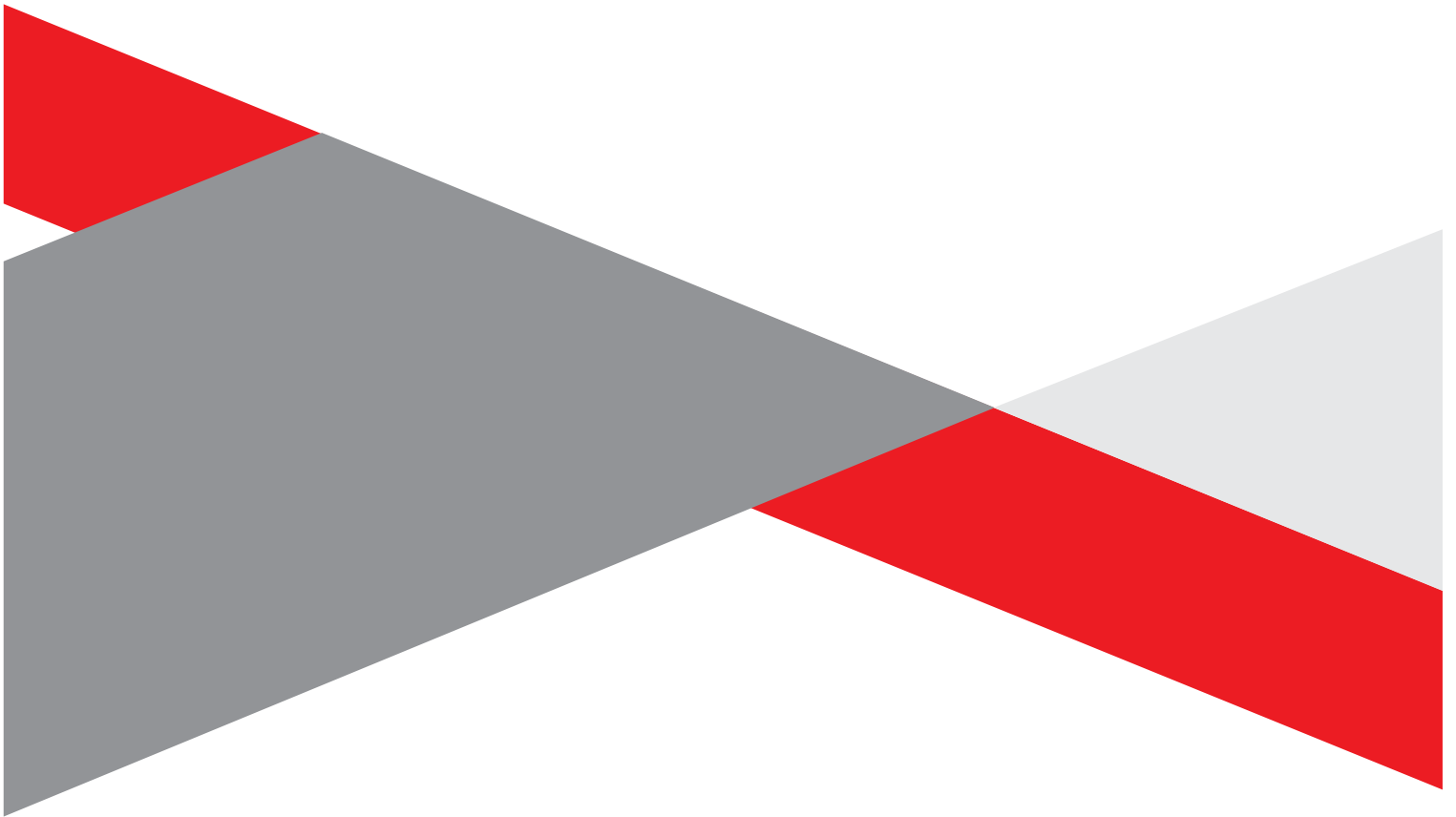


# **APPENDIX C8**

## **COMMENTS & RESPONSES REPORT**



**MUTSHO SOLAR PV2,  
(DFFE Reference No.:14/12/16/3/3/2/2181)**

**COMMENTS AND RESPONSES REPORT**

**TABLE OF CONTENTS**

	<b>PAGE</b>
<b>1 COMMENTS RECEIVED DURING THE ENVIRONMENTAL IMPACT ASSESSMENT PHASE.....</b>	<b>1</b>
1.1 Organs of State.....	1
1.2 Key Stakeholders and I&APs .....	10
<b>2 COMMENTS SUBMITTED ON THE SCOPING REPORT .....</b>	<b>12</b>
2.1 Organs of State.....	12
2.2 Key Stakeholders and Interested and Affected Parties .....	17

Information regarding the Scoping and Environmental Impact Assessment (S&EIA) and Public Participation processes for the proposed Mutsho Solar PV2 as well as details of the project, was made available with the distribution of the Background Information Document (BID) on **Monday, 25 July 2022** together with that for Mutsho Solar PV1, Mutsho PV3 and Mutsho PV4. The BID served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries that they might have.

The Scoping Report was made available for a 30-day review and comment period from **Tuesday, 26 July 2022** until **Friday, 26 August 2022**. All written comments received have been included in this Comments and Responses Report (C&RR) which was submitted with the final Scoping Report to the Department of Forestry, Fisheries and the Environment (DFFE) for their acceptance.

