

## Mmakoena Mmola

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**From:** Nyiko Nkosi <NNKOSI@dfre.gov.za>  
**Sent:** Wednesday, 30 March 2022 13:39  
**To:** Jana de Jager; Juliet Mahlangu  
**Cc:** Dr. Danie Smit; Jo-Anne Thomas  
**Subject:** RE: 2022-03-0033

Dear Jana

Thanks for the clarity, when we approved the PP Plan, the same approval will have to be attached on each application that you will be lodging with the Department and the pre app reference number must be used.

We will review the submitted PP Plan and respond in due course.

Regards

Ms. Nyiko Nkosi  
Control Environmental Officer  
**Chief Directorate: Integrated Environmental Authorisations**  
Department of Forestry, Fisheries and the Environment  
Environment House  
473 Steve Biko and Soutpansberg Streets  
PRETORIA  
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E-mail: [nnkosi@dfre.gov.za](mailto:nnkosi@dfre.gov.za)  
Call Centre: 086 111 2468



forestry, fisheries  
and the environment  
Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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**From:** Jana de Jager <Jana@savannahsa.com>  
**Sent:** Wednesday, 30 March 2022 13:34  
**To:** Nyiko Nkosi <NNKOSI@dfre.gov.za>; Juliet Mahlangu <JMMahlangu@dfre.gov.za>  
**Cc:** Dr. Danie Smit <DSMIT@dfre.gov.za>; Jo-Anne Thomas <joanne@savannahsa.com>  
**Subject:** RE: 2022-03-0033

Good day Nyiko

Thank you for the acknowledgement of the pre-application request.

Regarding the clarification questions, three (3) separate applications are proposed for a wind facility, solar facility, and grid infrastructure. However, during the Scoping Phase the entire focus area (refer to attached map) will be investigated for each of the applications to define the development footprint to be assessed further in the EIA phase for each component.

Kindly let me know if you require any further information or clarification.

Kind regards



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**Jana de Jager**  
Environmental Consultant

e: [jana@savannahsa.com](mailto:jana@savannahsa.com)

SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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**From:** Nyiko Nkosi <[NNKOSI@dffe.gov.za](mailto:NNKOSI@dffe.gov.za)>  
**Sent:** Wednesday, 30 March 2022 12:14  
**To:** Jana de Jager <[Jana@savannahsa.com](mailto:Jana@savannahsa.com)>; Julliet Mahlangu <[JMMahlangu@dffe.gov.za](mailto:JMMahlangu@dffe.gov.za)>  
**Cc:** Dr. Danie Smit <[DSMIT@dffe.gov.za](mailto:DSMIT@dffe.gov.za)>  
**Subject:** RE: 2022-03-0033

Dear Jana

Below emails refers.

We have received your pre application meeting request and the public participation plan for the proposed project. From the information provided you have indicated that you do not require a meeting however you require an approval of the PP Plan.

On the PP Plan, I have noticed that the applicant intent to develop a wind energy facility, solar facility and the Grid Connection to connect these infrastructures to Eskom. Before e the Department can process the submitted PP Plan, the following clarity is required.

1. How many applications are you intending to submit for the proposed project.
2. Will you be submitting three (03) applications for 1. Wind Facility 2. PV Facility and 3. Grid Infrastructure or
3. You intend to submit one application for all these infrastructures

Regards

Ms. Nyiko Nkosi

Control Environmental Officer

**Chief Directorate: Integrated Environmental Authorisations**

Department of Forestry, Fisheries and the Environment

Environment House

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and the environment  
Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

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**From:** EIA Applications <[EIAApplications@dfpe.gov.za](mailto:EIAApplications@dfpe.gov.za)>  
**Sent:** Wednesday, 30 March 2022 11:29  
**To:** Julliet Mahlangu <[JMMahlangu@dfpe.gov.za](mailto:JMMahlangu@dfpe.gov.za)>  
**Cc:** Nyiko Nkosi <[NNKOSI@dfpe.gov.za](mailto:NNKOSI@dfpe.gov.za)>; Dr. Danie Smit <[DSMIT@dfpe.gov.za](mailto:DSMIT@dfpe.gov.za)>; Jana de Jager <[Jana@savannahsa.com](mailto:Jana@savannahsa.com)>  
**Subject:** 2022-03-0033

Dear Julliet.

