacts anticipated which each of the access road alternatives. These details will be provided in the impact phase, as mentioned earlier.
5.4.	The border of Hyperion 1 (as well as the others) will need a proper fire-break between the farm Lyndoch and surrounding farms		Your concern in terms of fire and recommendation for a fire break between each of the project sites is acknowledged. This information will be considered for inclusion into the project site layout.
5.5.	On the farm Saasveld (Lyndoch portion 1), there is an existing ground dam wall constructed across Vlermuisleegte. I have never seen this dam full, but it's collection flood plain should be considered. Situated about 3/4 the distance from where it enter portion 1 to where it exits		The full extent of the Vlermuisleegte will be determined in the watercourse impact assessment to be undertaken in the impact phase of the project. The study will consider aspects such as the inundation potential of the watercourse and the associated risk to the proposed access alternatives.
5.6.	Note: At the rocky outcroppings in Vlermuisleegte on the farm Lyndoch water does collect in very good rainy seasons.		The information provided is appreciated and will be passed on to the freshwater specialist to consider in the watercourse impact assessment to be undertaken in the impact phase, following the decision on the Plan of Study for the Final Scoping Report to be submitted to the DEA.
5.7.	One concern that I do not see adequately addressed in the TerraAfrica scoping report is that of wind-erosion around the bases of the solar structures, this is a very sandy soil that needs vegetation to hold it together. See note on 5.1 page 16: "Any area where top-soil will be stripped for construction purposes..... From the nature of this development there will be severe damage to the topsoil with heavy machinery in the construction phase.		The soil scoping report is a desktop, high-level assessment based primarily on database information. In addition, the project layout sites have not as yet been designed. This information will be made available in the impact phase, which will be taken into account. The concern in terms of wind-erosion will be forwarded to the specialist to consider in the impact phase accordingly however.

NO.	COMMENT	RAISED BY	RESPONSE
5.8.	The TerraAfrica scoping report also do not refer to the control of run-off water from the collectors, although it is mentioned in the Watercourse assessment. For the same reason water-run from the collectors need to be properly addressed to minimise erosion and subsequent damage to the access road. This area is prone to heavy thunderstorms and down-pours, rather than to soft penetrating rain.		Control of run-off can be considered to be a soil and water issue. The concern for control of run-off will be provided to the soil specialist to consider ensure it is included in the impact phase accordingly.
5.9.	On the point of visibility and glare, you might need to consider where the N14 direction Kuruman to Kathu crosses the Kuruman heuwels (10km outside of Kuruman). The road here is quite elevated crossing the ridge and glare / visibility might be a concern in the early morning (line of sight).		The visual scoping assessment (dated August 2018, Section 5.1, Page 26) does acknowledge that there may be potential visual impacts on views from roads including the N14, and that this aspect will need to be investigated further in the impact phase when the detailed assessments are undertaken. This will therefore be assessed accordingly.
5.10.	As you leave the Lyndoch homestead travelling past the pigeon cages towards the Hyperion 1 site at the first (double) gate, there is quite a big thorny bush on the left. In this bush is a grave which might be waypoint 1157.		Thank you for this information. However, it would be helpful if we had an exact location. It is difficult to determine whether the said grave is indeed waypoint 1157. Could you perhaps send us GPS co-ordinates to confirm this grave location with the specialist please?
5.11.	In the heritage report, page 24 it refers to two farm-houses on the access road. However, the farmhouse on the very first farm (Cowley), is a lime-stone house that must be one of the first houses in the area and therefore of significance as well as the outside garage which fell into dis-repair. The third house on the farm Sophiasmoed is not mentioned at all (on the east side of the access road, directly adjacent to the road). Should be close to way-point 1204.		Thank you for this information. This has been brought to the attention of the heritage specialist who will investigate the lime-stone house, outside garage, as well as the third house on Sophiasmoed close to way-point 1204 further in the impact phase assessment.
5.12.	On the farm Saasveld (Lyndoch portion 1), there is a corrugated steel structure (stoor) that could possibly in the future be converted to a house. This is located in the triangle where the Vlermuisleegte enters and exits		Thank you for this information. However, it would be helpful if we had an exact location of the corrugated steel structure. Could you perhaps send us GPS co-ordinates to confirm this grave location with the specialist please?

NO.	COMMENT	RAISED BY	RESPONSE
	the farm Saasveld. This structure is not mentioned in the scoping report.		
5.13.	In the Avifaunal report it is mentioned that Secretary bird and vultures were not seen, they are however endemic to this area, and have been spotted on the farm Saasveld.		The information provided is appreciated and will be passed on to the avifaunal specialist to consider in the avifaunal impact assessment to be undertaken in the impact phase, following the decision on the Plan of Study for the Final Scoping Report to be submitted to the DEA.
5.14.	Then lastly, all the impact studies refer to the 4 development clusters in isolation, therefore each time minimal impact is observed. In the back-ground document it is stated that each facility is anticipated to be 180ha in extent, that will result in 720ha of development which is no longer insignificant. I would like to see a combined summary which then classifies if the 4 clusters (of 75Mw combined) is still considered of minimum impact on the Avifaunal, Visual impact, Soil and Land use as well as the Fauna and Flora scoping reports.		Kindly note that the cumulative impacts for not only the four facilities will be assessed in the impact phase of the assessment by all specialists, but also the cumulative impact of the development in terms of other current and planned renewable energy developments in the wider region that are likely to have an impact on the project. These details will be provided in the impact phase report.
5.15.	Some of the reports also mentioned it being a "desktop" report, I believe that more in-depth studies will follow.		That is correct. The specialist assessments were primarily informed at a desktop level which is adequate for a scoping level assessment. However, the ecological and heritage assessments, also undertook a field investigation which informed their assessments. The detailed in-depth assessments will be provided in the impact phase at a later stage following the decision on the Plan of Study for the Final Scoping Report to be submitted to the DEA.

**7. COMMENTS RECEIVED DURING SCOPING REPORT REVIEW PERIOD: Organs of State**

NO.	COMMENT	RAISED BY	RESPONSE
1.	The following comments were received:	John Geeringh	No response required.
1.1.	Eskom's rights and services must be acknowledged and respected at all times.		It is acknowledged that Eskom's rights and services are to be acknowledged and respected at all times.