The Environmental Impact Assessment (EIA) Report is being made available for a 30-day review and comment period from **Friday, 13 January 2023** until **Monday, 13 February 2023**. All written comments received during the 30-day review and comment period of the EIA Report will be included in **Appendix C6** and captured in this Comments and Responses Report (C&RR) which will be submitted to the DFFE with the final EIA Report for decision-making.

The C&RR is included as **Appendix C8** to the final EIA Report as a separate document.

**Note:** Comments received have been captured verbatim and have not been edited for typing or grammatical errors.

**NOTE:**

In terms of Regulation 44(1) of the EIA Regulations 2014, as amended, please note that the comments raised and responses provided at the various virtual Meetings held during the 30-day review period of the Scoping Report are attached as **Appendix C7** of the final Scoping Report. Minutes of meetings held in the EIA Phase will be included in the Final EIA Report.

**LIST OF ABBREVIATIONS / ACRONYMS**

BESS	Battery Energy Storage System	PV	Photovoltaic
BID	Background Information Document	NWA	National Water Act
C&RR	Comments and Response Report	S&EIA	Scoping and Environmental Impact Assessment
DFFE	Department of Forestry Fisheries & the Environment	SACNASP	South African Council for Natural Scientific Professions
DWS	Department of water and Sanitation	SAHRIS	South African Heritage Resources Information System
EGI	Electrical Grid Infrastructure	SR	Scoping Report
EIA	Environment Impact Assessment	WESSA	The Wildlife and Environment Society of South Africa
EIAr	Environmental Impact Assessment Report	WUL	Water Use License
I&AP	Interested and Affected Parties		

## 1 COMMENTS RECEIVED DURING THE ENVIRONMENTAL IMPACT ASSESSMENT PHASE

### 1.1 Organs of State

No.	Comment	Raised by	Response
1.	<p>You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the Plan of Study for Environmental Impact Assessment as required in terms of the EIA Regulations, 2014, as amended. The Environmental Impact Assessment Report (EIAR) must comply with the requirements of Appendix 3 of the EIA Regulations, 2014, as amended.</p> <p>In addition, the following amendments and additional information are required for the EIAR:</p> <p><b><u>Application form</u></b></p> <p>1. You are required to provide written consent of the landowner identified in Section 3 of the application form, as per the requirement of Regulation 39 of the NEMA EIA Regulations, 2014, as amended.</p>	<p>Vusi Skosana Case Officer DFFE</p> <p>Letter: 19 October 2022</p>	<p>The landowner consent for the Solar Energy Facility is included as <b>Appendix 3</b> to the amended EA Application form submitted on <b>13 January 2023</b>.</p>
2.	Please confirm that Activity 14, Listing Notice 1 and Activity 10 of Listing Notice 3 are not triggered by the proposed development.		Mutsho PV2 does not include any storage of dangerous goods with a capacity of more than 30m <sup>3</sup> as the substation and BESS are to be associated with Mutsho PV1.
3.	It is noted that the proposed solar PV facility does not fall within any strategic corridors or development zones, therefore the application will be considered as a normal EIA Application.		It is correct that the site is not located within any strategic corridors or development zones.
4.	If the EIAR contains listed activities and/or other information that differs from the application form, the application form must be amended accordingly and submitted to the Department with the EIAR.		The listed activities applied for in the application form submitted to the DFFE on <b>26 July 2022</b> are the same as those included in this EIA Report.
	<b><u>Battery Energy Storage System (BESS)</u></b>		

No.	Comment	Raised by	Response
5.	BESS technologies must be included in the Technology Alternatives section of the EIAR.		BESS technologies are included in the Technology Alternatives section ( <b>Section 4.2 of Chapter 4</b> ) of the EIA Report.
6.	A Risk Assessment is not required for the Battery Energy Storage System (BESS), however, impacts associated with the risks must be identified, considered and assessed as part of the EIAR.		Impacts associated with the risks of the BESS are identified, considered and assessed as part of the EIA Report (refer to <b>Chapter 9</b> )
<b><u>Public Participation</u></b>			
7.	The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.		<p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended (GNR 326) (refer to <b>Appendix C: Public Participation Process</b> and <b>Table 7.3</b> of the EIAR).</p> <p>All relevant activities applied for in the application for Environmental Authorisation (EA) and included in this EIA Report are relevant to the Mutsho Solar PV2 and its associated infrastructure as described in the project description (refer to Section 7.2.1, Table 7.1).</p>
8.	Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to this Department's World Heritage Management section, regarding the Vhembe Biosphere Reserve (Ms Thumeka Ntloko at tntloko@dffe.gov.za), Department of Agriculture, Land Reform, and Rural Development (DALRRD), Department of Communications and Digital Technologies, South African Civil Aviation Authority (SACAA), South African Heritage Resources Agency (SAHRA), Telkom SA SOC Limited, Transnet SA SOC Limited, Limpopo Department Economic Development, Environment and Tourism (LDEDET), Limpopo Department of Transport and Community Safety, The Limpopo Provincial Heritage Resources Authority (LIHRA), Vhembe District Municipality, Musina Local Municipality, BirdLife South Africa, Endangered Wildlife Trust		<p>All comments received to date have been included within the Comments and Responses Report (<b>Appendix C6: Comments Received</b>). Where comments have not been obtained, proof that attempts were made to obtain comments have been included in <b>Appendix C4: Organs of State Correspondence</b> and <b>Appendix C5: Stakeholder Correspondence</b>.</p> <p>The database detailing registered I&amp;APs is included as <b>Appendix C1: I&amp;AP Database</b> to the EIA Report.</p>