Please note that you have been allocated an application:

**Type of Application:** Pre-Application Meeting Request;  
**Reference Number:** 2022-03-0033;  
**Date Received:** 29/03/2022;  
**Action Required:** Decide on meeting request.

Kindly let Ephron know which date the meeting is to be held, if it will be set.

\*EAP/Applicant: please use this reference number when submitting the application for EA/amendment application (page 1 of the application form), as well as attach the approved PP Plan if the application requires a PP process.

#### EIA Applications

Integrated Environmental Authorisations  
Department of Forestry, Fisheries and the Environment

**Please note that this email is for the receipt and processing of online applications only, and is not monitored for responses. All queries must be directed to [EIAAdmin@dfpe.gov.za](mailto:EIAAdmin@dfpe.gov.za).**

**You are advised that this mailbox has a 48 hour response time.**

*Please note that this mailbox has a 5mb mail limit. No zip files are to be attached in any email.*

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**From:** Jana de Jager <[Jana@savannahsa.com](mailto:Jana@savannahsa.com)>  
**Sent:** Tuesday, 29 March 2022 14:45  
**To:** EIA Applications <[EIAApplications@dfpe.gov.za](mailto:EIAApplications@dfpe.gov.za)>  
**Cc:** Jo-Anne Thomas <[joanne@savannahsa.com](mailto:joanne@savannahsa.com)>  
**Subject:** Request for Pre-application & PP Plan Approval -Umbila Emoyeni Renewable Energy Facility

Good day



# forestry, fisheries & the environment

Department:  
Forestry, Fisheries and the Environment  
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia,· PRETORIA

**DFFE Reference:** 14/12/16/3/3/2/2160

**Enquiries:** Ms Julliet Mahlangu

**Telephone:** (012) 399 9320 **E-mail:** [jmmahlangu@dfpe.gov.za](mailto:jmmahlangu@dfpe.gov.za)

Ms Jo-Anne Thomas  
Savannah Environmental (Pty) Ltd  
PO Box 148  
**SUNNINGHILL**  
2191

**Telephone Number:** 011 656 3237/3256/3251

**Email Address:** [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

## PER MAIL / E-MAIL

Dear Ms Thomas

### COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED UMMBILA EMOYENI WIND ENERGY FACILITY, MPUMALANGA PROVINCE

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated May 2022 and received by the Department on 13 May 2022, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

#### **(a) Layout & Sensitivity Maps**

Please provide a layout map which indicates the following:

- location of the proposed wind energy facility including associated infrastructure.
- The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.
- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
- Google maps will not be accepted.

#### **(b) Public Participation Process**

- 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 Biodiversity Section) 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. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical 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. 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.

- 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 South African Astronomical Observatory, the Mpumalanga Environmental Department, the District and Local Municipalities.

#### **(c) Specialist Assessments**

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- 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 expert advice.
- 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.**

#### **(d) Cumulative Assessment**

- 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:
  - 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.
  - 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.

#### **General**

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

*“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”*

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.

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).

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.

Yours sincerely



**Milicent Solomons**

**Acting Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries and the Environment**

**Letter signed by: Dr Danie Smit**

**Designation: Deputy Director: National Infrastructure Projects**

**Date: 08/06/2022**

cc:	Mr Peter Carl Venn	Emoyeni Renewable Energy Farm	Email: <a href="mailto:Peter.venn@windlab.com">Peter.venn@windlab.com</a>
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Kindly see attached the Pre-application form and PP Plan for the Ummbila Emoyeni Renewable Energy Facility. A pre-application meeting is not specifically required for the project, the request is submitted in order to provide the DFFE details of the proposed Ummbila Emoyeni Renewable Energy Facility and for approval of the Public Participation Plan.

Your assistance will be highly appreciated. Please contact me should you have any queries in this regard.