NO.	COMMENT	RAISED BY	RESPONSE
1.2.	Eskom shall at all times retain unobstructed access to and egress from its servitudes.	Senior Consultant Environmental Management ESKOM  Email: 01-11-2018	It is acknowledged that Eskom shall at all times retain unobstructed access to and egress from its servitudes.
1.3.	Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals		It is acknowledged that Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.
1.4.	Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.		It is acknowledged that any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation as a result of the environmental assessment process may be charged to the developer.
1.5.	If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand.		It is acknowledged that If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer may pay such costs to Eskom.
1.6.	The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.		It is acknowledged that the use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission, and if such permission is granted, that the developer must give at least fourteen working days prior notice of the commencement of blasting. It is noted that it has been advised to make application separately in this regard.
1.7.	Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.		It is acknowledged that changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances and that after any changes in ground level, that the surface shall be rehabilitated and stabilised so as to prevent erosion.
1.8.	Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property		It is acknowledged that Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property

NO.	COMMENT	RAISED BY	RESPONSE
	whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.		whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. Furthermore, it is acknowledged that the developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise as related to the proposed development. Lastly, it is acknowledged that Eskom will not be held responsible for damage to the developer's equipment.
1.9.	No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.		It is acknowledged that no mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. Furthermore, it is acknowledged that where permission is granted that the developer must give at least seven working days' notice prior to the commencement of work, and where an electrical outage is required, at least fourteen work days are required to arrange it.
1.10.	Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.		It is acknowledged that Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.
1.11.	Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.		It is acknowledged that under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area, and that the developer shall maintain the area concerned.

NO.	COMMENT	RAISED BY	RESPONSE
1.12.	The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).		It is acknowledged that clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).
1.13.	Equipment shall be regarded electrically live and therefore dangerous at all times.		It is acknowledged that equipment shall be regarded electrically live and therefore dangerous at all times.
1.14.	In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.		It is acknowledged that Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.
1.15.	Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.		It is acknowledged that Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.
1.16.	It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.		It is acknowledged that it is required of the developer to familiarise himself with all safety hazards related to Electrical plant.
1.17.	Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.		It is acknowledged that any third party servitudes as a result of the project encroaches on Eskom servitudes, it shall be registered against Eskom's title deed at the developer's own cost and that If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.
2.	Please send me KMZ files of the affected properties and proposed layouts. Please send me the DEA reference numbers as soon as they become available.		E-mail: 01-11-2018
3.	This Department has the following comments on the abovementioned application:	Thando Boo Case Officer	

NO.	COMMENT	RAISED BY	RESPONSE
3.1.	<u>Activities applied for:</u>	DEA	
3.1.1.	Please ensure that the relevant sub activity in item 11 (ii) of GN983 of EIA regulations of 2014 as amended is cited correctly.	Letter: 19-11-2018	Please note that sub-activity in item 11 (ii) of GN 983 of the EIA Regulations of 2014, as amended is not relevant to the application as the proposed development is not located inside an urban area or industrial complex and will not have facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275kV or more. Therefore, this sub-activity has not been included. However, sub-activity (i) which is relevant will be amended and included in the updated application form to be submitted to the Department with the Final Draft Scoping Report, to state the following: "The development of facilities or infrastructure for the transmission and distribution of electricity – (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts".
3.1.2.	Please provide the quantity of dangerous goods that will be stored and handled on site.		An updated application form will be submitted with the Final Scoping report. The approximate quantity of dangerous goods that will be handled and stored on site is approximately 6 000 litres, and therefore below the threshold and will be removed from the application form.
3.1.3.	Explain why item 24(ii) of GN 983 of EIA regulations of 2014 as amended is triggered by this project considering the fact that the roads to be constructed are below the threshold that trigger this activity.		All alternatives for access roads will require the construction of new road up to 9m width where no reserve exists. The roads to be constructed will therefore exceed the threshold of 8m for the development of a road where no road reserve exists. This is referred to in Section 2.6.2.3 of this Final Scoping Report dated December 2018.
3.2.	<u>Alternatives</u>		
3.2.1.	Please provide a description of the identified alternatives for the proposed activity that are feasible and reasonable, including the advantages and		As per Appendix 2 (1) (i), this information is provided in Section 2.6 of this Final Scoping Report dated December 2018.

NO.	COMMENT	RAISED BY	RESPONSE
	disadvantages that the proposed activity or alternatives will have on the environment and on the community that may be affected by the activity as per Appendix 2, (2) (1) (g)(i-xi), of GN R.982 of 2014, as amended.		<p>As per Appendix 2 (1) (ii-iii), this information is provided in Section 5.5.2 and Appendix C8 – Comments and Responses report of this Final Scoping Report dated December 2018.</p> <p>As per Appendix 2 (1) (iv), this information is provided in Chapter 6 of this Final Scoping Report dated December 2018.</p> <p>As per Appendix 2 (1) (v), this information is provided in Chapter 7 of this Final Scoping Report dated December 2018.</p> <p>As per Appendix 2 (1) (vi), this information is provided in Section 5.5.3 of this Final Scoping Report dated December 2018.</p> <p>As per Appendix 2 (1) (vii-viii), this information is provided in Section 7.3 and 7.4 of this Final Scoping Report dated December 2018.</p> <p>As per Appendix 2 (1) (ix, x and xi), this information is provided in Section 2.3, 2.4 and Chapter 8 respectively of this Final Scoping Report dated December 2018.</p>
3.2.2.	Alternatively you should submit written proof of an investigation and motivation of no reasonable or feasible alternatives exist as per the requirements of Appendix 2, (2)(1)(g)(x).		This is not required, as feasible and reasonable alternatives will be considered for the proposed activity.
3.3.	<u>Impacts Assessment</u>		
3.3.1.	This Department requests the EAP to familiarise themselves with the requirements of Appendix 2 of GNR 982 of the EIA Regulations, 2014(as amended) and ensure that the final SR submitted to this Department for consideration meets the requirements in terms of identifying, assessing and providing mitigation measures of the impacts on the alternatives and preferred site.		It is acknowledged that the requirements of Appendix 2 of GNR 982 of the EIA Regulations, 2014 (as amended) are to be familiarised and ensured of inclusion into this Final Scoping Report submitted to the Department for consideration. The relevant sections stating where the requirements in terms of Appendix 2 of GNR 982 of the EIA Regulations, 2014 (as amended) have been met are included in Sections 2.1, 3.1, 4.1, 5.1, 6.1, 7.1, 8.1 and 9.1 of the Draft Scoping Report dated December 2018.
3.4.	<u>Environmental Sensitivity Map</u>		
3.4.1.	It has been noted on the sensitivity map provided in the draft report (Figure 1) that there is a heritage site and		



