

Appendix C8

Comments and Response Report



SBPM SOLAR PHOTOVOLTAIC FACILITIES AND ASSOCIATED INFRASTRUCTURES, FOR THE BAKGATLA MINE, WITHIN THE THABAZIMBI LOCAL MUNICIPALITY, LIMPOPO PROVINCE AND THE MOSES KOTANE LOCAL MUNICIPALITY, NORTH WEST PROVINCE

(DFFE Ref. No.: 14/12/16/3/3/2/2/166)

COMMENTS AND RESPONSES REPORT

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The Scoping Phase of the Environmental Impact Assessment (EIA) Process for the SBPM Solar Photovoltaic Facilities and Associated Infrastructures, for the Bakgatla Mine was initiated on **Tuesday, 10 May 2022**. The Background Information Document (BID) was distributed, and a notification letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries regarding the project.

The Scoping Report was made available for a 30-day review and comment period from **Friday, 03 June 2022** to **Monday, 04 July 2022**, and all written comments have been included in the table below and included in Appendix **C8** of the EIA Report.

The EIA Report is available for a 30-day review and comment period from Friday, **11 November 2022** to **Monday, 12 December 2022** and all written comments received will be included in the table below and form part of **Appendix C8** to the final EIA Report.

LIST OF ABBREVIATIONS / ACRONYMS

CBA	Critical Biodiversity Area	I&APs	Interested and Affected Parties
C&R	Comment and Response	EAP	Environmental Assessment Practitioner
EA	Environmental Authorisation	BID	Background Information Document
EIA	Environmental Impact Assessment	SR	Scoping Report
NEMA	National Environmental Management Act	S&EIR	Scoping and Environmental Impact Report

1. COMMENTS RECEIVED DURING THE ENVIRONMENTAL IMPACT ASSESSMENT

1.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>The SAHRA Archaeological, Palaeontological, and Meteorite (APM) Unit accepts the recommendation to undertake a field based HIA as part of the EIA phase of the EA application. The report must be submitted to SAHRA for commenting prior to the submission of the final EIA report to the competent authority.</p> <p>The development is exempted from undertaking an assessment of impacts to palaeontological resources because the study area is located in a zone that has negligible palaeontological sensitivity. Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	<p>Nokukhanya Khumalo Heritage Officer South African Heritage Resources Agency Letter dated: 22 July 2022</p>	<p>A field based HIA has been undertaken by a qualified specialist and is attached as Appendix H of the EIA Report. Furthermore, the report will be submitted to SAHRA for commenting prior to the submission of the Final EIA.</p> <p>Noted. No further action is required.</p>
2.	<p>The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated July 2022 and received by the Department on 13 July 2022, refer.</p> <p>The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated July 2022 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended. The FSR is hereby accepted by the Department in terms of Regulation 22(1)(a) of the EIA Regulations, 2014, as amended.</p> <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>Millicent Soloms Acting Chief Director: Integrated Environmental Authorisation DFFE Coenrad Agenbach Deputy Director: Priority Infrastructure Projects Date: 24 August 2022</p>	<p>Noted. No further action is required.</p>

No.	Comment	Raised by	Response
	<p>In addition, the following amendments and additional information are required for the Environmental Impact Assessment Report (EIAR):</p> <p>(a) Listed Activities</p> <ul style="list-style-type: none"> (i) Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description. (ii) Please ensure that all relevant listed activities and sub-activities are correctly numbered as per the relevant listing notices. (iii) If the activities applied for in the application form differ from those mentioned in the draft EIAR, an amended application form must be submitted. (iv) 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/form <p>The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</p> <p>(b) Public Participation</p> <ul style="list-style-type: none"> (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 Limpopo Department of Economic Development, Environment and Tourism, the Thabazimbi Local Municipality, the North West Department of Economic Development, Environment, Conservation and Tourism, the Moses Kotane Local Municipality, the provincial Department of Agriculture, SANRAL, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Endangered Wildlife Trust (EWT), BirdLife SA, the Department of Mineral Resources, the Department of Rural Development and Land Reform, and the Department of Forestry, Fisheries and Environment: Directorate Biodiversity and Conservation. 		<p>All relevant activities applied for in the application for Environmental Authorisation and included in the EIA Report are specific to the SBPM Solar PV Facility and can be linked to the development activity or infrastructure in the project description. An amended application form is not required. Furthermore, all listed activities have been correctly number and correlate with the activities mentioned in the draft EIAR.</p> <p>All issues and comments/ queries raised have been incorporated into the C&RR, which will further be updated with the during the EIA phase.</p> <p>All correspondence records have been appended to the draft EIAR. Appendix C4 includes correspondence with the Organs of State (OoS) and Appendix C5 includes correspondence with Stakeholders and I&APs.</p> <p>All raised issues and comments received will be addressed in the C&RR. Reference is given to Appendix C8 for all the detailing responses to the issues and comments.</p> <p>The public participation process has been facilitated in line with the detailed regulations of 2014, as amended.</p>

