

APPENDIX C8
COMMENTS & RESPONSES REPORT



**MUTSHO SOLAR PV3,
(DFFE Reference No.:14/12/16/3/3/2/2182)**

COMMENTS AND RESPONSES REPORT

TABLE OF CONTENTS

	PAGE
1 COMMENTS RECEIVED DURING THE ENVIRONMENTAL IMPACT ASSESSMENT PHASE.....	1
1.1 Organs of State.....	1
1.2 Key Stakeholders and I&APs	7
2 COMMENTS SUBMITTED ON THE SCOPING REPORT	10
2.1 Organs of State.....	10
2.2 Key Stakeholders and Interested and Affected Parties (I&AP's).....	17

Information regarding the Scoping and Environmental Impact Assessment (S&EIA) and Public Participation processes for the proposed Mutsho Solar PV3 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 PV1, Mutsho Solar PV2 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.</p> <p>In addition, the following amendments and additional information are required for the EIAR:</p> <p>Listed Activities</p> <p>(i) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</p>	<p>Lunga Dlova Case Officer DFFE</p> <p>Letter: 19 October 2022</p>	<p>The EIA Report provides an assessment of the impacts and mitigation measures for each of the listed activities applied for within Chapters 8 and 9 and within the specialist reports contained within Appendix D-I.</p>
	(ii) The listed activities represented in the EIAR and the application form must be the same and correct.		The listed activities applied for in the application form submitted to the DFFE on 26 July 2022 are the same as those included in this EIA Report.
	(iii) The EIAR must assess the correct sub listed activity for each listed activity applied for.		The EIA Report assesses the correct sub listed activity for each listed activity applied for.
	<p>Public Participation</p> <p>(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the Department of Mineral Resources and Energy (DMRE), Department of Agriculture, Land Reform, and Rural Development (DALRRD), Department of Water and Sanitation (DWS), Department of Communications and Digital Technologies, National Energy Regulator of South Africa (NERSA), Air Traffic</p>		<p>All comments received to date have been included within the Comments and Responses Report (Appendix C6: Comments Received). Where comments have not been obtained, proof that attempts were made to obtain comments has been included in Appendix C4: Organs of State Correspondence and Appendix C5: Stakeholder Correspondence.</p>

No.	Comment	Raised by	Response
	<p>Navigation Services (ATNS), South African Civil Aviation Authority (CAA), South African Heritage Resources Agency (SAHRA), South African National Roads Agency Limited (SANRAL), 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 (LHRA), Vhembe District Municipality, Musina Local Municipality, BirdLife South Africa, Endangered Wildlife Trust (EWT), Wildlife and Environment Society of South Africa (WESSA), the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation and Interested & Affected Parties I&APs.</p>		<p>The database detailing registered I&APs is included as Appendix C1: I&AP Database to the EIA Report.</p>
(ii)	<p>Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAR. Proof of correspondence with the various stakeholders must be included in the final EIAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.</p>		<p>Issues raised and comments received during the 30-day review and comment period of the Scoping Report have been captured in this C&RR. Those that will be raised on the EIA Report will be captured and addressed in the Comments and Responses Report (Appendix C8: Comments and Responses Report) 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 Appendix C4: Organs of State and Appendix C5: Stakeholder Correspondence. Where comments have not been obtained, proof that attempts were made to obtain comments will be included in Appendix C4: Organs of State and Appendix C5: Stakeholder Correspondence of the final EIAR.</p>
(iii)	<p>A Comments and Response trail report (C&R) must be submitted with the final EIAR. The C&R report must incorporate all comments for this development. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Appendix 1 of this comments letter. Please refrain from summarising comments made by i&APs. All comments from I&APs must be copied verbatim and responded</p>		<p>The C&RR includes all the comments and issues submitted on the proposed project and have been captured in this C&RR which is attached as Appendix C8: Comments & Responses Report of the EIAR including the comments received from the DFFE.</p> <p>Comments received have not been summarised for inclusion in the C&RR and have been captured verbatim.</p>