NO.	COMMENT	RAISED BY	RESPONSE
	<p>river buffer overlapping in the development area. Therefore, you are requested to provide a sensitivity map that consider the following:</p> <ul style="list-style-type: none"> <li>• A sensitivity layout plan overlaid by the sensitive features and the buffer zones i.e. wetland, showing the location of the proposed and existing structure. Please ensure all features are clearly indicated on the legend of the sensitivity layout plan.</li> <li>• Please ensure that the PV structures are positioned and numbered on the plan, taking into consideration the sensitive features and the buffer zones.</li> </ul>		<ul style="list-style-type: none"> <li>• A sensitivity layout plan overlaid by the sensitive features and the buffer zones showing the location of the proposed and existing structure is provided in Appendix M of this Final Scoping Report dated December 2018. In addition, all features are also clearly indicated on the legend of the sensitivity layout plan.</li> </ul> <p>For the scoping phase assessment, it is premature to include a site layout with PV structures for the project since the studies that have been conducted are at a scoping level, and the impact phase specialist assessments have not as yet provided their detailed findings which could have implications for the design once more. As per Appendix 2 Objective 1(d) it is required that the Scoping Report identify and confirm the preferred site through detailed site selection process, which includes an identification of impacts and risks inclusive of identification of cumulative impacts and a ranking process of all the identified alternatives focusing on the geographical, physical, biological social economic and cultural aspects of the environment. Moreover, as per Appendix 2 (1) (g), a full description of the process followed to reach the proposed preferred activity, site and location of the development footprint within the site is required. Therefore, a detailed project layout of the site (including PV structures) will therefore be designed and included in the sensitivity map for the Draft and Final Environmental Impact Report to be submitted for consideration by the Department in the Impact Phase.</p>
3.5.	<u>Public Participation Process</u>		
3.5.1.	Please ensure that all issues raised and comments received during the circulation of the SR from the registered I&As and organs of state which have		All written comments received from the EIA process notification up to the closure of the SR review and comment period have been captured in the Comments and Responses Report.

NO.	COMMENT	RAISED BY	RESPONSE
	jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the final SR.		<p>Responses to comments / concerns / issues raised have been responded to and where applicable fully addressed by the project team.</p> <p>Proof of all correspondence between Organs of State, key stakeholders and the project team is included in <b>Appendices C4, C5 and C6.</b></p> <p>Proof of attempts to secure written comments from Organs of State and key stakeholders are also included in <b>Appendices C4.</b></p> <p>A spreadsheet indicating the follow-up attempts and outcome of the follow-ups are also included in <b>Appendix C4.</b></p>
3.5.2.	Please provide a translation of the comments that are provided in Afrikaans to English.		Where relevant, comments raised in any other language than English are captured in the language in which the comment was raised and translated into English in the Comments and Responses Report.
3.5.3.	Proof of correspondence with the various stakeholders must be included in the final SR, should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be submitted to the Department.		<p>Proof of all correspondence between Organs of State, key stakeholders and the project team is included in <b>Appendices C4, C5 and C6.</b></p> <p>Proof of attempts to secure written comments from Organs of State and key stakeholders are also included in <b>Appendices C4.</b></p> <p>A spreadsheet indicating the follow-up attempts and outcome of the follow-ups are also included in <b>Appendix C4.</b></p>
3.5.4.	The Public Participation Process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.		The public participation process has been conducted in terms of Regulations 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended. This is provided in Section 5.5.2 and Appendix C of this Final Scoping Report dated December 2018.
3.6.	<u>General Comments</u>		
3.6.1.	You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping Reports in accordance with Appendix 2 and Regulations 21(1) of the amended EIA Regulations, 2014.		This is acknowledged.

NO.	COMMENT	RAISED BY	RESPONSE
3.6.2.	Further note that in terms of Regulations 45 of the EIA Regulations 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of the Regulations, unless an extension has been granted in terms of Regulation 3(7).		This is acknowledged.
3.6.3.	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.		This is acknowledged.
4.	Recommendations include adhering to the 50 m buffer around the Vlermuisleegte as recommended by Dr Almond to avoid chance finds of fossil localities which has been included into a larger heritage buffer as part of the current project design. Alternative 1 for the access road is preferred. Further assessment of the potential impacts to heritage will be conducted during the EIA phase. Additional preliminary recommendations provided in the report include the following:	Natasha Higgitt Heritage Officer SAHRA  Letter: 19-11-2018	The buffer requirement from the specialist heritage assessment dated October 2018 has been taken into consideration in the scoping report, and will be taken into account in the impact phase.  It is acknowledged that SAHRA prefers Alternative 1 for the access road.
1.1.	A chance finds procedure for fossils should be incorporated into the EMPr for the project;		It is acknowledged that a chance finds procedure for fossils should be incorporated into the EMPr for the project.
1.2.	Once geotechnical work has been done on the site an archaeologist should be appointed to conduct test excavations and sampling of the archaeology in areas where gravel will be intersected. This work should aim primarily to understand the distribution of archaeology on the landscape, although if any dense archaeology is encountered it may be necessary to expand excavations; and		It is acknowledged that once geotechnical work has been done on the site, an archaeologist should be appointed to conduct test excavations and sampling of the archaeology in areas where gravel will be intersected. This work should aim primarily to understand the distribution of archaeology on the landscape, although if any dense archaeology is encountered it may be necessary to expand excavations.
1.3.	If any fossils, archaeological material or human burials are uncovered during the course of development then		It is acknowledged that if any fossils, archaeological material or human burials are uncovered during the course of development,

NO.	COMMENT	RAISED BY	RESPONSE
	work in the immediate area should be halted. The find would need to be reported to the heritage authorities and may require inspection by an archaeologist. Such heritage is the property of the state and may require excavation and curation in an approved institution.		then work in the immediate area should be halted, and that the find would need to be reported to the heritage authorities and may require inspection by an archaeologist.
1.4.	Almond, J. E. 2018. Palaeontological Heritage Desktop Input: Hyperion Solar Development 2 near Kathu, Northern Cape.		No response required.
1.5.	The development footprint is underlain by the Kalahari Group Late Cenozoic continental sediments and Mokolanen Formation calcretes. Overlying these formations are the gravels of the Obobogorop Formation and red Kalahari aeolian sands of the Gordonia Formation. The watercourse (Vlermuisleegte) that runs through the property is associated with substantial calcrete deposits that may include palaeo-vei or pan deposits and alluvial gravels, which may contain Quaternary mammal remains, trace and plant fossils similar to those recorded at Kathu Pan.		It is acknowledged that as per the findings of the heritage scoping assessment, that the development footprint is underlain by the Kalahari Group Late Cenozoic continental sediments and Mokolanen Formation calcretes. Overlying these formations are the gravels of the Obobogorop Formation and red Kalahari aeolian sands of the Gordonia Formation. The watercourse (Vlermuisleegte) that runs through the property is associated with substantial calcrete deposits that may include palaeo-vei or pan deposits and alluvial gravels, which may contain Quaternary mammal remains, trace and plant fossils similar to those recorded at Kathu Pan.
1.6.	Recommendations provided in the report include that the 120 m buffer around the Vlermuisleegte is to be adhered to and a chance finds protocol is to be followed should any fossils be uncovered during the construction phase.		The buffer and chance finds protocol requirement from the specialist heritage assessment dated October 2018 has been taken into consideration in the scoping report, and will be taken into account in the impact phase.
1.7.	Interim Comment		No response required.
1.7.1.	The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit notes the submitted Heritage Scoping Report and Palaeontological assessment and awaits the pending HIA.		It is confirmed that the Heritage Impact Assessment (HIA) will be submitted to SAHRA for comment once available to the public for comment in the Impact Phase of the application for the project.
1.7.2.	The Final Scoping report and the draft EIA with associated appendices must be uploaded to the case		It is confirmed that the Final Scoping Report and the Draft Environmental Impact Assessment with associated appendices will be uploaded to the case when available for public review.