No.	Comment	Raised by	Response
	<p>(ii) 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.</p> <p>(iii) 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>(iv) 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 Annexure 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 to clearly. Please note that a response such as "noted" is not regarded as an adequate response to I&AP's comments.</p> <p>(v) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.</p> <p>(vi) 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> <p>(vii) The EAP is requested to contact the Department to make the necessary arrangements to conduct a site inspection prior to the submission of the final EIAr.</p>		<p>The EAP will contact the Department to arrange for a site inspection prior to the submission of the Final EIAr.</p>
	<p>(c) Alternatives</p> <p>(i) Please provide a description of each of the preferred alternative type and provide detailed motivation on why it is preferred.</p> <p>(ii) The EAP must ensure that all relevant alternatives and/or alternative combinations are adequately assessed in the EIAr.</p>		<p>A detailed overview of the preferred alternative has been provided in Chapter 3: Considerations of Alternatives. Section 3.3 provides a summary and conclusion on why the preferred option has been chosen.</p>

No.	Comment	Raised by	Response
	<p>(d) <u>Layout & Sensitivity Maps</u></p> <p>(i) The EIA must provide 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>(ii) A copy of the final layout map must be submitted with the final EIA. 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> <p>a) The panel positions and its associated infrastructure;</p> <p>b) All supporting onsite infrastructure such as laydown area, guard house, control room, and buildings, including accommodation etc.</p> <p>c) All necessary details regarding all possible locations and sizes of the proposed BESS, the main substation and internal power lines.</p> <p>d) All existing infrastructure on the site, especially internal road infrastructure.</p> <p>(iii) Please provide an environmental sensitivity map which indicates the following:</p> <p>a) The location of sensitive environmental features on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure;</p> <p>b) Buffer areas; and</p> <p>c) All "no-go" areas.</p> <p>(iv) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.</p>		<p>The coordinate points for the proposed development site have been provided in Table 1.1 (Chapter 1) of the Draft EIA.</p> <p>A copy of the Site Development Plan indicating all available biodiversity information has been included in Appendix N of the draft EIA. The plan clearly indicates the following:</p> <ul style="list-style-type: none"> » The panel positions and its associated infrastructure; » All supporting onsite infrastructure such as laydown area, guard house, control room, and buildings, including accommodation etc. » All necessary details regarding all possible locations and sizes of the proposed BESS, the main substation and internal power lines. » d) All existing infrastructure on the site, especially internal road infrastructure. <p>The SDP plan indicates the sensitivities of the project area as indicated by the various specialists and clearly indicates the following:</p> <ul style="list-style-type: none"> » The location of sensitive environmental features on site, e.g. CBAs, protected areas, heritage sites, wetlands, drainage lines etc. that will be affected by the facility and its associated infrastructure; » Buffer areas; and » All "no-go" areas.
	<p>(e) <u>Specialist assessments</u></p>		<p>The methodology used in determining and ranking the nature,</p>

No.	Comment	Raised by	Response
	<p>(i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <p>a) 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.</p> <p>b) 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.</p> <p>c) 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.</p> <p>d) 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.</p> <p>e) 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.</p> <p>f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.</p> <p>(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 expert advice.</p> <p>(iii) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting in 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")</p>		<p>significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives are included in Chapter 6 of the draft EIAR.</p> <p>Chapter 5 of the draft EIAR discusses the Assumptions and Limitations of the EIA Process. Studies have been conducted in the right season.</p> <p>The Department's definition of 'no go' areas is noted. This is the same approach taken by the EAP and specialists.</p> <p>The specialist's definition of 'no go' areas does not differ from that of the Department. Please note all no-go zones and buffers as determined by specialists are clearly indicated and have been adhered to by the developer during the final layout design for submission to the Competent Authority for decision making and approval.</p> <p>All specialist studies have included detailed/practical mitigation measures as indicated in Chapter 6 and 7 of the draft EIAR.</p> <p>All recommended mitigation measures provided by the specialists' area clearly indicated in Chapter 9 the draft EIAR.</p> <p>No contradictory recommendations have been made by the specialist as part of the scoping or EIA process.</p> <p>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.</p>