No.	Comment	Raised by	Response
	to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.		All comments have been responded to adequately, as applicable, and no comments have been responded to as "noted".
	(iv) 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 and have been captured in chronological order according to the date received. Comments from each submission have been responded to individually.
	(v) 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 & 44 of the EIA Regulations 2014, as amended (GNR 326) (refer to Appendix C: Public Participation Process and Table 7.3 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 PV3 and its associated infrastructure as described in the project description (refer to Section 7.2.1, Table 7.1).</p>
	<p><u>Layout & Sensitivity Maps</u></p> <p>(i) The EIAR must provide the four corner coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.</p>		<p>The corner co-ordinates of the project site are included in Table 1.1 of the EIA Report. The power line is the subject of a separate application for authorisation and is therefore not included within the EIA Report.</p>
	<p>(ii) The EIAR must provide the following:</p> <ul style="list-style-type: none"> - Clear indication of the envisioned area for the proposed solar energy facility; i.e. placing of solar panels and all associated infrastructure should be mapped at an appropriate scale. - Clear description of all associated infrastructure. This description must include, but is not limited to the following: <ul style="list-style-type: none"> ➤ Powerlines; ➤ Internal roads infrastructure; and; 		<p>A description of all infrastructure associated with the project is presented in Chapter 2. The facility layout is included in this EIA Report as Figure 9.1. The layout includes all the infrastructure associated with the facility as required.</p> <p>The power line is the subject of a separate application for authorisation and is therefore not included within the EIA Report.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> ➤ All supporting onsite infrastructure such as laydown area, guard house and control room etc. ➤ All necessary details regarding all possible locations and sizes of the proposed satellite substation and the main substation. 		
	<p>(iii) A copy of the final preferred route layout map. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g. roads. The layout map must indicate the following:</p> <ul style="list-style-type: none"> ➤ Permanent laydown area footprint; ➤ 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); ➤ Wetlands, drainage lines, rivers, stream and water crossing of roads and cables indicating the type of bridging structures that will be used; ➤ 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; ➤ Substation(s) and/or transformer(s) sites including their entire footprint; ➤ Location of access and service roads; ➤ Connection routes (including pylon positions) to the distribution/transmission network; ➤ All existing infrastructure on the site, especially railway lines and roads; ➤ Buffer areas; ➤ Buildings, including accommodation; and ➤ All "no-go" areas. 		<p>The facility layout is included in this EIA Report as Figure 9.1. 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 Figure 11.1.</p>

No.	Comment	Raised by	Response
	(iv) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.		A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as Figure 11.1 .
	(v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as Figure 11.1 .
	<p><u>Specialist assessments</u></p> <p>(i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <ul style="list-style-type: none"> ➤ A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisations. ➤ Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed. ➤ 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. ➤ 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. ➤ 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 EA. ➤ Should a specialist recommend specific mitigation measures, these must be clearly indicated. 		<p>The terms of reference for the specialist studies include the required information. The terms of reference, methodology followed and limitations for these studies are detailed within the specialist reports contained in Appendix D-I.</p> <p>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.</p> <p>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.</p> <p>All specialist studies attached to this EIA Report (refer to Appendix D – I) are final and provide detailed and practical mitigation measures and recommendations.</p> <p>The mitigation and enhancement measures proposed by the specialists are included in Chapters 9 and 10 of the EIA Report,</p>

No.	Comment	Raised by	Response
			as well as the project EMPr which is attached as Appendix K to the EIA Report.
	<p>➤ Regarding cumulative impacts:</p> <ul style="list-style-type: none"> - Clearly defined cumulative impacts and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land. - A detailed process flow 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. - Identified cumulative impacts associated with the proposed development must be rated with the significance rating methodology used in the process. - The significance rating must also inform the need and desirability of the proposed development. - A cumulative impact environmental statement on whether the proposed development must proceed. 		Several renewable energy facilities within a 30km radius of the proposed development have been identified and are detailed in Chapter 10 of the EIA Report. An evaluation of potential cumulative impacts is included in Chapter 10 of the EIA Report as well as within the specialist reports included in Appendix D to I .
	(ii) 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.
	<p>General</p> <p>(i) 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 Annexure 2 below.</p>		Table 2.1 of the EIA Report provides the technical details for the proposed facility, as well as their description and/or dimensions.
	(ii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading		Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading

No.	Comment	Raised by	Response
	the proposed infrastructure to more advanced technologies must be indicated.		the proposed infrastructure to more advanced technologies are provided in Chapter 2 of the EIA Report.
(iii)	Should a Water Use License be required, proof of application for a license needs to be submitted.		A water use authorisation will be required as detailed in the report. The application will be submitted once the project is selected as a Preferred Bidder project, in accordance with the requirements of the Department of Water and Sanitation (DWS).
(iv)	The EAP must provide landowner consent for all farm portions affected by the proposed project, whether the project component is linear or not, i.e. all farm portions where the access road, solar panels and associated infrastructure is to be located.		The landowner consent for the Solar Energy Facility is included as Appendix 3 to the amended EA Application form submitted on 13 January 2023 .
(v)	An EMPr will be compiled in accordance with the requirements of Appendix 4 of the EIA Regulations 2014, amended and submitted together with the EIA Report. In addition, the generic EMPr for substations and grid connection must also be submitted with the EIAR.		The facility EMPr is included within Appendix K of the EIA Report. The substation is associated with Mutsho PV1. No additional substation is included for Mutsho PV4. Therefore, a generic EMPr is not applicable.
(vi)	A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAR.		The facility EMPr includes both a construction and operation phase EMPr.
	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 EIAR 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
<i>Comment applicable to the EGI</i>			