NO.	COMMENT	RAISED BY	RESPONSE
	when available for public review before further comments are issued.		
5.	Did you lodge your application in terms of Section 53? If yes please send me your reference number so that I can check if the application has been finalised.	MMboneni Mutheiwana Mineral Regulation DMR  Email: 21-11-2018	Please note that we have been informed that an application in terms of Section 53 of the Minerals and Petroleum Resources and Development Act, 2002 has been lodged by the applicant. They are currently awaiting response. As soon as a response is received, this will be advised.
6.	The Department takes note of the proposed activity and therefore provides the following comments:	C Schwartz On behalf of the Provincial Head:	
6.1	Altering the bed, banks, course or characteristics of a watercourse has been identified as a water use in term of the National Water Act (Act 36 of 1998) and carrying out of such activity will need a Water Use Authorisation in terms of the above mentioned act	Northern Cape Operations DWS  Letter: 23-11-2018	It is acknowledged that altering the bed, banks, course and characteristics of a watercourse has been identified as a water use in terms of the National Water Act, 1998 (Act No. 36 of 1998), and carrying out of such an activity will need Water Use Authorisation in terms of the above-mentioned Act. This has been taken into consideration and has been mentioned in the Draft Scoping Reports (DSRs) dated October 2018 for the four (4) proposed projects. This is specifically mentioned in Section 5.2.3 of the DSRs, accordingly. It is noted therein that the process of applying for a Water Use Authorisation will only be completed once a positive decision on the Environmental Authorisation (EA) has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department of Water and Sanitation (DWS – hereafter referred to as, “the Department”).
6.2.	A Stormwater Management Plan must be developed for the four (4) sites		It is acknowledged that a Storm Water Management Plan must be developed for each of the proposed project sites. This information has been forwarded to the applicant for their attention and consideration.
6.3.	Please report pollution incidents of any hazardous materials to this Department immediately		The requirement to report pollution incidents of any hazardous materials to the Department is acknowledged and will be included in the Environmental Management Programme (EMPr) to be developed for each of the proposed projects.

NO.	COMMENT	RAISED BY	RESPONSE
6.4.	Please take note that engaging in any water use activities without authorisation from the Department is unlawful		It is acknowledged that engaging in any water use activities without authorisation from the Department is unlawful. This information has been forwarded to the applicant for their attention.
6.5.	All sewage and wash water, as well as any waste generated during the construction phase of the facilities will be collected, contained and disposed of at the permitted and / or licensed facilities		It is acknowledged that all sewage and wash water, as well as any waste generated during the construction phase of the facilities will need to be collected, contained and disposed of at the permitted and / or licensed facilities. This measure will be included in the EMPr to be developed for each of the proposed projects in the EIA Phase.
7.	I would like to ask if we could get an extension for this feedback until Friday 30 November 2018 please. Due to a heavy workload the past 3 months with all the landreform processes we have not been able to pay proper attention to this and a few other calls for comment. We will really appreciate your assistance in this regard.	Henning Myburgh General Manager: Agri Northern Cape  Email: 25-11-2018	Agri Northern Cape's request for extension on the SR has been discussed with the Project Manager and it was confirmed that extension for written comments has been granted until Friday, 30 November 2018.  It was requested that should Agri Northern Cape not receive any other comments from their members on these four (4) SRs, they were kindly request that it please be stated formally either in an e-mail or letter to Savannah Environmental.
8.	DEPARTMENTAL MANDATE The directorate: Forestry Management (Other Regions) in the Department of Agriculture, Forestry and Fisheries (DAFF) is responsible for administration of the National Forests Act, Act 84 of 1998 (NFA) and the National Veld and Forest Act, Act 101 of 1998 as amended. The developer must take note of the following sections of the NFA:	Jacoline Mans Chief Forester: NFA Regulation  DAFF  Letter: 26-11-2018	
8.1.	Section 12(1) : "The Minister may declare- a) a particular tree b) a particular group of trees c) a particular woodland; or		Section 12(1) of the National Forests Act, 1998 (Act No. 84 of 1998) is acknowledged and has been forwarded to the applicant for their attention and consideration.

NO.	COMMENT	RAISED BY	RESPONSE
	d) trees belonging to a particular species, to be a protected tree, group of trees, woodland or species.		
8.2.	Section 15(1): "No person may- a) Cut, disturb, damage or destroy any protected tree; or b) Possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree, or any forest product from a protected tree, except- (i) under a license granted by the Minister; or (ii) in terms of an exemption from the provision of this subsection published by the Minister in the Gazette on the advice of the Council."		Section 15(1) of the National Forests Act, 1998 (Act No. 84 of 1998) is acknowledged and has been forwarded to the applicant for their attention and consideration.
8.3.	"Any person who contravenes the prohibition on- (i) The cutting, disturbance, damage or destruction of temporary protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(a); or (ii) The possession, collection, removal, transport, export, purchase or sale of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(b), or any forest product derived from a temporarily protected tree, group of trees or protected tree, is guilty of a first category offence.		Contravention of the National Forests Act, 1998 (Act No. 84 of 1998) in terms of related points (i) and (ii) of the National Forests Act, 1998 (Act No. 84 of 1998) is acknowledged and has been forwarded to the applicant for their attention and consideration.
8.4.	Section 58(1): "Any person who is guilty of a first category offence referred to in section 62 and 63 may be sentenced to a fine or imprisonment for a period of		Section 58(1) of the National Forests Act, 1998 (Act No. 84 of 1998) is acknowledged and has been forwarded to the applicant for their attention and consideration.