No.	Comment	Raised by	Response										
	<p>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.</p> <p>(iv) As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.</p> <p>(v) The following Specialist Assessments will form part of the EIAR:</p> <table border="1" data-bbox="199 544 1066 751"> <thead> <tr> <th data-bbox="199 544 826 587">Specialist Study</th> <th data-bbox="826 544 1066 587">Company</th> </tr> </thead> <tbody> <tr> <td data-bbox="199 587 826 630">Terrestrial & Freshwater Ecology, and Agricultural</td> <td data-bbox="826 587 1066 630">The Biodiversity</td> </tr> <tr> <td data-bbox="199 630 826 673">Avifauna Impact Assessment</td> <td data-bbox="826 630 1066 673">The Biodiversity</td> </tr> <tr> <td data-bbox="199 673 826 716">Heritage (Palaeontology and archaeology)</td> <td data-bbox="826 673 1066 716">CTS Heritage</td> </tr> <tr> <td data-bbox="199 716 826 751">Social Impact Assessment</td> <td data-bbox="826 716 1066 751">Savannah</td> </tr> </tbody> </table>	Specialist Study	Company	Terrestrial & Freshwater Ecology, and Agricultural	The Biodiversity	Avifauna Impact Assessment	The Biodiversity	Heritage (Palaeontology and archaeology)	CTS Heritage	Social Impact Assessment	Savannah		<p>The list of specialist studies is as per the Plan of Study included the Scoping Report. All specialist studies are included within the final EIA Report.</p>
Specialist Study	Company												
Terrestrial & Freshwater Ecology, and Agricultural	The Biodiversity												
Avifauna Impact Assessment	The Biodiversity												
Heritage (Palaeontology and archaeology)	CTS Heritage												
Social Impact Assessment	Savannah												
	<p>(f) Cumulative Assessment</p> <p>(i) If there other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to indicate the following:</p> <p>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.</p> <p>b) 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> <p>c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p>		<p>Four (4) authorised renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Chapter 10 of the EIA Report.</p> <p>An assessment of potential cumulative impacts is included in Chapter 8 of the draft EIA as well as within the specialist reports. Renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Section 8.2 of the EIA Report.</p> <p>All specialists have indicated in their relative sections (Section 8 of the report) the cumulative impacts and have drawn a conclusion based on this, a cumulative impact statement was written based on this in Section 8.7. This informed the overall conclusion and need and desirability for the project provided in Chapter 9.</p>										

No.	Comment	Raised by	Response
	<p>d) A cumulative impact environmental statement on whether the proposed development must proceed.</p>		
	<p>(g) Specific comments</p> <p>(i) The EAP must provide details of the specific locations in the EIAR, and not provide vague locations of the proposed developments. All associated infrastructure must be clearly indicated in the EIAR and its associated layout plans.</p> <p>(ii) The EAP must identify and provide a map which shows this development and its associated infrastructure in relation to the other proposed facilities in the area.</p> <p>(iii) <u>The EAP must clearly identify and provide a final list of all applicable listed activities. If any activities are to be removed, motivation for their removal must be included in the EIAR.</u></p> <p>(iv) When submitting the EIAR and future documents kindly name each of the documents and attachments according to the information it contains. E.g., instead of only naming it Appendix A, it must be Appendix A: Maps, Appendix B: EAP Declaration etc.</p>		<p>A site development plan indicating the specific locations has been included as Appendix N to the draft EIA. All associated infrastructure has been detailed in Section 2.2.2 of the draft EIAR.</p> <p>A cumulative map indicating four (4) authorized solar facilities within a 30km radius of the proposed project has been included Appendix N.</p> <p>A full list of applicable listed activities has been provided in Section 5.2.1 of the draft EIAR. No activities have been removed, therefore there is no need for a motivation for removal of listed activities.</p> <p>The appendices have been clearly labelled according to the information it contains.</p>
	<p>(h) 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 (Annexure 2).</p> <p>(ii) The EAP must provide landowner consent for all non-linear infrastructure proposed on the farm portions affected by the proposed project.</p> <p>(iii) A construction and operational phase EMPr that includes mitigation and monitoring measures must be submitted with the final EIAR.</p> <p>(iv) The final EIAR must include a list providing a clear description of the infrastructure associated with the development.</p> <p>(v) The EAP must provide an outline of where in the final</p>		<p>The technical details of the proposed facility have been provided in the table format stipulated by the Department and is highlighted in Table 2.1 of Chapter 2 of the draft EIAR.</p> <p>Landowner consent forms for all non-linear infrastructure have been provided to the Department in the Application Form.</p> <p>Construction and operational phase EMPr's have been compiled for the proposed facility, the substation and the</p>