No.	Comment	Raised by	Response
	(EWT), Wildlife and Environment Society of South Africa (WESSA), SANParks, and Interested & Affected Parties I&APs.		
9.	All issues raised and comments received must be incorporated into the Comments and Response Report.		<p>Comments received and issues raised from I&amp;APs to date on the project have been arranged according to date received and not in categories, and comments from each submission have been responded to individually, as applicable (refer to <b>Appendix C8: Comments and Responses Report</b>).</p> <p>Comments received during the 30-day review and comment period of the EIA Report will be captured and addressed in the Comments and Responses Report (<b>Appendix C8: Comments and Responses Report</b>) and will be submitted with the final EIA Report to the DFFE for decision-making. Proof of additional correspondence with the various stakeholders will be included in the final EIA Report in <b>Appendix C4: Organs of State</b> and <b>Appendix C5: Stakeholder Correspondence</b>. Where comments have not been obtained, proof that attempts were made to obtain comments will be included in <b>Appendix C4: Organs of State</b> and <b>Appendix C5: Stakeholder Correspondence</b> of the final EIA Report.</p>
10.	Proof of correspondence with the various stakeholders 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>Proof of correspondence with the various stakeholders are included in the EIA Report in <b>Appendix C4: Organs of State</b> and <b>Appendix C5: Stakeholder Correspondence</b>.</p> <p>Where comments have not been obtained during the 30-day review and comment period of the EIA Report, proof of attempts made to obtain comments will be included in <b>Appendix C4: Organs of State</b> and <b>Appendix C5: Stakeholder Correspondence</b> of the final EIA Report.</p>
	<b><u>Layout &amp; Sensitivity Maps</u></b>		
11.	Please provide a Layout Map which indicates the following:		

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> <li>a. Solar panel positions and its associated infrastructure;</li> <li>b. Permanent laydown area footprint;</li> <li>c. Internal roads indicating width (construction period width and operation period width) and with numbered sections between the other site elements which they serve (to make commenting on sections possible);</li> <li>d. The location of any 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>e. Substation(s) and/or transformer(s) sites, including their entire footprint;</li> <li>f. Buffer areas;</li> <li>g. Buildings, including accommodation if any; and</li> <li>h. All "no-go" areas.</li> </ul>		The facility layout is included in this EIA Report as <b>Figure 9.1</b> . The layout includes all the infrastructure associated with the facility as required. A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as <b>Figure 11.1</b> .
12.	An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process must be submitted in the EIAR.		A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as <b>Figure 11.1</b> .
13.	A map combining the layout map superimposed (overlain) on the environmental sensitivity map must be submitted in the EIAR.		A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as <b>Figure 11.1</b> .
	<b><u>Specialist assessments</u></b>		
14.	In addition to the preliminary specialist studies contained in the final SR, it is noted that a Avifauna Impact Assessment will be included in the EIAR, as per Section 7.6 of the final SR.		An Avifauna Impact Assessment is included in the EIA Report, as per Section 7.6 of the final SR, as <b>Appendix E</b> .
15.	The Heritage Impact Assessment must be submitted to the South African Heritage Resources Agency (SAHRA) for comments, via the South African Heritage Resources Information System (SAHRIS). These comments must be addressed and incorporated in the EIAR.		A Heritage Impact Assessment is included in the EIA Report <b>Appendix G</b> and the EIA Report will be submitted to the Limpopo Provincial Heritage Resources Authority (LIHRA) and the South African Heritage Resources Agency (SAHRA) for comments, via the South African Heritage Resources Information System (SAHRIS). The comments from SAHRA will be captured and

No.	Comment	Raised by	Response
			addressed in the Comments and Responses Report ( <b>Appendix C8</b> ) to be submitted with the final EIA Report to the DFFE for decision-making.
16.	Specialist assessments must be conducted in accordance with the Government Notice No. 320 of 20 March 2020 (i.e. 'the Protocols'), and Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species).		The specialist studies have been conducted in accordance with Government Notice No. 320 of 20 March 2020 (i.e., "the protocols"), and Government Notice No. 1150 of 30 October 2020 (i.e., protocols for terrestrial plant and animal species). The report compilers/reviewers are registered with SACNASP.
17.	The avifauna! specialist study must be conducted according to the latest <i>BirdLife South Africa Best Practice Guideline for Birds and Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa</i> .		An Avifauna Impact Assessment was conducted according to the latest BirdLife South Africa Best Practice Guideline for Birds and Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa and are included in the EIA Report, as per Section 7.6 of the final Scoping Report, as <b>Appendix E</b> .
18.	Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas.		The Department's definition of 'no-go' area is noted and has been considered within this EIA Report. The 'no-go' areas identified by the specialists have been considered by the developer when designing the facility layout.
19.	Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.		The specialist's definition of 'no-go' area is the same as that of the Department and various 'no-go' areas, including their associated buffer areas, have been recommended by the specialists and have been considered by the developer when designing the facility layout.
20.	All specialist studies must be final and provide detailed/practical mitigation measures for the preferred alternative and recommendations and must not recommend further studies to be completed post environmental authorization.		All specialist studies attached to this EIA Report (refer to <b>Appendix D – I</b> ) are final and provide detailed and practical mitigation measures and recommendations.
21.	Should the specialist studies provide more detail regarding any of the project activity thresholds, please ensure that the project activity descriptions are amended accordingly in the application form and EIAr.		Project activity descriptions was amended in the application form and EIA Report according to the specialist studies after they provided more detail regarding any of the project activity thresholds.