NO.	COMMENT	RAISED BY	RESPONSE
	up to three years, or to both a fine and such imprisonment"		
8.5.	The list of protected tree species under section 12(1) (d) of the National Forest Act, 1998 (Act No. 84 of 1998) is published annually; the most recent publication was in GN536 of 7 September 2018.		The most recent publication in GN536 of 7 September 2018 of the list of protected tree species under Section 12(1)(d) of the National Forests Act, 1998 (Act No. 84 of 1998) is acknowledged and has been forwarded to the applicant for their attention and consideration.
Comments on draft environmental impact assessment report			
8.6.	The proposed four(4) 75 MW PV Facilities planned on the Remaining Extent of Farm Lyndoch 432, 16km north of Kathu, refers. The proposed development may have significant impacts on <i>vachellia erioloba</i> and <i>Vachellia haematoxylon</i> . The Department will assess the cumulative impacts of the four developments, even if constructed by different companies (if authorised), because it is located on one property. Once the threshold of 2000 protected trees are exceeded, a biodiversity offset may be required to compensate for the loss of large numbers of protected trees. Offsets must be in the form of land formally declared as Nature Reserves or Protected Area.		The Department of Agriculture, Forestry and Fisheries' (DAFF – hereafter referred to as, "the Department") point is noted that the proposed development of the four (4) Hyperion Solar Developments may have a significant impact on <i>Vachellia erioloba</i> and <i>Vachellia haematoxylon</i> given that (as per the fauna and flora specialist scoping report dated September 2018), it is stated that the project site has a high abundance of <i>V. erioloba</i> and <i>V. haematoxylon</i> , and that relatively large numbers of <i>Acacia haematoxylon</i> (2000-6000) would potentially be lost within each Solar Energy Facility (SEF) proposed on the Remaining Extent of Farm Lyndoch 432. However, it must also be noted that it is the opinion of the ecological specialist that this species is very abundant in the area and the local population would not be compromised. Nonetheless, it is acknowledged that the Department will assess the cumulative impact, and that once the threshold of 2000 protected species are exceeded in expectation of the loss of the species, that a biodiversity offset may be requested to compensate for the loss of large number of trees. It must however be further noted that it can be confirmed that the impact fauna and flora specialist assessment will provide more detailed information on the cumulative impact of the proposed SEFs on protected species, as well as general cumulative impacts



NO.	COMMENT	RAISED BY	RESPONSE
			<p>of other renewable energy developments in the greater study region during the EIA Phase of this Project.</p>
8.7.	<p>The proposed Alternative 2 access road is not feasible nor is it supported, because it passes through a portion of Kathu Forest Protected Woodland and may have unwanted, additional dust impacts on trees in the Woodland. The report mentioned that this access alternative is located within a Critical Biodiversity Area, probably attributed to the Kathu Forest Protected Woodland. If authorisation is granted, it should not be for this alternative. In fact, this access alternative is from DAFF's point of view a fatal flaw and cannot be authorised.</p>		<p>The Department's concern is acknowledged that the proposed Alternative 2 access road passes through a portion of Kathu Forest Protected Woodland, and that it may have unwanted, additional dust impacts on trees in the Woodland. It is also acknowledged that it is the Department's point of view that the proposed Alternative 2 access road is a fatal flaw. Importantly, the assessment of alternatives will take place in the impact phase should the Department of Environmental Affairs approve the Plan of Study for the application to continue into the impact phase of the assessment. All impacts will therefore be taken into consideration, and evaluated against each of the alternatives proposed in the impact phase. An environmentally preferred option will be proposed based on environmental merit, which may also take into account other variables such as social, economic and technical criteria. However, based on the Department's response and reasoning, the investigation of additional alternative access routes are currently being undertaken at this stage, and will be included in the impact phase once finalized for detailed assessment in the impact phase.</p>
8.8.	<p>The reports mentioned that access route alternative 2 will have to be widened by 4 meters. Kindly note the DAFF may refuse to issue licenses for removal of protected trees to facilitate widening of access road alternative 2, because it is located in the Kathu Forest Protected Woodland. In the protected woodland, all tree species are protected, not just the protected trees <i>per se</i>.</p>		<p>Kindly note that it must be clarified that where a road is required, it will be up to a 9m width, which includes for upgraded sections of existing roads or new roads to be established. It is acknowledged that the Department may refuse to issue licenses for the removal of protected trees to facilitate the widening of access road Alternative 2, as this access alternative is located in the Kathu Forest Protected Woodland, and that in the protected woodland, all tree species are protected, not just the protected tree species <i>per se</i>. This information will be used to assist with guiding the selection of a suitable access alternative in the application for each proposed SEF. In addition, as per the</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>response in point 2.2 above, additional alternatives access routes are currently being investigated, and will be included in the impact phase once finalized for detailed assessment in the impact phase.</p>
8.9.	<p>The report is not consistent in terms of the size of the proposed development footprints. Figures mentioned vary from 180ha to 200ha per development, but during the DAFF Focus Group Meeting in Upington on 8 November 2018, development footprint figures of 250 ha per facility were mentioned. Please clarify.</p>		<p>To clarify on the area of the proposed developments, it must be noted that the exact footprint can only be established in the impact phase once a site layout is available. At this stage of the scoping phase however, approximate figures have been provided in provision of this. It must also be clarified that the "development area" must be distinguished from the "development footprint". As such, the "development area" of approximately 200 hectares was referred to at the focus group meeting held in Upington on the 8th November 2018, which is in accordance with the Draft Scoping Reports (DSRs) dated (October 2018) for each of the proposed SEF's. The "development footprint" referred to in the same reports, are approximately 180 hectares. This is explicitly maintained throughout the DSRs.</p>
8.10.	<p>The <i>Vachellia haematoxylon</i> density on site is said to vary between 10 trees/ha to 50 trees/ha. The destruction of ±4 x200 ha of vegetation may thus result in the loss of anything from 2000 to 10 000 Grey Camel thorn trees per development, with <i>Vachellia erioloba</i> said to have even higher densities in some parts of the project sites. Therefore, the chances are very good that even just one of the four projects may trigger an offset under DAFF licensing guidelines, which can cause delays. A written offset agreement, with timeframes for implementation and proven funding for long-term management of the offset area, may be required before any license can be processed.</p>		<p>The Department's concern that each of the proposed projects may trigger a biodiversity offset under the DAFF licensing guidelines is acknowledged. Accordingly, it has been communicated with the applicant that a written offset agreement, with timeframes for implementation and proven funding for long-term management of the offset area may be required before any license can be processed. However, the need for the removal of protected tree species and the requirement for a biodiversity offset will be further assessed by the ecological specialist, the applicant and the Environmental Assessment Practitioner (EAP) in the impact phase.</p>