No.	Comment	Raised by	Response
1.	<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 & W Safaris (Pty) Ltd, represented by Mr Johannes Willem Venter.</p> <p>In terms of clause 7 of the lease agreement with S & 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 & 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"> 1. Full information of any agreements between S & W Safaris (Pty) Ltd / Johannes Willem Venter and your client, Mutsho Power (Pty) Ltd; 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. <p>Kindly revert to us as a matter of urgency.</p>	<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&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&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&W Safaris (Pty) Ltd.</p> <p>A copy of the BID was e-mailed to the I&AP which provides information regarding the five (5) applications (e.g. four (4) solar PVs and the EGI Facility).</p> <p>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:</p>

No.	Comment	Raised by	Response
			https://savannahsa.com/public-documents/energy-generation/mutsho/ and the release code was provided.

2 COMMENTS SUBMITTED ON THE SCOPING REPORT

2.1 Organs of State

No.	Comment	Raised by	Response
2.	What is the facility's estimated water annual requirement (expressed in million m³/annum or Ml/annum)? I do, however, assume that the facility's water requirements will be minimal.	Johan Enslin Chief Engineer: Water Resources Development Planning DWS E-mail: 26 July 2022	During operation, water consumption would include: » Domestic water for camp and site office will be approximately 20m ³ /month. » A water tanker will be used for panel washing, using approximately 1200m ³ /month.
	From where will the facility receive its water? I assume that the facility will receive its water from a local borehole		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 reason why I'm asking the two (2) questions 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.
3.	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"> » Preconstruction walk-through of the approved development footprint must be undertaken to ensure that sensitive habitats and species are avoided where possible. » The detailed Biodiversity Specialist studies must be conducted, updated, and submitted in your final report. » A detailed facility layout that avoids all sensitive areas within the project site must be submitted in your final report. » • Sensitive habitats in close proximity to the development footprint must be avoided or demarcated as No-Go area (i.e. wetlands and watercourses). » Permits from relevant authorities must be obtained for the removal or disturbance of any TOPS, Red Data listed or provincially protected species/ trees. » 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. » Weed and Invader Plant Management Plan must be developed to control and monitor weeds within the sensitive areas to avoid erosion and invaders. 	<p>Letter: 25 August 2022</p>	<p>The recommendations will be included within the Environmental Management Programme (EMPr) for the project.</p>
	<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>		<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>
	<p>In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity</p>		<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.
4.	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.
5.	<p><u>This letter serves to inform you that the following information must be included to the Final Scoping Report:</u></p> <p>(a) Written confirmation from Eskom that the grid connection solution would be considered separately from the facility.</p> <p>(b) Listed Activities and Application Form</p> <ul style="list-style-type: none"> » Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Please provide the details, capacities and thresholds of the specific project infrastructure, not a repetition of the listed activity thresholds (i.e., a description of the dangerous goods facility infrastructure, capacity and location, and the length and width of the main access roads. » If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms <p>(c) Public Participation Process</p> <ul style="list-style-type: none"> » The final SR must provide evidence that all identified and relevant commenting authorities have been given an opportunity to comment on the proposed development, including but not limited 	Lunga Dlova Case Ovvider DFFE Letter: 29 August 2022	<p>It is confirmed that the grid infrastructure will be applied for and assessed as part of a separate basic assessment process. This is standard practice in the renewable energy industry given that the Authorisation is required to be transferred to Eskom.</p> <ul style="list-style-type: none"> » All relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Details, capacities and thresholds of the specific project infrastructure are provided in Chapter 7 of the Scoping Report as well as in the application form. » 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. » Proof of correspondence with stakeholders, I&APs and relevant Organs of State, as well as proof of attempts to obtain comments are included in Appendix C5 of the Final Scoping Report. As the project is located in the Limpopo