No.	Comment	Raised by	Response
	22. Should a specialist recommend specific mitigation measures, these must be clearly indicated.		The mitigation and enhancement measures proposed by the specialists are included in <b>Chapters 9 and 10</b> of the EIA Report, as well as the project EMPs which are attached as <b>Appendix K</b> to the EIA Report.
	23. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.		The appointed specialists do not specify contradicting recommendations.
	24. Please ensure that the Specialist declarations of interest are completed in full and that they are signed.		All specialist declarations of interest are completed in full and that they are signed and included as <b>Appendix J</b> to the EIA Report.
	<b><u>Cumulative Assessments</u></b>		
	25. Regarding the identified similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must indicate the following: <ul style="list-style-type: none"> <li>a. Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e., hectares of cumulatively transformed land.</li> <li>b. Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process.</li> <li>c. Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.</li> </ul>		Several renewable energy facilities within a 30km radius of the proposed development have been identified and are detailed in <b>Chapter 10</b> of the EIA Report. An evaluation of potential cumulative impacts is included in <b>Chapter 10</b> of the EIA Report as well as within the specialist reports included in <b>Appendix D to I</b> .

No.	Comment	Raised by	Response
	<p>d. The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p> <p>e. A cumulative impact environmental statement on whether the proposed development must proceed.</p>		
	<p><b><u>PV Facility Environmental Management Programme (EMPr)</u></b></p> <p>26. A construction and operational phase EMPr for the PV facility, which includes mitigation and monitoring measures must be submitted with the EIAR.</p>		<p>The EMPr for the solar energy facility is included as <b>Appendix K1</b> to the EIA Report. The generic substation EMPr is included as <b>Appendix 22</b> to the EIA Report. Both EMPrs include mitigation and monitoring measures for the construction and operational phases.</p>
	<p>27. The EMPr must be developed in terms of Appendix 4 of the EIA Regulations, 2014 as amended and must include (but not limited to) the following plans and measures:</p> <ul style="list-style-type: none"> <li>a. Re-vegetation and habitat rehabilitation plan;</li> <li>b. Weed and invader plant management plan;</li> <li>c. Traffic management plan;</li> <li>d. Noise management;</li> <li>e. Stormwater management;</li> <li>f. Emergency response;</li> <li>g. Fire management;</li> <li>h. Erosion management;</li> <li>i. Dust management; and</li> <li>j. All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.</li> <li>k. An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.</li> </ul>		<ul style="list-style-type: none"> <li>» A re-vegetation and habitat rehabilitation plan is included as <b>Appendix D</b> to the facility EMPr and will be implemented during the construction and operational phases.</li> <li>» An alien invasive management plan is included as <b>Appendix C</b> to the facility EMPr.</li> <li>» A traffic management plan is included as <b>Appendix F</b> to the facility EMPr.</li> <li>» Noise mitigation measures are included in the facility EMPr.</li> <li>» A stormwater management plan is included as <b>Appendix G</b> to the facility EMPr.</li> <li>» An emergency response plan is included as <b>Appendix J</b> to the facility EMPr.</li> <li>» A fire management plan for implementation during the construction and operation of the facility is included as <b>Appendix I</b> to the facility EMPr.</li> <li>» An erosion management plan is included as <b>Appendix G</b> to the facility EMPr.</li> <li>» Dust management and mitigation measures are included in the facility EMPr.</li> <li>» The facility EMPr is included as <b>Appendix K1</b> to the EIA Report. The facility EMPr has been compiled in accordance</li> </ul>

No.	Comment	Raised by	Response
			<p>with Appendix 4 of the EIA Regulations, 2014, as amended, and includes all mitigation measures specified in the EIA Report and specialist reports.</p> <p>» This comment is noted and has been included as a mitigation measure in the facility EMPr (refer to <b>Chapter 7, Objective 16 and Chapter 8, Objective 7</b>).</p>
28.	The decommissioning phase section of the EMPr for the facility must contain information relating to the handling, repurposing or disposal of dysfunctional, severely damaged batteries, module and containers.		The decommissioning phase section of the EMPr for the facility contains information relating to the handling, repurposing or disposal of dysfunctional, severely damaged batteries, module and containers.
29.	The EMPr must distinguish between impact management actions and impact management outcomes.		The EMPr clearly distinguishes between impact management actions and impact management outcomes.
30.	The EMPr must include all recommendations and mitigation measures recorded in the EIAr and specialist studies conducted.		The facility EMPr is included as <b>Appendix K1</b> to the EIA Report. The facility EMPr has been compiled in accordance with Appendix 4 of the EIA Regulations, 2014, as amended, and includes all mitigation measures specified in the EIA Report and specialist reports.
31.	The EMPr must not contain any ambiguity. Where applicable, statements containing the word "should" or "may" are to be amended to "must".		The EMPr does not contain any ambiguity.
	<b><u>Generic Environmental Management Programme (EMPr)</u></b>		
32.	<p>The proposed development triggers Activity 11 of Listing Notice 1 as amended for an on-site substation. The following generic EMPr must be included in the EIAr, over and above the EMPr for the PV facility:</p> <p>a. <i>Generic EMPr for the development and expansion of substation infrastructure for the transmission and distribution of electricity.</i></p>		The facility EMPr is included within <b>Appendix K</b> of the EIA Report. The substation is associated with Mutsho PV1. No additional substation is included for Mutsho PV2. Therefore, a generic EMPr is not applicable.
33.	Part B: Section 2 of the generic EMPrs must be completed, and a copy of an originally signed EMPrs must be submitted with the EIAr.		