NO.	COMMENT	RAISED BY	RESPONSE
8.11.	<p>The reports stated that more detailed assessments will be conducted during the EIA phase to accurately quantify the number of individuals of protected trees affected in the Solar Energy Facilities (SEF) footprints, so that this can inform any potentially required offset calculation. It is of concern that developers and consultants talk so easily about offsets. Offset should be the last resort after all other efforts to avoid and minimize impacts were exhausted. An effort should have been made to find suitable alternative land where impacts on vegetation are unlikely to trigger an offset. No alternative land/farms were considered.</p>		<p>Section 2.3 of the DSRs provide information on the site selection process and pre-feasibility analysis that was undertaken which resulted in the selection of the project site on the Remaining Extent of Farm Lyndoch 432 for which was taken forward into the environmental authorisation application process. This section refers to the factors taken into consideration for a suitable site, which includes favourable climatic conditions (solar renewable energy facilities are directly reliant on average solar radiation values for a particular area), access and capacity of the electricity grid and grid connection cost, accessibility of the properties and finally, compatibility of current land use and local site topography to determine an ideal project site for the establishment of the proposed SEFs. The investigation also focussed on the sensitivity and density of the vegetation type which notes that due to sensitive vegetation being present on some of the properties in the area as well as the high concentration of vegetation, several properties were excluded as feasible options for further consideration. Alternative land / farms were therefore considered but not selected due to not meeting the various above-mentioned criteria to a greater or lesser extent.</p>
8.12.	<p>Is a offset is triggered, the developer can be asked to carry the costs of the declaration of the Forest Nature Reserve or Protected Area, which can easily amounts to ± R200 000 just for the media notices as prescribed in the Act. This will be in addition to costs for the long-term management of the offset area, which include the development and implementation of a management plan, game fencing, problem animal control, management of alien invasive plants, etc. The developer will have to proof sufficient funds are allocated and ring-fenced for the long-term management of the offset area (if required)</p>		<p>It is acknowledged that the developer will have to prove sufficient funds are allocated and ring-fenced for the long-term management of the offset area (if required). This has been forwarded to the applicant for their attention and consideration. However, as per point 2.5 above, the ultimate need and potential requirement for a biodiversity offset will be further assessed by the ecological specialist, the applicant and the EAP in the impact phase.</p>

NO.	COMMENT	RAISED BY	RESPONSE
8.13.	The developer must note that trees with active bird nests may not be removed or disturbed without a valid <u>Fauna</u> permit from Nature Conservation. It was not mentioned in the report.		It is acknowledged that trees with active bird nests may not be removed or disturbed without a valid Fauna permit from Nature Conservation.
9.	Reference is hereby made to the Scoping Report and Environmental Impact Assessment Report for the proposed development of Hyperion Solar Photovoltaic (PV) 2 Solar Energy facility and associated infrastructures within the above-mentioned property near Kathu by Savannah Environmental Consulting on behalf of Cyraguard (Pty) Ltd as submitted to the Department of Water and Sanitation, received on the 19 November 2018	Lerato Mokhoantle Control Environmental Officer DWS  Letter: 26-11-2018	
9.1.	The above mentioned reports were received and evaluated by the Department as it is our mandate according to the National Water Act, 1998 (Act 36 of 1998) to comment on such proposed activities.		
RECOMMENDATIONS AND DECISION			
9.2.	As mentioned in the reports submitted, the Department takes note that the proposed activity at the above mentioned property will include the development of Hyperion Solar Development and associated infrastructures. The area falls within the D41K quaternary catchment in the Molopo Catchment of the Vaal Catchment Management Agency. After carefully considering, evaluating and reviewing of the submitted Scoping Report and Environmental Impact Assessment Report the Department has the following comments:		
9.3.	It is appears that the nature of activities the applicant is proposing to engage in has potential impacts on the environment and water resources, as the area		This is correct. However, the degree of impact is yet to be determined as the potential impacts have only been scoped at this stage of the scoping phase of the environmental authorisation

NO.	COMMENT	RAISED BY	RESPONSE
	proposed for the solar energy development and associated activities has an episodic Vlermuisleegte River and a depression wetland.		application process. A full impact assessment will be provided in the impact phase of the project which will include information on impacts to water resources.
9.4.	The Department rates all perennial and non-perennial streams together with all dry river beds and natural drainage, pans, wetlands and associated riparian areas extremely sensitive to development;		It is acknowledged that the Department of Water and Sanitation (DWS – hereafter referred to as, “the Department”) rates all perennial and non-perennial stream, dry river beds, and natural drainage, pans, wetlands and associated riparian areas as extremely sensitive to development.
9.5.	No activity (this including drilling) may occur within the 1:100-year flood line of a river/drainage lines (perennial/non-perennial river) and 500 m of a pan/wetland without an authorisation from this Department;		It is acknowledged that no activities may occur within the 1:100 year floodline of a river/drainage line and 500m of a pan/wetland without authorisation from the Department. To this end, it is anticipated that Water Use Authorisation may be required for the project. Section 5.2.3 of the Draft Scoping Report dated October 2018 states that the process of applying for a Water Use Authorisation will only be completed once a positive decision on the Environmental Authorisation (EA) has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department.
9.6.	Your client is advice to consider the alternative 2 for the construction of access road, since alternative 1 has episodic Vlermuisleegte River.		The recommendation to advise the applicant that to consider alternative 2 for the construction of the access road (since alternative 1 routes through the episodic Vlermuisleegte) is acknowledged, and will be forwarded accordingly for their attention. However, it must be noted that the assessment of alternatives will only take place in the impact phase should the Department of Environmental Affairs approve the Plan of Study for the application to continue into the impact phase of the assessment. All impacts will therefore be taken into consideration, and evaluated against each of the alternatives proposed in the impact phase. An environmentally preferred option will be proposed based on environmental merit, which may also take into account other variables such as social, economic and

