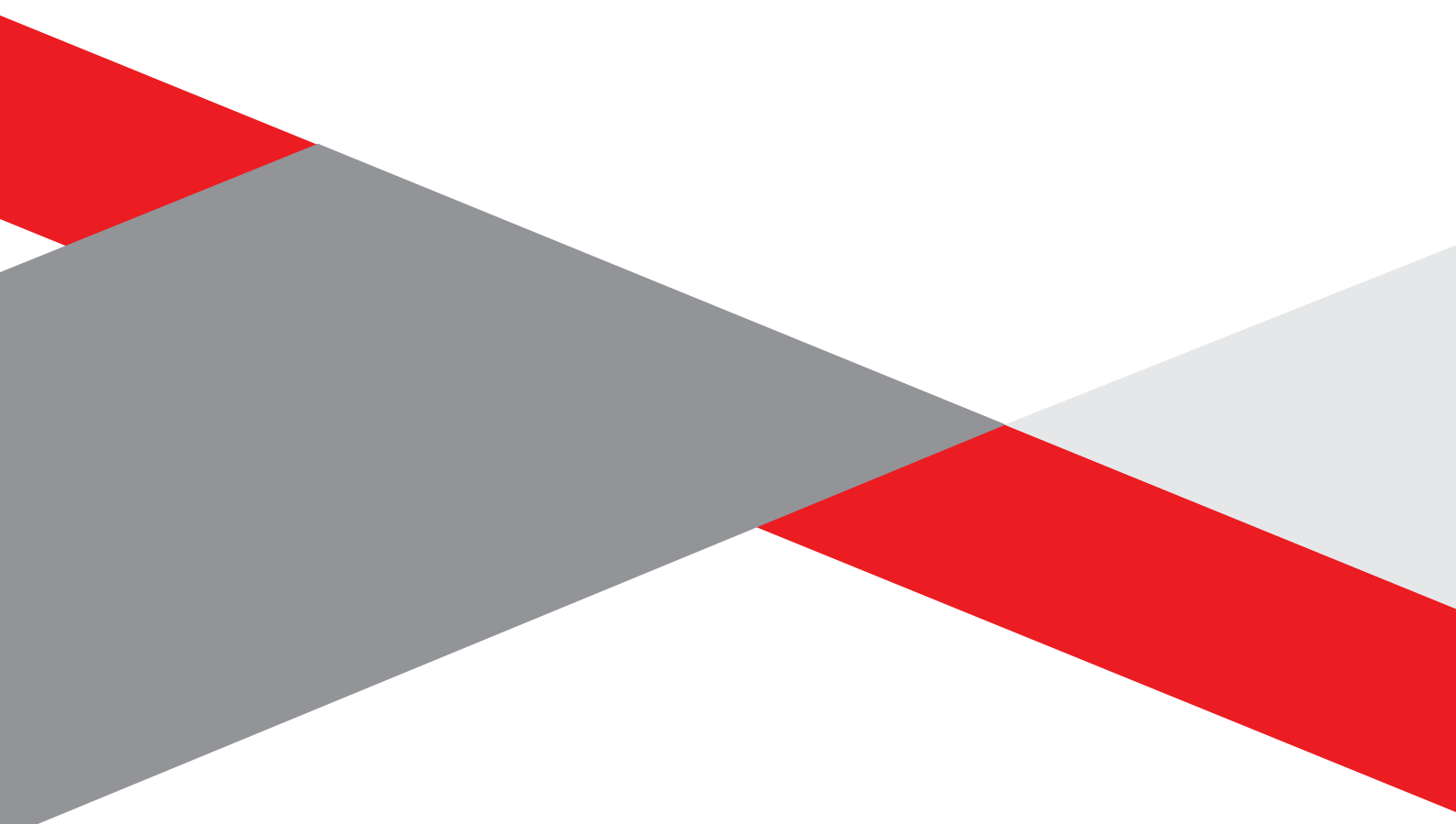


APPENDIX C9

COMMENTS AND RESPONSES REPORT



DEVELOPMENT OF THE UMBILA EMOYENI WIND ENERGY FACILITY, MPUMALANGA PROVINCE

(DFFE Ref. No.: 4/12/16/3/3/2/2160)

COMMENTS AND RESPONSES REPORT

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Emoyeni Renewable Energy Farm (Pty) Ltd proposes the development of a cluster of renewable energy facilities, which include a 666MW Wind Energy Facility and a 150MW Solar Energy Facility, as well as Electrical Grid Infrastructure, ~6km southeast of Bethal and ~1km east of Morgenzon in the Mpumalanga Province. The project was announced on **Thursday, 12 May 2022** via distribution of a notification letter. The notification letter served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries.