No.	Comment	Raised by	Response
	Please note that Point 7.1.1 in Part B: Section 2 needs to match the details of the applicant as contained in the application form.		
34.	If any specific environmental sensitivities/attributes are present on the site which require more specific impact management outcomes and impact management actions, not included in the pre-approved generic EMPr template, to manage impacts, those impact management outcomes and actions must be included in Part C of the generic EMPr.		
	<b>General</b>		
35.	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.		Information on services required on the site, e.g. sewage, refuse removal, water and electricity and confirmation of capacity has been obtained and are included in <b>Chapter 2</b> of the EIA Report. As the project is still in the planning phase, no agreements have yet been reached regarding services.
36.	<b>The EAP must provide detailed motivation if any of the above requirements is not required by the proposed development and will not be included in the EMPr.</b>		All requirements for the EMPr as stated by the DFFE have been included. No motivation in this regard is required.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment, with regard to the time period allowed for complying with the requirements of the Regulations.		The submission of the final EIA Report will comply with the prescribed timeframes of the EIA Regulations, 2014, as amended.
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.		The applicant is aware of this requirement.

## 1.2 Key Stakeholders and I&APs

No.	Comment	Raised by	Response
<b>Comment applicable to the EGI</b>			
2.	<p>We act herein on behalf of the Maitazwitoma CPA who handed us your recent notice dated July 2022 of which we attach hereto for your ease of reference.</p> <p>Our clients are the owners of Portion 2 of the Farm Scott 567MS.</p> <p>Our clients leases the aforesaid property to a certain company, S &amp; W Safaris (Pty) Ltd, represented by Mr Johannes Willem Venter.</p> <p>In terms of clause 7 of the lease agreement with S &amp; W Safaris (Pty) Ltd, the lessee may not cede any rights or sign any obligations under the lease, sublet the premises or any portion thereof or part with possession of the premises or any portion thereof without prior written consent of the lessor.</p> <p>We note from the publication dated July 2022 that your client, Mutsho Power (Pty) Ltd intends developments on inter alia our clients' property, Portion 2 of the Farm Scott 567 MS. Any agreement with S &amp; W Safaris (Pty) Ltd will be without our clients' written consent, and as such null and void.</p> <p>As a matter of urgency kindly furnish us with the following information/documents:</p> <ol style="list-style-type: none"> <li>1. Full information of any agreements between S &amp; W Safaris (Pty) Ltd / Johannes Willem Venter and your client, Mutsho Power (Pty) Ltd;</li> <li>2. Copies of any such documents intended to get permission to Mutsho Power (Pty) Ltd for developments on/over our client's property, Portion 2 of the Farm Scott 567 MS.</li> </ol>	<p>HM Erwee Attorney Erwee Incorporated</p> <p>E-mail: 31 October 2022</p>	<p>It is confirmed that the Maitazwitoma CPA is a registered I&amp;AP on the project's database as an impact landowner for the Electrical Grid Infrastructure (EGI) for the Mutsho Solar Photovoltaic (PV) Energy Facilities consisting of four (4) solar PVs.</p> <p>The Applicant confirms that no agreements have been signed between Mutsho Power (Pty) Ltd and the lessee of Portion 2 of the Farm Scott 567MS, S&amp;W Safaris (Pty) Ltd in terms of the proposed grid corridor from the proposed four (4) solar PV facilities connecting to the existing 132kV Nzhelele Substation. Negotiations for a grid route will take place between Mutsho Power (Pty) Ltd and the registered landowner/s of the property/ties as and when such agreements are required to be signed for the EGI project.</p> <p>The proposed solar PV facilities are not proposed on the Portion 2 of the Farm Scott 567MS and therefore no discussions and/or negotiations will take place regarding the development of the solar PV facilities.</p> <p>it is confirmed that no documents, as requested, are available as none were discussed and/or signed between Mutsho Power (Pty) Ltd and S&amp;W Safaris (Pty) Ltd.</p> <p>A copy of the BID was e-mailed to the I&amp;AP which provides information regarding the five (5) applications (e.g. four (4) solar PVs and the EGI Facility).</p>

No.	Comment	Raised by	Response
	Kindly revert to us as a matter of urgency.		The Scoping Reports which were made available for review and comment from 26 July 2022 to 26 August 2022 are still available for download from our website: <a href="https://savannahsa.com/public-documents/energy-generation/mutsho/">https://savannahsa.com/public-documents/energy-generation/mutsho/</a> and the release code was provided.