NO.	COMMENT	RAISED BY	RESPONSE
			<p>technical criteria. In addition, it must also be mentioned that the investigation of additional alternative access routes are currently being undertaken at this stage due to environmental sensitivities identified on both the proposed alternative access routes, and will be included in the impact phase once finalized for detailed assessment in the impact phase.</p>
9.7.	<p>No water should be abstracted from underground (boreholes) and stream or any other water resources for both construction and operational phases of the solar power development and related activities without a proper authorisation from this Department;</p>		<p>It is acknowledged that no water should be abstracted without a proper authorisation from the Department. As per point c) above, Section 5.2.3 of the Draft Scoping Report dated October 2018 states that the process of applying for a Water Use Authorisation will only be completed once a positive decision on the Environmental Authorisation (EA) has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department.</p>
9.8.	<p>Note that the proposed activities require a water use authorisation from this Department in terms of Section 40 of the National Water Act, 1998 (Act 36 of 1998). The authorisation application can be lodged electronically via the Electronic Water Use Licence Application and Authorisation System (EWULAAS – <a href="http://www.dws.gov.za/ewulaas">www.dws.gov.za/ewulaas</a>).</p>		<p>As per point c) and e) above, Section 5.2.3 of the Draft Scoping Report dated October 2018 states that the process of applying for a Water Use Authorisation will only be completed once a positive decision on the EA has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department. Furthermore, it is acknowledged that the authorisation application can be lodged electronically via the Electronic Water Use License Application and Authorisation System (EWULAAS – <a href="http://www.dws.gov.za/ewulaas">www.dws.gov.za/ewulaas</a>). This information will be forwarded to the applicant for their attention.</p>
9.9.	<p>It is projected that the proposed activities could trigger the following water uses in terms of National Water Act, 1998 (Act. 36 of 1998): Section 21 (a); (c), (g) and (i); as well a GN704 Exemption;</p>		<p>It is acknowledged that the proposed activities could trigger water uses in terms of Section 21 (a), (c), (g) and (i), as well as a GN704 Exemption of the National Water Act, 1998 (Act. No 36 of 1998) (NWA). The requirement for a water use license prior to construction of the solar energy facility (SEF) will be included in the Environmental Management Programme (EMPr) which will be compiled in the impact phase as part of the Environmental Impact Assessment (EIA). The actual activities to be triggered will</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>be determined once a positive decision on the EA has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department.</p>
9.10.	<p>Your client is therefore advised to apply and obtain the water use authorisation prior to commencement of the proposed activities. The applicant should send the intent to apply for a water use authorisation to the Department. Note that this Department will not accept any water use licence application without a proper pre-application;</p>		<p>It is acknowledged that the applicant will be required to obtain the water use authorisation prior to commencement of the proposed activities. It is further noted that the Department will not accept any water use license application without a proper pre-consultation. This information will be forwarded to the applicant for their attention.</p>
9.11.	<p>A pre-consultation meeting and site inspection has to be arranged with the Department to advice on the water uses that are triggered by the activity which require authorisation and relevant reports (including studies that need to be conducted before submission of the complete application to Department);</p>		<p>It is acknowledged that a pre-consultation meeting and site inspection will need to be arranged with the Department to advise on the water uses that will be triggered by the activity and will require authorisation and relevant reports. This however, will only be undertaken once a positive decision on the EA has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department. This information will be forwarded to the applicant for their attention.</p>
9.12.	<p>Please note that should the applicant decided to conduct any activities within 500 m of the buffer zone of pans/wetland or within 1:100 years floodline, a risk matrix has to be conducted by an Aquatic Specialist (registered with SACNASP as a professional member) and submitted to the Department in order to determine the impacts of the proposed activities on the watercourse. This activity will trigger with Section 21 (c) and (j) water uses in terms of the National Water Act, 1998 (Act no.36 of 1998). This information will assist the Department to decide on the type of water use authorisation requirements for the proposed activities;</p>		<p>It is acknowledged that a risk matrix will need to be conducted where the applicant decides to undertake any activities within 500m of the buffer zone of pans/wetlands or within the 1:100 year floodline to assist the Department to decide on the type of water use authorisation requirements for the proposed activities. This however, will only be undertaken once a positive decision on the EA has been received, and the project is selected as a Preferred Bidder, which is in line with the requirements of the Department. This information will be forwarded to the applicant for their attention.</p>

NO.	COMMENT	RAISED BY	RESPONSE
9.13.	Section 19 & 20 of the National Water Act, 1998 (Act No.36 of 1998) should be adhered to;		It is acknowledged that Section 19 and 20 of the NWA should be adhered to. This information will be forwarded to the applicant for their attention.
9.14.	The construction camp shall not be located within the 1:100 year flood line or within 100 meters whatever is the greatest from any watercourse. Operation and storage of equipment within the riparian zone must be limited as far as possible.		The requirement of the Department that the construction camp shall not be located within the 1:100 year floodline or within 100 metres (whatever is greatest) from any watercourse as well as the requirement that the operation and storage of equipment within the riparian zone must be limited as far as possible is acknowledged and will be included in the Environmental Management Programme (EMPr) to be developed for the proposed project.
9.15.	Stormwater Management Plan, Geohydrological Report, Rehabilitation Plan and Public Participation report must form part of water use licence application documents.		It is acknowledged that a Storm Water Management Plan, Geohydrological Report, Rehabilitation Plan and Public Participation report must form part of the water use license application and documents. This information has been forwarded to the applicant for their attention.
9.16.	Aquatic/wetland delineation report study must include the Present Ecological State (PES), Ecological Importance and Sensitivity (EIS) and Recommended Ecological Class (REC) the area.		It is acknowledged that the aquatic/wetland delineation report study must include the Present Ecological State (PES), Ecological Importance and Sensitivity (EIS) and Recommended Ecological Class (REC). The impact phase watercourse assessment will include these elements into the specialist report for the Department's consideration. This information has been provided to the appointed Aquatic Specialist for their attention.
9.17.	The EIA must clearly show the methods for collecting, storing, transporting and finally disposing of all waste products produced as well as the responsible and accountable persons. This includes written consent from the relevant accredited waste disposal site/ sewage disposal/ oil disposal in handling the waste. All applicable sections of the National Environmental Management: Waste Act 59 of 2008 should be strictly adhered		It is acknowledged that Department requires that the Environmental Impact Assessment (EIA) must clearly show the methods for collecting, storing, transporting and finally disposing of all waste products produced as well as the responsible and accountable persons, which must include written consent from the relevant accredited waste disposal site/sewage disposal/ oil disposal in handling of waste and finally, that all applicable section of the National Environmental Management: Waste Act 59 of 2008 should be strictly adhered to.



NO.	COMMENT	RAISED BY	RESPONSE
9.18.	The disposal of general waste and that of hazardous waste must be carried out in an environmentally safe way as to prevent and/or minimise the potential for pollution of water resources and collection of which should be done by an accredited waste collector. All applicable Sections of the National Environmental Management: Waste Act 59 of 2008 should be strictly adhered to;		It is acknowledged that the disposal of general waste and that of hazardous waste must be carried out in an environmentally safe way as to prevent and/or minimise the potential for pollution of water resources and collection of which should be done by an accredited waste collector, and that all applicable section of the National Environmental Management: Waste Act 59 of 2008 should be strictly adhered to.
9.19.	The EIA must clearly identify all risks that are associated with the project that can affect the water resources in and around the project area and state all implementable measures to prevent and respond to accidents and abnormal events that may occur.		It is acknowledged that the EIA must clearly identify all risks that are associated with the project that can affect the water resources in and around the project area, and to state all implementable measures to prevent and respond to accidents and abnormal events that may occur. The impact phase watercourse assessment will take into account all such risks and include suitable mitigation measures to prevent and respond to accidents and abnormal events that may into the specialist report for the Department's consideration.
9.20.	The EIA must clearly show through a responsibility matrix and organogram the responsible persons for implementing the mitigation measures and reporting lines, in the event of an accident.		It is acknowledged that the EIA must clearly show through a responsibility matrix and organogram the responsible persons for implementing the mitigation measures and reporting lines, in the event of an accident. This level of detail will be included in the EMPr to be developed for the proposed project.
9.21.	The Department has no objections to this activity, provided the applicant has provided proof of adherence to the above-mentioned recommendations and addressed all issues contained in this letter.		No response required.
9.22.	This reply does not grant any exemption from the requirements of any applicable Act, Ordinance, Regulation or By-law.		No response required.