No.	Comment	Raised by	Response
	EIAr each of this Department's comments are addressed. This must be a separate document and must be submitted as an appendix to the EIAr.		powerlines and are included as Appendices K, L and M respectively. The Departments comments have been addressed and included separately in Appendix C8 of the draft EIAr.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, with regard to the time period allowed for complying with the requirements of the Regulations.		Comment acknowledged. The Applicant will comply with the timeframe regulations as stipulated in the 2014 regulations, 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 acknowledges that no activity may commence prior to receipt of the Environmental Authorisation.

1.2. Key Stakeholders and I&APs

2. COMMENTS SUBMITTED DURING THE SCOPING PHASE (INITIAL CONSULTATION & 30-DAY REVIEW PERIOD)

2.1. Organs of State

No.	Comment	Raised by	Response
3.	Good day This email is an acknowledgement of receipt for your enquiry. Please note that in line with requirements of Section 29 of the Spatial Planning and Land Use Management Act (Act No 16 of 2013) read with Section 3 of the Promotion of Administrative Justice Act (Act No 3 of 2000) SANRAL have 30 days to acknowledge receipt of your application and 90 days to evaluate and provide response.	Ria Barkhuizen SANRAL Email dated: 13 May 2022	SANRAL's email was acknowledged on 13 th May 2022 and the timeframes for formal comments was noted. The required follow up will be made in the event that an application is submitted to SANRAL.

No.	Comment	Raised by	Response
	Should you not receive any response within 120 days, kindly follow up on the enquiry by responding to Jan Oliver who will be dealing with it and will convert back to you. He can be contacted on (012) 426-6242 / Cell 081 010 6403.		
4.	<p>(a) Listed Activities</p> <p>(i) 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.</p> <p>(ii) If the activities applied for in the application form differ from those mentioned in the final SR, as amended application form must be submitted</p> <p>(iii) 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> <p>(iv) It is imperative that the relevant authorities are continuously involved throughout the basic assessment process as the development property possibly falls within geographically designated areas in terms of numerous GN R. 985 Activities. Written comments must be obtained from the relevant authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided.</p> <p>(b) Layout & Sensitivity Maps</p> <p>(i) Please provide a layout map which indicates the following:</p> <p>(a) Positions of the proposed facility as well as all associated infrastructure;</p> <p>(b) Permanent laydown area footprint;</p>	<p>Ms Millicent Solomons DFFE</p> <p>Letter dates: 27 June 2022</p>	<p>(i) All relevant activities applied for in the application for Environmental Authorisation and included in the Scoping Report are relevant to the SCSC Solar PV Facility and can be linked to the development activity or infrastructure in the project description.</p> <p>(ii) An amended application form is not required for final submission of the final Scoping Report.</p> <p>(iii) It can be confirmed that the amended application form, dated April 2021, as available for download from the DFFE's website, has been used for this project.</p> <p>(iv) Appendix C of the final Scoping Report contains all evidence of relevant authorities that have been consulted as part of this EIA process to date. A preliminary sensitivity map indicating all preliminary sensitivities identified during the scoping phase is included as Figure 8.1 and in Appendix I of the final Scoping Report.</p> <p>(i) Please refer to Appendix I for Feasibility area map. It should be noted that the full extent of the development area has been considered within this final scoping report with the aim of determining the suitability from an environmental and social perspective and identifying the areas that should be avoided in the development planning. Within the identified development area, a facility layout will be defined for assessment in the EIA</p>