## 2 COMMENTS SUBMITTED ON THE SCOPING REPORT

### 2.1 Organs of State

No.	Comment	Raised by	Response
1.	<b>What is the facility's estimated water annual requirement (expressed in million m<sup>3</sup>/annum or Ml/annum)?</b>  I do, however, assume that the facility's water requirements will be minimal.	Johan Enslin Chief Engineer: Water Resources Development Planning DWS	During operation, water consumption would include:  » Domestic water for camp and site office will be approximately 20m <sup>3</sup> /month. » A water tanker will be used for panel washing, using approximately 1200m <sup>3</sup> /month.
	<b>From where will the facility receive its water?</b> I assume that the facility will receive its water from a local borehole	E-mail: 26 July 2022	Water required for construction and operation will either be sourced from drilling wells or supplied by the municipality by water tankers.
	<u>Please keep in mind that A Water Use License (WUL) will be required in terms of the National Water Act (NWA), which can be applied for on the WARMS on the DWS Website. The DWS Limpopo Regional Office deals with WULs in the Northern Planning Area. The reason is that the water use for the facility is regarded as water use for commercial purposes, even if it is minimal. So please, register the facility as a Water User and apply for a WUL to be on the safe side of the NWA.</u>		As stated in the Scoping Report, in the event any water uses as defined in Section 21 of the Water Act are applicable, then a water use authorisation would be required.
	The <b>reason why I'm asking the two (2) questions</b> above is that if just in case the facility requires water from a DWS Scheme then we have to incorporate the facility's water requirements into our planning. I do, however, assume that this is not the case, but please confirm. Many thanks.		Water required for construction and operation will either be sourced from drilling wells or supplied by the municipality by water tankers, and not from a DWS scheme.
2.	Based on the information provided in the report, there is a wetland located within the project site. However, this wetland is considered to be in a seriously modified ecological state. Therefore, the development may proceed with the next stage of the EIA phase provided that all relevant National and Provincial biodiversity guidelines will be considered in the final report.	M Rabothata & T Sekonko Control Biodiversity Officer Grade B: Biodiversity Conservation DFFE	The EIA phase specialist studies will be undertaken in accordance with the specialist protocols as well as all relevant guidelines.

No.	Comment	Raised by	Response
	<p>Notwithstanding the above, the following recommendations must be considered in the final report:</p> <ul style="list-style-type: none"> <li>» Preconstruction walk-through of the approved development footprint must be undertaken to ensure that sensitive habitats and species are avoided where possible.</li> <li>» The detailed Biodiversity Specialist studies must be conducted, updated, and submitted in your final report.</li> <li>» A detailed facility layout that avoids all sensitive areas within the project site must be submitted in your final report.</li> <li>» Sensitive habitats in close proximity to the development footprint must be avoided or demarcated as No-Go area (i.e. wetlands and watercourses).</li> <li>» Permits from relevant authorities must be obtained for the removal or disturbance of any TOPS, Red Data listed or provincially protected species/ trees.</li> <li>» A detailed site Rehabilitation Plan must be developed and all disturbed and cleared areas must be rehabilitated with indigenous perennial shrubs and grasses from the local area; to ensure that these areas do not become subject to erosion or invasive alien plant growth.</li> <li>» Weed and Invader Plant Management Plan must be developed to control and monitor weeds within the sensitive areas to avoid erosion and invaders.</li> </ul>	Letter: 25 August 2022	<p>The recommendations will be included within the Environmental Management Programme (EMPr) for the project.</p>
	The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.		<p>The final report complies with the requirements of the EIA Regulations and all relevant guidelines. The EIA phase specialist studies will be undertaken in accordance with the specialist protocols as well as all relevant guidelines, and the EIA Report will be compiled in accordance with the requirements of the EIA Regulations.</p>
	In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity		<p>The comment is noted. All Public Participation Process documents related to Biodiversity EIA review and any other</p>



No.	Comment	Raised by	Response
	EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdminenvironment.gov.za for attention of Mr Seoka Lekota.		Biodiversity EIA queries will be submitted to the Directorate: Biodiversity Conservation at Email: BCAdminenvironment.gov.za for attention of Mr Seoka Lekota.
3.	The South African National Roads Agency SOC Limited (SANRAL) has not objection to the application as no national roads or interchanges under the jurisdiction of SANRAL will be affected.	J Oliver Statutory Control Manager: Northern Region  Letter: 25 August 2022	SANRAL's no objection regarding the application is acknowledged and no further action is required.
4.	<u>This letter serves to inform you that the following information must be included to the Final Scoping Report:</u>  <b><u>Application form</u></b> 1. You are required to provide written consent of the landowner identified in Section 3 of the application form, as per the requirement of Regulation 39 of the NEMA EIA Regulations, 2014, as amended.	Bathandwa Ncube Case Officer DFFE  Letter: 29 August 2022	Written consent of the landowner is submitted together with the Final Scoping Report.
	2. It is understood that Mutsho Solar PV2 is part of a cluster of 4 proposed 100MW Solar PV energy facilities and all the projects are proposed for development on the Remaining Extent of Farm Vrienden 589 MS. It is important to note however, that the EIA process is project specific therefore, the maps must demarcate the boundary of the development site specific to Mutsho Solar PV2, as well as the associated coordinate points.		The location of Mutsho Solar PV2 is included in Figure 1.2. Co-ordinate points are included in Table 1.1.
	3. Please confirm that even though the locality map of the proposed project includes a 300m grid corridor, this grid infrastructure will be applied for and assessed as part of a separate basic assessment process.		It is confirmed that the grid infrastructure will be applied for and assessed as part of a separate basic assessment process.
	4. If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted with the final SR.		The activities applied for in the application form do not differ from those mentioned in the final SR. Therefore, no amended application form is required.