The Scoping Report was made available for a 30-day review and comment period from **Thursday, 12 May 2022** until **Monday, 13 June 2022**. The Environmental Impact Assessment Report (EIAR) was made available for a 30-day review and comment period from **Thursday, 08 September 2022** until **Monday, 10 October 2022**. All written comments received during the EIA process have been included within this Comments and Responses Report (C&RR) attached as **Appendix C9** to the Final EIA Report.

NOTE:

All comments captured in the C&RR are verbatim and have not been summarised or corrected for grammatical errors.

LIST OF ABBREVIATIONS / ACRONYMS

APM	Archaeology, Palaeontology and Meteorites	KSW	Key Stakeholder Workshop
BID	Background Information Document	L2B	Leads 2 Business
CBA	Critical Biodiversity Area	LM	Local Municipality
CEO	Chief Executive Officer	NHRA	National Heritage Resources Agency
CIMS	Command Management and Information Services	OEC	Obstacle Evaluation Committee
C&RR	Comments and Response Report	OoS	Organs of State
DOD	Department of Defense	SAAF	South African Air Force
DWS	Department of Water and Sanitation	SACAA	South African Civil Aviation Authority
EIA	Environmental Impact Assessment	SAHRA	South African Heritage Resources Agency
EMPr	Environmental Management Programme	SAHRIS	South African Heritage Resources Information System
FGM	Focus Group Meeting	SANDF	South African National Defense Force
GA	General Authorisation	SR	Scoping Report
HIA	Heritage Impact Assessment	WUL	Water Use Licence
I&AP	Interested and Affected Parties		

1. COMMENTS SUBMITTED ON THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT

1.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>With reference to the Notice dated 12 May 2022 and sent to Govan Mbeki Municipality, you are hereby informed of the following:</p> <ol style="list-style-type: none"> 1. The Proposed Development MUST at all times comply with the Spatial Planning and Land Use Management Act and the Municipal SPLUMA By-Laws. (Copy of By-Law provided in email). 2. The Applicant {(Emoyeni Renewable Energy Farm (Pty) Ltd} must appoint Professional Town Planners to apply for the necessary Land Use Rights as determined by the Govan Mbeki Land Use Scheme 2020. 3. The Applicant {(Emoyeni Renewable Energy Farm (Pty) Ltd} will be required to submit all Building Construction Plans to the Govan Mbeki Municipality Building Control section for approval in terms of the National Building Regulations. 4. Should it be found that the activities commenced without the Govan Mbeki Land Use Scheme approval the Applicant {(Emoyeni Renewable Energy Farm (Pty) Ltd} will be charged an Unauthorised Use Tariff of R2082.00 per month per land parcel (property unit). 	<p>Thapelo Madisha Land Development Officer Town and Regional Planning Govan Mbeki LM</p> <p>Letter: 27 September 2022</p>	<p>The Applicant is aware of the requirement to comply with SPLUMA and the Municipal SPLUMA By-Laws.</p> <p>The Applicant has appointed Professional Town Planners to apply for the necessary Land Use Rights.</p> <p>The Applicant is aware of this requirement and will submit the Building Construction Plans as required.</p> <p>The comment has been noted and the applicant advised accordingly.</p>
2.	<p>This letter serves to inform you that the following information must be included in the final EIAR:</p> <p>a) Specific comments</p> <ul style="list-style-type: none"> • Recommendations provided by specialist reports must be considered and used to inform the layout. 	<p>Juliet Mahlangu Case Officer DFFE</p> <p>Letter: 06 October 2022</p>	<p>Recommendations provided by specialist reports have been considered and used to inform the layout. A revised optimised layout has been developed by the applicant in response to the recommendations, and is presented in Chapter 11 of the EIA Report.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines. 		All mitigation recommendations are in line with applicable and most recent guidelines.
	<ul style="list-style-type: none"> The final EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions. 		The technical details for the project are provided in table format in Chapter 2 of the Final EIA Report.
	<ul style="list-style-type: none"> Please ensure that all softcopy maps are clear and legible. 		All softcopy maps included in the final EIA Report are clear and legible.
	<ul style="list-style-type: none"> Please ensure that the final EIAR complies with the requirements of Appendix 3 of the NEMA EIA Regulations, 2014, as amended, <u>all conditions of the acceptance of the scoping report, and</u> this letter. 		The final EIA Report complies with the requirements of Appendix 3 of the NEMA EIA Regulations, 2014, as amended, as detailed within the EIA Report. All conditions of the acceptance of the scoping report and DFFE's letter dated 06 October 2022 has been complied with as detailed in Table 7.4 of the EIA Report.
	<ul style="list-style-type: none"> 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 period for which the EA is required to be valid is included within Chapter 11 of the EIA Report. The date on which the activity will be concluded is dependent on when the project is selected as a preferred bidder project. Construction is expected to be completed within 24 months of commencement.
	b) Listed Activities <ul style="list-style-type: none"> If the activities applied for in the application form differ from those mentioned in the final EIAR, 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. 		The listed activities applied for in the application form submitted to the DFFE on 24 June 2022 are the same as those included in the final EIA Report.
	<ul style="list-style-type: none"> The relevant authorities with jurisdiction in respect of geographically designated areas in terms of GN R. 985 (Listing Notice 3) Activities must be continuously involved throughout the environmental impact assessment process. Written comments (or proof of consultation) must be obtained from the relevant 		The relevant authorities have been consulted throughout the EIA process. Records of this consultation are included within Appendix C of the final EIA Report. Maps showing the location of identified geographical areas in relation to the location of the project are included in the EIA Report (Chapters 8 and 9) and the specialist reports (Appendix D to M).