No.	Comment	Raised by	Response
	<p>(c) All supporting onsite infrastructure e.g. roads (existing and proposed);</p> <p>(d) Substation(s) and/or transformer(s) sites including their entire footprint;</p> <p>(e) Connection routes (including pylon positions) to the distribution/transmission network; and</p> <p>(f) All existing infrastructure on the site.</p> <p>(ii) Please provide an environmental sensitivity map which indicates the following:</p> <p>a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</p> <p>b) Buffer areas; and,</p> <p>c) All “no-go” areas.</p> <p>(iii) The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.</p>		<p>phase. The layout map will be prepared in accordance with this requirement.</p> <p>(ii) Please refer to Figure 8.1 (sensitivity map) of the final scoping report indicating all preliminary sensitivities identified during the scoping phase. Once a detailed facility layout is available for the proposed development, the layout map will be overlain with the sensitivity map as per this requirement.</p> <p>(iii) A cumulative map which shows known renewable energy developments within a 30km radius of the proposed site is included as Figure 7.6 of the final scoping report.</p>
	<p>(j) Public Participation Process</p> <p>(i) Please ensure that all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (<u>including this Department's Biodiversity Directorate</u>), which have jurisdiction in respect of the proposed activity are adequately addressed in the final SR. Proof of correspondence with the various stakeholders must be included in the final SR. 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>(ii) The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA</p>		<p>(i) Proof of Correspondence including all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (including the DFFE: Biodiversity Conservation Directorate) is included in Appendix C of the Scoping Report.</p> <p>(ii) 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), and is included as Appendix C of the Scoping Report.</p> <p>(iii) All comments received from I&APs and organs of state during the review and comment period of the Scoping Report have</p>

No.	Comment	Raised by	Response
	<p>Regulations 2014, as amended and as per the approved PP Plan.</p> <p>(iii) 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 as indicated in Annexure 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 to clearly. Please note that a response such as "Noted" is not regarded as an adequate response to I&AP's comments.</p> <p>(iv) The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly, the Western Cape Department of Environmental Affairs and Development Planning, and the District and Local Municipalities.</p> <p>(v) Minutes and attendance registers (where applicable) of any physical/virtual 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.</p>		<p>been included within this C&RR (Appendix C of the Scoping Report) and have been addressed appropriately.</p> <p>(iv) This application does not fall within the jurisdiction of Western Cape however the Waterberg District and the Thabazimbi Local Municipality, Bojanala Platinum District and Moses Kotane Local Municipality have been consulted. Proof of consultation with all relevant competent authorities is included in Appendix C of the Scoping Report.</p> <p>(v) Appendix C7 includes meeting notes and all supporting documents shared during the various meetings held during the Scoping phase.</p>
	<p>(k) Specialist Assessments</p> <p>(i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <p>(a) A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated</p>		<p>(i) The specialists were provided with the same terms of reference as follows:</p> <p>(a) The specialists were provided with the same detailed description of the development footprint and all other associated infrastructures which have been assessed in the various studies. As the process is in the Scoping Phase, no recommendations</p>

No.	Comment	Raised by	Response
	<p>infrastructures that they have assessed and are recommending for authorisation.</p> <p>(b) 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 accepted.</p> <p>(c) 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.</p> <p>(d) 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</p> <p>(e) 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.</p> <p>(f) Should a specialist recommend specific mitigation measures, these must be clearly indicated.</p> <p>(g) 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 expert advice.</p> <p>(ii) 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</p>		<p>regarding recommendations for authorisation have been made as yet.</p> <p>(b) The identified specialist studies include a detailed description of the methodology followed as well as an indication of the location and description of the development and all other associated infrastructure. Furthermore, the specialist studies, with the exception of the heritage screener, provide a detailed description of the limitations to the studies. The full HIA to be submitted as part of the EIA Report will however include limitations to the study.</p> <p>(c) The Department's definition of 'no go' areas is noted. This is the same approach taken by the EAP and specialists.</p> <p>(d) The specialist's definition of 'no go' areas does not differ from that of the Department. Please note all no-go zones and buffers as determined by specialists are clearly indicated and will be adhered to by the developer during the final layout design for submission to the Competent Authority for decision making and approval.</p> <p>(e) All specialist studies included have been conducted as part of the scoping phase as desktop studies based on the available information. Recommendations were made by relevant specialist for further studies to be undertaken in the EIA phase. Detailed assessments will be submitted as part of the EIA phase.</p> <p>(f) All recommended mitigation measures provided by the specialists will be clearly indicated in the EIA Report.</p>