No.	Comment	Raised by	Response
	<b><u>Specialist Assessments</u></b>		
5.	You are requested to submit the Specialist Declaration of Interest form for the Landscape and Visual Impact Baseline Report dated June 2022, prepared by Environmental Planning and Design cc.		The Specialist Declaration of Interest form for the Landscape and Visual Impact Baseline Report dated June 2022, prepared by Environmental Planning and Design cc. is included in <b>Appendix J</b> .
	<b><u>Public Participation Process</u></b>		
6.	The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and as specified in the approved Public Participation Plan.		The Public Participation Process has been conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended, as detailed in Chapter 7 of the Scoping Report. The process commenced after the withdrawal of the requirement to submit a Public Participation Plan for approval in May 2022. Therefore, a PP Plan is not applicable to this process.
7.	Comments must be obtained from this Department's Biodiversity and Conservation Section. The contact details are as follows: BCAdmin@dffe.gov.za.		Comments have been obtained from DFFE's Biodiversity and Conservation Section. These comments are included in <b>Appendix C6</b> of the final Scoping Report, and within the Comments and Responses Report included as <b>Appendix C8</b> of the Final Scoping Report.
8.	Please ensure that all issues raised and comments received during the circulation of the draft SR from registered Interested and Affected Parties (I&APs) and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed and included in the final SR.		All issues raised and comments received during the circulation of the draft SR from registered Interested and Affected Parties (I&APs) and organs of state which have jurisdiction in respect of the proposed activity have been adequately addressed and included in the final SR where applicable.
9.	Copies of original comments received from I&APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the Final SR.		Copies of comments received during the EIA process to date are included in <b>Appendix C6</b> of the final Scoping Report.
10.	Proof of correspondence with the various stakeholders must be included in the final SR. This must indicate that this draft SR has been subjected to 30 days public participation process, stating the start and end date of the PPP. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments.		Proof of correspondence with stakeholders, I&APs and relevant Organs of State, as well as proof of attempts to obtain comments are included in <b>Appendix C5</b> of the Final Scoping Report.
11.	All issues raised and comments received during the circulation of the draft SR from I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the		All comments received are included within the Comments and Responses Report included as <b>Appendix C8</b> of the Final Scoping Report. All comments have been responded to adequately.

No.	Comment	Raised by	Response
	final SR, including comments from this Department, and must be incorporated into the Comments and Response Report (CRR).		
	12. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.		Comments have not been split and arranged into categories. Comments from each submission have been responded to individually.
	13. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as "noted" is not regarded as an adequate response to an I&AP's comments.		Comments have been captured verbatim and not summarized. All comments have been responded to clearly and none have been 'noted'.
	14. The attendance register and minutes of any meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&APs) and other role players must be included in the final SR.		Notes of meetings held including the attendance registers are included in <b>Appendix C7</b> of the final Scoping Report.
	<p><b>General</b></p> <p>You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:</p> <p><i>"If S&amp;EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"</i></p> <p>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 Regulation 21(1) of the EIA Regulations 2014, as amended.</p> <p>Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any</p>		<p>The Scoping Report has been subjected to a 30-day review period and is submitted to the DFFE within the prescribed timeframes. As detailed in the report, the report complies with the requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.</p>


No.	Comment	Raised by	Response
	of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7)		
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.		The applicant is aware of the requirements of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended. No activity will commence prior to an Environmental Authorisation being granted by the Department.

## 2.2 Key Stakeholders and Interested and Affected Parties

No	Comment	Raised by	Response
1.	Our school is a LEDET Green School and was a member of the Wessa/ International Ecoschools -all Tshivenda scholars. I am the project coordinator and a few years back we won the first prize in the National Green Schools for the Earth competition. We are all hoping so badly that the giant Baobabs will not be sacrificed.	Karin Marais I&AP  WhatsApp Message: 01 August 2022	In accordance with the mitigation hierarchy, impacts will be avoided as a first option. This includes avoidance of protected trees such as the baobabs present on the site.
	We are hoping that your positive recommendations concerning these giant trees will ensure their preservation.		Recommendations made within the EIA process will be included within an Environmental Management Programme (EMPr) for the project, which will become binding on the Applicant should the project be authorised.
	Besides my personal concern with regards to: i. the negative impacts on biodiversity, and especially that on endangered and protected species, to be brought about by terrain clearing on the proposed site and ii. how it will be avoided or mitigated, I do not have any business, financial or other interest in the approval or refusal of the application.	Karin Marais I&AP  Reg&Comm Form: 03 August 2022	The concerns regarding negative impacts on biodiversity, and especially that on endangered and protected species are noted. Recommendations made within the EIA process, including those relating to avoidance and mitigation of impacts, will be included within an Environmental Management Programme (EMPr) for the project, which will become binding on the Applicant should the project be authorised.
2.	I approve of the application for the Solar Project	Lynne Ras I&AP	The comment is noted. No response is required.
	Although I approve of the Solar Project, I do have concerns about protected and endangered fauna and flora species, which occur in the area. For example but not limited to the following – Baobab and Tamboti trees, Impala lilies, Wild Dogs and Pangolins	Reg&Comm Form: 11 August 2022	The concerns are noted and have been provided to the ecologist for consideration in the EIA Phase of the process.