Kind regards



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**Jana de Jager**  
Environmental Consultant

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SAWEA Award for Leading Environmental Consultant on Wind Projects in 2013 & 2015

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## Mmakoena Mmola

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**From:** Julliet Mahlangu <JMMahlangu@dffe.gov.za>  
**Sent:** Thursday, 31 March 2022 10:41  
**To:** Jana de Jager  
**Cc:** Nyiko Nkosi; Ephron Maradwa  
**Subject:** Approval of Public Participation (PP) Plan for the proposed Umbila Emoyeni renewable energy wind and solar PV facilities including grid connection infrastructure, Mpumalanga province

Dear Jana de Jager

The Public Participation (PP) Plan for the proposed Umbila Emoyeni Renewable Energy wind and solar PV facilities including grid connection infrastructure, Mpumalanga Province, received by this Department on 29 March 2022, refers.

Based on the information provided this Department decided to approve the PP Plan for the proposed project. You may proceed with the PP process in accordance with tasks contemplated in the PP plan. Should you wish to deviate from the submitted PP Plan, the amended PP Plan must be submitted to the Department for approval prior commencement.

A copy of the PP Plan and this approval must be submitted as part of the application form when the application is lodged.

Also note that submission of a PP Plan and approval thereof do not negate your responsibility to comply with the requirements for public participation in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended

Julliet Mahlangu  
Environmental Officer Specialised Production  
Chief Directorate Integrated Environmental Authorisation  
Department of Forestry, Fisheries and Environment  
Cell: 064 880 8742  
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# forestry, fisheries & the environment

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**DFFE Reference:** 14/12/16/3/3/2/2160

**Enquiries:** Ms Julliet Mahlangu

**Telephone:** (012) 399 9320 **E-mail:** [jmmahlangu@dfpe.gov.za](mailto:jmmahlangu@dfpe.gov.za)

Ms Jo-Anne Thomas  
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2191

**Telephone Number:** 011 656 3237/3256/3251

**Email Address:** [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

## **PER MAIL / E-MAIL**

Dear Ms Thomas

### **COMMENTS ON THE DRAFT SCOPING REPORT FOR THE PROPOSED UMMBILA EMOYENI WIND ENERGY FACILITY, MPUMALANGA PROVINCE**

The Application for Environmental Authorisation and Draft Scoping Report (SR) dated May 2022 and received by the Department on 13 May 2022, refer.

This letter serves to inform you that the following information must be included to the Final Scoping Report:

#### **(a) Layout & Sensitivity Maps**

Please provide a layout map which indicates the following:

- location of the proposed wind energy facility including associated infrastructure.
- The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;
- Buffer areas; and
- All “no-go” areas.
- The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.
- Google maps will not be accepted.

#### **(b) Public Participation Process**

- 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 Biodiversity Section) 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. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.
- A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical 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. 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.

- 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 South African Astronomical Observatory, the Mpumalanga Environmental Department, the District and Local Municipalities.

#### **(c) Specialist Assessments**

- Specialist studies to be conducted must provide a detailed description of their methodology, as well as indicate the locations and descriptions of turbine positions, and all other associated infrastructures that they have assessed and are recommending for authorisations.
- 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 expert advice.
- 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.**

#### **(d) Cumulative Assessment**

- 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:
  - 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.
  - 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.

#### **General**

You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:

*“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”*

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.

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).

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.

Yours sincerely



**Milicent Solomons**

**Acting Chief Director: Integrated Environmental Authorisations**

**Department of Forestry, Fisheries and the Environment**

**Letter signed by: Dr Danie Smit**

**Designation: Deputy Director: National Infrastructure Projects**

**Date: 08/06/2022**

cc:	Mr Peter Carl Venn	Emoyeni Renewable Energy Farm	Email: <a href="mailto:Peter.venn@windlab.com">Peter.venn@windlab.com</a>
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## forestry, fisheries & the environment

Department:  
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**REPUBLIC OF SOUTH AFRICA**

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**DFFE Reference:** 14/12/16/3/3/2/2160

**Enquiries:** Juliet Mahlangu

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Ms Jo-Anne Thomas  
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**Telephone Number:** 011 656 3237

**Email Address:** [joanne@savannahsa.com](mailto:joanne@savannahsa.com)

### **PER E-MAIL / MAIL**

Dear Ms Thomas

### **ACCEPTANCE OF THE SCOPING REPORT FOR THE PROPOSED UMMBILA EMOYENI WIND ENERGY FACILITY, MPUMALANGA PROVINCE**

The final Scoping Report (SR) and the Plan of Study for Environmental Impact Assessment dated June 2022 and received by the Department on 24 June 2022, refer.