No.	Comment	Raised by	Response
	<p>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.</p> <p>(iii) <u>As such, the Specialist Declaration of Interest forms must also indicate the scientific organisation registration/member number and status of registration/membership for each specialist.</u></p>		<p>(g) No contradicting recommendations were provided by the specialists as part of the scoping process. This comment is noted and will be taken into consideration during the EIA Phase of the process.</p> <p>(ii) 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.</p> <p>(iii) Signed and commissioned specialist declarations, including the scientific organisations registration/member number, and status of registration/membership for each specialist are contained in Appendix J of the final Scoping Report.</p>
	<p>(I) Cumulative Assessment</p> <p>(i) 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:</p> <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>A scoping level evaluation of potential cumulative impacts is provided in Section 7.3 of the Final Scoping Report. Renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Section 7.3 of the Scoping Report. An assessment of potential cumulative impacts will be undertaken during the EIA Phase of the process in accordance with these requirements.</p>

No.	Comment	Raised by	Response
	<p>» The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p> <p>» A cumulative impact environmental statement on whether the proposed development must proceed.</p> <p>General 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>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as</p>		<p>The Scoping Report has been subjected to a 30-day review period and the final Scoping Report is submitted within the prescribed timeframe of the Regulations.</p> <p>The final Scoping Report complies with the requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations.</p> <p>The Applicant acknowledges that no activity may commence prior to receipt of the Environmental Authorisation.</p>

No.	Comment	Raised by	Response
	amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.		
5.	<p>The Directorate: Biodiversity Conservation reviewed and evaluated the report.</p> <p>Based on the information provided in the report, the development area overlaps within a Least Concern ecosystem. The provincial Critical Biodiversity Area (CBA) spatial data for the North West province indicates that the project does not traverse any CBA nor Ecological Support Areas (ESAs) and Other Natural Areas (ONAs). However, based on the Limpopo Conservation Plan the SBPM project site traverses ESA1 and NNR areas, whereas the SBPM feasibility area traverses ESA1, NNR and ONA area.</p> <p>Therefore, the plan of study for the EIA for the SBPM PV facility, that describes how the EIA phase will proceed, including details of the specialist studies required to be undertaken to assess the significance of those impacts identified within the scoping study, must be considered. In addition, all the relevant National and Provincial biodiversity guidelines must be considered. As a result, the development may proceed with the next phase.</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>Mr Seoka Lekota Biodiversity Conservation Department of Forestry, Fisheries & the Environment</p> <p>Letter Dated: 04 July 2022</p>	<p>An Ecological scoping study (including flora and fauna) has been undertaken for the PV facility and is included as Appendix D of the Scoping Report. A detailed assessment will be undertaken in the EIA Phase of the process.</p> <p>The comment that the plan of study for the EIA for the SBPM PV facility, that describes how the EIA phase will proceed, including details of the specialist studies required to be undertaken to assess the significance of those impacts identified within the scoping study, must be considered is noted. The EIA phase assessments will be undertaken in accordance with this Plan of Study.</p> <p>It can be confirmed that all relevant National and Provincial biodiversity guidelines have been taken into consideration with the drafting of the final Scoping Report and will be considered in the EIA Phase studies to be undertaken.</p> <p>The scoping report does comply with all the requirements outlined in the EIA guideline for renewable energy projects. The avifauna impact assessment is being undertaken in accordance with the Best Practice Guideline for Birds & Solar Energy.</p>

No.	Comment	Raised by	Response
	In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: BCAdmin@environment.gov.za for attention of Mr Seoka Lekota.		Comments received from DFFE: Biodiversity Conservation are included in Appendix C of the Final EIA Report and correspondence will be submitted to the Directorate Biodiversity Conservation.

2.2. Key Stakeholders and I&APs

No.	Comment	Raised by	Response
6.	The Solar Project will be bringing Job Opportunity & Benefit to the Communities and the affected Youth as I represent the Youth & Local Contractors within 50KM Radius of Limpopo & North West therefore a Project commencing and being approved by other Commenters too means that there will be Positive Changes on the Issue of Electricity Usage and Shortage so I stand with the Project Operation that it should be started on the given Farm Land Area.	Moesi Silas Interested and Affected Party Email dated: 04 July 2022	The support for the project has been acknowledged.