No.	Comment	Raised by	Response
	<p>to the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform, Fisheries and the Environment (DFFE): Biodiversity Conservation (BCAdmin@environment.gov.za), the Department of Water and Sanitation, the relevant heritage authorities, and the affected district and local municipalities.</p> <ul style="list-style-type: none"> » Proof of correspondence with the various stakeholders must be included in the Final SR. Should you be unable to obtain comments, proof must be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended and the approved Public Participation Plan. » A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must be a separate document from the main report and the format must be in the table format, which reflects the details of the interested and affected parties (I&APs) and the date comments were received, actual comments received, and responses provided. Please ensure that all issues raised and comments received during the circulation of the SR from registered I&APs and organs of state which have jurisdiction (including this Department's comments) in respect of the proposed activity are adequately addressed. Comments made by I&APs must be comprehensively captured (copy verbatim if required) and responded to clearly and fully. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments 		<p>Province (and not the Northern Cape), the relevant provincial departments within the Limpopo Province have been consulted. In addition, the relevant local and district municipalities have been consulted.</p> <ul style="list-style-type: none"> » All comments received are included within the Comments and Responses Report included as Appendix C8 of the Final Scoping Report. All comments have been responded to adequately. » Comments have been captured verbatim and not summarised. All comments have been responded to clearly and none have been 'noted'. » Notes of meetings held including the attendance registers are included in Appendix C7 of the final Scoping Report.
	<p>(d) Specialist Assessments to be conducted in the EIA phase</p> <ul style="list-style-type: none"> » Specialist studies must include a detailed description of the study's methodology, an indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisation. 		<ul style="list-style-type: none"> » Specialist studies included in Appendix D to I of the Final Scoping Report include a detailed description of the study's methodology, an indication of the locations and descriptions of the development footprint, and all other

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> » The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted. » 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. » Should the specialist studies require additional studies to be undertaken, these must be commissioned and included in the draft EIA reports for public comment. » Declaration forms must be provided for all specialist studies to be conducted. » It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that specialist assessments must be conducted in accordance with these protocols, except where the applicant provides proof to the competent authority that the specialist assessment affected by these protocols had been commissioned before the date on which the protocols came into effect, in which case Appendix 6 of the Environmental Impact Assessment Regulations, 2014, as amended, will apply. » Please note further that the protocols require certain specialists' to be SACNASP/EAPSA registered. Refer to the relevant protocols in this regard. 		<p>associated infrastructures that have been considered in the scoping evaluation.</p> <ul style="list-style-type: none"> » The specialist studies included in Appendix D to I of the Final Scoping Report provide a detailed description of all limitations to their studies. All specialist studies have been conducted in the right season and no limitation in this regard is noted. » No contradicting recommendations have been provided by specialists. » All relevant studies required for the assessment of the project have been identified and included in the Plan of Study for EIA included in Chapter 11 of the final Scoping Report. » Specialist declaration forms are included in Appendix J of the Final Scoping Report. » Specialist studies are being undertaken in accordance with the requirements of the relevant Specialist Protocols and guidelines. Where no protocols exist, studies are being undertaken in accordance with the requirements of Appendix 6 of the Environmental Impact Assessment Regulations, 2014, as amended. » All specialists are professionally registered as required. » Table 7.5 of the final Scoping Report includes a summary of the specialist studies required by the Screening Tool, a column indicating whether these studies will be conducted or not, and a column with motivation for any studies that will not be undertaken. » No studies are conducted by in-house specialists or by specialists who are not suitably qualified.

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> » Please include a table in the final SR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies will be conducted or not, and a column with motivation for any studies that will not be undertaken. Please note that if any of the specialists' studies and requirements recommended in the Department's Screening Tool are not commissioned, motivation for such must be provided in the report, per the requirements of the Protocols. » Where specialist studies are conducted in-house or by a specialist other than a suitably qualified specialist in the relevant field per the requirements of the protocols, such specialist reports must be peer reviewed by a suitably qualified external specialist in the relevant field. 		
	<p>(e) Environmental Management Programme</p> <ul style="list-style-type: none"> » You are required to submit a draft Environmental Management Programme (EMPr) in terms of Appendix 4 of the EIA Regulations 2014, amended. 		<p>An EMPr will be compiled in accordance with the requirements of Appendix 4 of the EIA Regulations 2014, amended and submitted together with the EIA Report. In addition, the generic EMPr for substations will be compiled for the onsite substation.</p>
	<p>(f) Cumulative Assessment to be conducted in the EIA phase</p> <ul style="list-style-type: none"> » Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following: <ul style="list-style-type: none"> * Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land. * Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project. 		<p>As detailed in the Plan of Study for EIA (Chapter 11 of the final Scoping Report), a cumulative assessment will be undertaken for the project within the EIA Phase of the process, and will consider all similar projects within the 30km radius of the project site.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> * The cumulative impacts significance rating must also inform the need and desirability of the proposed development. * A cumulative impact environmental statement on whether the proposed development must proceed. 		
	<p>General</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&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 of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).</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>
	<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 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.</p>