The Department has evaluated the submitted final SR and the Plan of Study for Environmental Impact Assessment dated June 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.

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.

In addition, the following amendments and additional information are required for the EIAr:

#### **(a) Listed Activities**

- (i) The EIAr must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.
- (ii) The listed activities represented in the EIAr and the application form must be the same and correct.
- (iii) The EIAr must assess the correct sub listed activity for each listed activity applied for.

#### **(b) Public Participation**

- (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 Eskom, the provincial Department of Agriculture Rural Development, Land and Environmental Affairs, Mpumalanga Tourism and Parks Agency, Govan Mbeki

Local Municipality, Lekwa Local Municipality and Msukaligwa Local Municipality, Gert Sibande District Municipality, the South African Heritage Resources Agency (SAHRA), The South African Civil Aviation Authority (SACAA), The Department of Transport, The Department of Water and Sanitation (DWS), The South African National Roads Agency Limited (SANRAL), The Endangered Wildlife Trust (EWT), The Endangered Wildlife Trust (EWT), Square Kilometre Array (SKA), The South African Astronomy Observation (SAAO) and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation.

- (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. 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.
- (iii) 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 to clearly. Please note that a response such as “noted” is not regarded as an adequate response to I&AP’s comments.
- (iv) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be 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.
- (vi) 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.

### **(c) Alternatives**

- (i) Please provide a description of each of the preferred alternative type and provide detailed motivation on why it is preferred.

### **(d) Layout & Sensitivity Maps**

- (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.
- (ii) The EIAR must provide the following:
  - Clear indication of the envisioned area for the proposed facility;
  - Clear description of all associated infrastructure. This description must include, but is not limited to the following:
    - Internal roads infrastructure; and;
    - 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.
- (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.
- (iv) The layout map must indicate the following:
  - Wind turbine positions and its associated infrastructure;
  - 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.
- (v) An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
- (vi) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.

#### **(e) Cumulative Assessment**

- (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:
- 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.
  - 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.

#### **(f) Specialist assessments**

- (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:
- 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 Departments 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.
  - Regarding cumulative impacts:
    - 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.
- (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.
- (iii) Please include a table in the EIAR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies were conducted or not, and a column with motivation for any studies not conducted.
- (iv) 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. Should this study be required, the specialist assessments must be conducted in accordance with these protocols. Please note further that the Protocols require the specialists to be SACNASP registered.
- (v) Please be reminded that section 2(3) of NEMA requires developments to be socially, environmentally and *economically* sustainable, while section 2(4)(i) of NEMA requires the social, *economic* and environmental impacts of activities, including disadvantages and benefits, to be considered, assessed and evaluated
- (vi) The following Specialist Assessments will form part of the EIAR:

<b>Specialist Study</b>	<b>Company</b>
Terrestrial Ecology (Fauna and Flora)	Gerhard Botha of Nkurenkuru Ecology and Biodiversity (Pty) Ltd
Freshwater resources (including all waterbodies and wetlands)	Gerhard Botha of Nkurenkuru Ecology and Biodiversity (Pty) Ltd
Bats	Jonathan Aronson of Camissa
Avifauna	Owen Davies of Arcus Consulting
Soils and Agricultural Potential	van Baker/Andrew Husted of the Biodiversity Company
Heritage (including Cultural Landscape, Archaeology and Palaeontology)	Jenna Lavin of CTS Heritage
Visual	Jon Marshall of Environmental Planning & Design CC
Noise	Morné de Jager of Enviro-Acoustic Research
Traffic	Iris Wink of JG Afrika
Socio-Economic	Pierre van Jaarsveld of Urban-Econ Development Economist (Pty) Ltd

#### **(g) Environmental Management Programme (EMPr)**

- (i) It is drawn to your attention that for substation infrastructure and overhead electricity transmission and distribution infrastructure, when such facilities trigger activity 11 or 47 of the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, as amended, and any other listed and specified