NO.	COMMENT	RAISED BY	RESPONSE
9.23.	This office reserves the right to revise initial comments and request additional information that may arise from correspondence and/or upon inspection.		No response required.
10.	<p>The area in which the solar photovoltaic solar panels is situated is 13km SE of the FAR25: GA-TLHOSE/MAREMANE MILITARY SHOOTING RANGE boundary. It also falls 5km NW of Sishen Airport, which is within the boundaries of the ICAO Annex 14 surfaces associated with the airport.</p> <p>We cannot determine whether the proposed will affect the safety of flights, we would have to conduct a formal assessment once the project is ready for construction.</p> <p>It may include a glint and glare impact assessment to be done as per SACAA requirement (refer to: Obstacle Notice 4/2017 (17/11/2017): Additional Requirements for Solar Project Applications) on the SACAA website.</p>	<p>Simphiwe Masilele                      Obstacle Evaluator                      ANTS</p> <p>Email: 27-11-2018</p>	<p>It is acknowledged that the project site in which the solar photovoltaic solar panels is situated is 13km South East of the FAR25: GA-TLHOSE/MAREMANE MILITARY SHOOTING RANGE boundary. It is also acknowledged that the project site falls 5km North West of Sishen Airport, which is within the boundaries of the International Civil Aviation Organisation (ICAO) Annex 14 surfaces associated with the airport. Furthermore, we note that Air Traffic Navigation Services (ATNS) cannot determine whether the proposed will affect the safety of flights, and that a formal assessment would have to conducted once the project is ready for construction. Lastly, it is acknowledged that the proposed development(s) may include a glint and glare impact assessment to be done as per South African Civil Aviation Authority (SACAA) requirement (refer to: Obstacle Notice 4/2017 (17/11/2017): Additional Requirements for Solar Project Applications) on the SACAA website. This information has been communicated to the applicant for their consideration of the project as and when the above-mentioned studies will be required.</p>
10.1.	We request that you please update us should there be any new developments that may affect our interests.		It is confirmed that should we be aware of any further new developments, that may affect ATNS interests, we will notify and update ATNS accordingly in line with environmental requirements.
10.2.	<p>We will duly conduct assessments as required when the project is ready for construction.</p> <p>Furthermore, we kindly request that all queries or new applications to be forwarded to the Obstacle Evaluators on the following: obstacleEvaluator@atns.co.za</p>		<p>It is acknowledged that ATNS will duly conduct assessments as required when the project is ready for construction. This information has been communicated to the applicant for their consideration of the project as and when the above-mentioned studies will be required.</p>

NO.	COMMENT	RAISED BY	RESPONSE
10.3.	For note for us to carry out a successful assessment we require the following information: 1. LOCATION (Co-ordinates WGS84 system) 2. SITE/GROUND ELEVATION (AMSL) 3. HEIGHT TO TOP OF PROPOSED DEVELOPMENT (in meters)		It is confirmed that all queries or new applications will be forwarded to the Obstacle Evaluators at the email address provided (obstacleEvaluator@atns.co.za).

**8. OTHER**

**8.1. General Comments**

NO.	COMMENT	RAISED BY	RESPONSE
1.	We noticed the notice of Environmental Impact Assessment for Hyperion Solar Development in Northern Cape Province We, Kalaharimed(PTY) Ltd, is a medical company, rendering Occupational Primary and Emergency Services in Kathu, Northern Cape at various mines and have an Offsite clinic in Kathu, where we are performing medical examinations eq, Pre employment, Annual and Exit medicals on a daily basis. We realized Hyperion is in the starting phase, but we want to request you to come and pay as a visit to have a look at the clinic and to contact us as soon as you need medicals to be done?	Ria Langeveld Operations Manager Kalaharimed(PTY)LTD  Email: 29-11-2018	The statement is correct, and the project is currently in the first phase of the Environmental Impact Assessment (Scoping) and it is envisaged that the Impact phase will start in early 2019.  The request to your clinic a visit will be forwarded to the Applicant as Savannah Environmental deals only with the impact studies for this proposed project and it can be confirmed that as Environmental Impact Assessment Practitioner (EAP) will therefore not be making use of the Company's services during the EIA Process.
2.	We noticed the notice of Environmental Impact Assessment for Hyperion Solar Development in Northern Cape Province We, Kalaharimed(PTY) Ltd, is a medical company, rendering Occupational Primary and Emergency Services in Kathu, Northern Cape at various mines and have an Off site clinic in Kathu, where we are performing medical examinations eq, Pre employment, Annual and Exit medicals on a daily basis. We realized Hyperion is in the starting phase, but we want to request	Ria Langeveld Operations Manager Kalaharimed(PTY)LTD  Email: 29-11-2018	You are correct, we are only in the first phase of the Environmental Impact Assessment (Scoping) and it is envisaged that the Impact phase will start in early 2019.  Your request for the team to pay your clinic a visit will be forwarded to the Applicant as we as the Environmental Assessment Practitioner will not be making use of your Company's services during the Environmental Impact

NO.	COMMENT	RAISED BY	RESPONSE
	you to come and pay as a visit to have a look at the clinic and to contact us as soon as you need medicals to be done?		Assessment (EIA) Process. Hope you find above-mentioned response in order. Please do not hesitate to contact us should your Company require any information at this stage of the (EIA).

**8.2. Request for Registration as I&AP**

NO.	COMMENT	RAISED BY	RESPONSE
3.	Requested to be registered on the project database as an I&APs.	<p>Veronique Fyfe                      Project Manager                      G7 Renewable                      Energies (Pty) Ltd                      Email: 4-10-2018</p> <p>Magdalena                      Michalowska                      Environmental, Legal                      Compliance Manager                      Africa &amp; Middle East                      Building Energy South                      Africa (Pty) Ltd                      Email: 30-10-2018</p> <p>Karl van Heerden                      Board Member                      Saasveld Boerdery                      Email: 1-11-2018</p> <p>Roxanne Mustard                      Regional Content                      Researcher                      Leads 2 Business                      Email: 28-11-2018</p>	Registration confirmed per e-mail to I&APs.

**8.3. Request for Release Code to Project Information on Website**

NO.	COMMENT	RAISED BY	RESPONSE
1.	Request for the Release Codes for the four (4) proposed projects were received via e-mail	<p>Veronique Fyfe                      Project Manager                      G7 Renewable Energies                      (Pty) Ltd                      Email: 04-10-2018</p> <p>Magdalena                      Michalowska;                      Environmental, Legal                      Compliance Manager                      Africa &amp; Middle East                      Building Energy South                      Africa (Pty) Ltd                      Email: 30-10-2018</p> <p>Karl van Heerden; Board                      Member; Saasveld                      Boerdery                      Email: 01-11-2018</p> <p>Jan Burger; I&amp;AP                      Email: 07-11-2018</p> <p>Julie Nel; Landowner                      Tel.: 19-11-2018</p>	The Release Code was e-mailed to the I&APs as requested.