2.2 Key Stakeholders and Interested and Affected Parties (I&AP's)

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.
	CONCERN: THE REMOVAL OF LARGE BAOBAB TREES ON THE SITE ALLOCATED TO MUTSHO SOLAR PV 3 ENERGY FACILITY AND ASSOCIATED EGI NEAR MUSINA, LIMPOPO I, in principle, have no objections to the proposed development that ultimately will have a positive impact on clean energy generation, but, as a botanist and conservationist, I would like to express my concern about the possible/inevitable removal of large Baobab (<i>Adansonia digitata</i>) trees that occur within the proposed development area. <i>Boscia albitrunca</i> and <i>Sclerocarya birrea</i> subsp. <i>caffra</i> are some of the protected tree species that occur together with <i>Adansonia digitata</i> within the proposed development area.		The concerns regarding negative impacts on protected tree species are noted and have been provided to the ecologist for consideration in the EIA Phase of the process.

No	Comment	Raised by	Response
	<p>Considering that:</p> <ul style="list-style-type: none"> i. Baobab trees are protected under the National Forests Act, 1998. (Act No 84 of 1998) ii. Baobab trees are regarded as keystone species that provide significant ecosystem services and, based on my experience with regards to living Baobab tree relocation (which includes preparation, transportation and replanting), that iii. only small to medium sized Baobab trees can be successfully transplanted and that iv. large sized Baobab trees have a very low transplantation success rate (mainly due to tissue bruising during transportation and high root infection rates), <p>I am humbly seeking Savannah Environmental to intervene in this possible/inevitable removal/destruction of Baobab trees from the proposed development area by recommending the following directives:</p> <ul style="list-style-type: none"> i. all small to medium sized Baobab trees are to be relocated to suitable sites in the close vicinity and the implementation of layout alternatives that will allow ii. all large Baobab trees to be left in place by o fencing them off and o laying out the solar panels a suitable distance away from them to avoid the negative impact of shadow casting by these large trees. <p>With these recommendations to prevent the loss of these iconic trees.</p>		<p>The recommendations are noted and have been provided to the ecologist for consideration in the EIA Phase of the process.</p>
	<p>A similar recommendation, with regards to the non-removal of Baobab trees, was made by your company, i.e. Savannah Environmental (U. Naicker and J. Thomas) in their "2012 Draft Basic Assessment Report for the Proposed Venetia Solar Facility (DEA Ref No: 14/12/16/3/3/1/551)". They recommended that "the final layout should be made so as to avoid the Baobab trees as far as is possible".</p>		<p>The ecologist will include appropriate recommendations within the EIA Phase assessment report. 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.</p>

No	Comment	Raised by	Response
	<p>It is therefore sincerely hoped that Savannah Environmental will also furnish LEDET, in their capacity as the environmental competent authority, as well as the applicant Mutsho Power (Pvt) Ltd. with these recommendations to prevent the loss of these iconic trees.</p>		<p>It should be noted that the National Department of Forestry, Fisheries and the Environment (DFFE) is the Competent Authority for this project and LDEDET is a commenting authority.</p>
2.	<p>I approve of the application for the Solar Project</p> <p>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</p>	<p>Lynne Ras I&AP Reg&Comm 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>
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>MY CONCERN TO THE MPVF ABOUT THE DEFORESTATION</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</p>	<p>Rambau Osedza I&AP Reg&Comm 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>

No	Comment	Raised by	Response
	<p>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>		
4.	<p>I disclose that I do not have any direct business, financial, personal or other interest in the approval or refusal of the application</p> <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 Global warming.</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. I would kindly like to ask you not to remove the bigger baobab trees, but rather build a small</p>	<p>Livhuwani Matsila I&AP</p> <p>Reg&Comm Form: 12 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>

No	Comment	Raised by	Response
	<p>fence around the bigger trees that cannot be transplanted and build the solar panels in a better area.</p>		
<p>5.</p>	<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 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"> » 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. » The height of a 132kV double circuit overhead power line is typically between 26 – 29m. » The servitude width for a 132kV overhead power line is typically 32 – 35m. » 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. » 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). 

No	Comment	Raised by	Response
	<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> <p>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.</p>