No	Comment	Raised by	Response
3.	<p>I do not have any direct business, financial, personal or other interest which may have in the approval or refusal of the application</p> <p><b>MY CONCERN TO THE MPVF ABOUT THE DEFORESTATION</b></p> <p>I am Rambau Osedza a sixteen-year-old girl, doing grade ten. I am in a science class and I get to learn about the beneficiaries of us having trees. I get to learn how they help us as human beings, well not only humans and animals too. So I find the case of deforestation as a very bad thing, especially when it comes to big trees like baobab trees because they are the once that cannot be transplanted which means they will die and we will be having a huge loss as Limpopo province.</p> <p>Deforestation can be a huge impact of soil erosion, not forgetting the case of climate change. It can also increase greenhouse gases in the atmosphere. We cannot cut giant trees like baobab trees because they clean our air, the air we breath by absorbing carbon dioxide and the carbon that is absorbed by their woods helps to slow the rate of global warming.</p> <p>We have baobab trees which are shelters to some animals and food to some. Well some trees like marula and moringa bear fruits and provide medication for some humans and when it come to the Zulu culture the marula trees symbolize women's fertility, softness and tenderness.</p> <p>I am very worried that your company will destroy the big trees in the site, so please I humbly ask you to protect these trees, build around them or put a fence around them then you can transplant the small ones.</p> <p>I sincerely hope that you will concede my area of interest about the trees and save all trees like marula and other baobab trees.</p>	<p>Rambau Osedza I&amp;AP</p> <p>Reply Form: 11 August 2022</p>	<p>The comment is noted. No response is required.</p> <p>The concerns are noted and have been provided to the ecologist for consideration in the EIA Phase of the process.</p> <p>In accordance with the mitigation hierarchy, impacts will be avoided as a first option. This includes avoidance of protected trees such as the baobabs present on the site. Recommendations made within the EIA process will be included within an Environmental Management Programme (EMPr) for the project, which will become binding on the Applicant should the project be authorised.</p>
4.	I disclose that I do not have any direct business, financial, personal or other interest in the approval or refusal of the application	Livhuwani Matsila I&AP	The comment is noted. No response is required.

No	Comment	Raised by	Response
	<p>My name is Livhuwani Matsila and I'm one of the science students. I'm in grade 10 and also 16 years old. I've been taught in science about deforestation and it's not a very good thing to do. This does not only affect us as humans, it also affects animals living in that ecosystem. Trees are important to us and also to animals. People need trees in order for them to be able to breath. Animals get food from trees and some of them live in trees.</p> <p>Burning of trees and habitats affects animals because they would have to find new shelter, causes the soil to lose its minerals and it adds up to one of the causes of <b>Global warming</b>.</p> <p>When removing the trees it also causes soil erosion, since the trees are next to the N1 road when it rains soil will be washed away and water will not be absorbed by the sand. And this may cause cars to be washed away by water when it heavily rains, which puts human lives at risk.</p> <p>You can transplant the smaller baobab trees to another area instead of burning them down or cutting them down. <b>I would kindly like to ask you not to remove the bigger baobab trees, but rather build a small fence around the bigger trees that cannot be transplanted and build the solar panels in a better area.</b></p>	<p>Reply Form: 12 August 2022</p>	<p>The concerns are noted and have been provided to the ecologist for consideration in the EIA Phase of the process.</p> <p>In accordance with the mitigation hierarchy, impacts will be avoided as a first option. This includes avoidance of protected trees such as the baobabs present on the site. Recommendations made within the EIA process will be included within an Environmental Management Programme (EMPr) for the project, which will become binding on the Applicant should the project be authorised.</p>
5.	<p>I wondered if you knew more regarding the power line that would be running along or close to my farm's eastern border in a northerly direction. How high will this power line be? Also how close to the actual border?</p>	<p>Dean McGee Landowner</p> <p>Email: 23 August 2022</p>	<p>A separate Basic Assessment process will be undertaken for the proposed power line and more details can be provided through this process.</p> <p>The details of the power line are as follows:</p> <ul style="list-style-type: none"> <li>» The overhead power line will be a 132kV double circuit power line, up to a length of 12km, and will connect to the existing Nzhelele Substation.</li> </ul>

No	Comment	Raised by	Response
			<ul style="list-style-type: none"> <li>» The height of a 132kV double circuit overhead power line is typically between 26 – 29m.</li> <li>» The servitude width for a 132kV overhead power line is typically 32 – 35m.</li> <li>» For the purposes of the grid connection project, we will be assessing a grid corridor of 300m, and the power line will be suitably placed somewhere within the 300m wide corridor.</li> <li>» It is proposed that the power line will run immediately adjacent to the existing gravel road along the border of the property (see screenshot below – the power line route is represented by the blue line).</li> </ul> 
	<p>Also I assume there will be noise generated in the construction of these plants but if you knew what the noise impact would be afterward once up and running. And then if the plant would be lit at night and the impact on the neighbouring farms.</p>		<p>As detailed in the Scoping Report, "Noise impacts are expected to be associated with the construction phase of the project. Considering the location of the project site in relation to residential areas and provided that appropriate mitigation measures are implemented, construction noise is unlikely to present a significant intrusion to the local community."</p> <p>Solar PV facilities do not generate significant noise during operation.</p>

No	Comment	Raised by	Response
			During construction and operation, the facility will be lit by security lights to a level sufficient to ensure that security cameras can operate at night. Lighting impact will be assessed in the Visual Impact Assessment during the EIA Phase of the process and appropriate mitigation measures will be provided by the specialist.