- activities necessary for the realisation of such facilities, the generic Environmental Management Programme (EMPr), contemplated in Regulations 19(4) must be used and submitted with the EIAr over and above the EMPr for the wind facility. Please ensure that any specific mitigation measures identified in the EIAr and specialist reports for the on-site substations are incorporated into the generic EMPr.
- (ii) Please ensure that the mitigation measures specified in the EIAr and specialist reports are also incorporated into the EMPr. In addition, ensure that the EMPr complies with the content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.
  - (iii) Please also include in the EMPr, a recommended frequency for the auditing of compliance with the conditions of the EA and EMPr, and for the submission of such compliance reports to the competent authority.
  - (iv) EMPr must include an environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.
  - (v) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.
  - (vi) EMPr must include measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
  - (vii) EMPr must include the following plans:
    - An alien invasive management plan to be implemented during construction and operation of the facility. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.
    - A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.
    - A post construction avifaunal monitoring plan to be implemented during the operational phase of the facility. This plan must be compiled by an avifaunal specialist familiar with the site and the plan must adhere to Birdlife's most recent avifaunal guideline.
    - A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
    - An open space management plan to be implemented during the construction and operation of the facility.
    - A traffic management plan for the site access roads to ensure that no hazards would result from the increased truck traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters e.g. limiting construction vehicles travelling on public roadways during the morning and late afternoon commute time and avoid using roads through densely populated built-up areas so as not to disturb existing retail and commercial operations.
    - A transportation plan for the transport of components, main assembly cranes and other large pieces of equipment.
    - A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off.
    - A fire management plan to be implemented during the construction and operation of the facility.
    - An erosion management plan for monitoring and rehabilitating erosion events associated with the facility. Appropriate erosion mitigation must form part of this plan to prevent and reduce the risk of any potential erosion.



- An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
- Measures to protect archaeological sites, artefacts, paleontological fossils or graves from construction and operational impacts.

**(h) General**

- (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.
- (ii) Details of the future plans for the site and infrastructure after decommissioning in 20-30 years and the possibility of upgrading the proposed infrastructure to more advanced technologies must be indicated.
- (iii) Should a Water Use License be required, proof of application for a license needs to be submitted.
- (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.
- (v) A construction and operational phase EMP that includes mitigation and monitoring measures must be submitted with the final EIAr.
- (vi) Please also ensure that the final EIAr includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EIA Regulations, 2014, as amended.

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.

Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EIA Regulations, 2014, as amended, your application will lapse.

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.

Yours faithfully



**Ms Milicent Solomons**  
**Acting Chief Director: Integrated Environmental Authorisations**  
**Department of Forestry, Fisheries and the Environment**  
**Signed by: Dr Danie Smit**  
**Designation: Deputy Director: National Infrastructure Projects**  
**Date: 03/08/2022**

cc:	Mr Peter Carl Venn	Emoyeni Renewable Energy Farm (Pty) Ltd	E-mail: <a href="mailto:Peter.venn@windlab.com">Peter.venn@windlab.com</a>
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## Annexure 1

Format for Comments and Response Trail Report:

<b>Date of comment, format of comment name of organisation/I&amp;AP</b>	<b>Comment</b>	<b>Response from EAP/Applicant/Specialist</b>
<b>Pule Joseph Lenong Department of Water and Sanitation (DWS) Email correspondence: 07 February 2022</b>	On behalf of the Provincial Head of the Department of Water and Sanitation: Free State, I hereby would like to acknowledge receipt your e-mail with kindness. The contents are receiving attention. In future, if you do not mind, please send your EIA directly to this office. Mr George Nel is copied here and myself	The comment raised by the DWS has been noted. In addition, George Nel has been added onto the database for all future correspondence.

## Annexure 2: Sample of technical details for the proposed facility

<b>Component</b>	<b>Description/ Dimensions</b>
Location of the site	
Facility area	
SG Codes	
Site access	
Export capacity	
Proposed technology	
Hub height from ground level	
Rotor diameter	
Area occupied by substations	
Area occupied by both permanent and construction laydown areas	
Area occupied by buildings	
Width and length of internal roads	
Proximity to grid connection	
Type and height of fencing	