No.	Comment	Raised by	Response
	authorities and submitted to this Department. In addition, a graphical representation of the proposed development within the respective geographical areas must be provided. Please also ensure that the potential impacts on the affected geographical areas are fully assessed in the EIAR.		
	<p>c) Public Participation</p> <ul style="list-style-type: none"> Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the provincial Department of Agriculture, SANRAL, Local Municipality, the District Municipality, 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 the Environment: Directorate Biodiversity and Conservation. 		Comments received from Organs of State and key stakeholders during the 30-day review of the EIA Report are captured in this C&RR and included in Appendix C9: Comments Received of the final EIA Report.
	<ul style="list-style-type: none"> 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>All written comments received from registered I&APs and Organs of State during the Scoping and Impact Phase are included in Appendix C7: Comments Received and the various correspondence with stakeholders are included in Appendix C4: Correspondence Stakeholders and Appendix C5: Correspondence Organs of State.</p> <p>Appendix C4 and Appendix C5 includes the attempts to obtain written comments from registered I&APs and Organs of State.</p>
	<ul style="list-style-type: none"> A Comments and Response trail report (C&R) must be submitted with the final EIAR. The C&R report must 		All comments received during the EIA phase and those received during the review periods of Scoping Report and the EIA Report,

No.	Comment	Raised by	Response
	incorporate all comments for this development including Department's comments included in the acceptance of scoping report as well as these comments on the draft EIAR. The C&R report must be a separate document from the main report. 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>have been captured and addressed, as applicable, in this C&RR (Appendix C9) and submitted with the final EIA Report to the DFFE for decision-making.</p> <p>All comments submitted have been responded to as applicable and the comments have not been summarised and have been captured verbatim. No comment has been responded to as "noted".</p> <p>Correspondence with the various stakeholders, including OoS, have been included in Appendix C5: Correspondence Stakeholders and Appendix C6: Correspondence Organs of State of the final EIA Report.</p>
	<ul style="list-style-type: none"> Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually. 		Comments submitted have not been split or arranged according to categories and where applicable, comments have been responded to individually.
	<ul style="list-style-type: none"> 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), as follows:</p> <ul style="list-style-type: none"> Project database: <ul style="list-style-type: none"> A register of I&APs has been compiled and will be updated throughout the EIA process (Appendix C1: I&AP Database). Project Announcement: <ul style="list-style-type: none"> The Background Information Document (BID), accompanied by a cover letter inviting I&APs to register on the project database, was distributed via email to identified I&APs and relevant Organs of State (OoS) on 12 May 2022 (refer to Appendices C3: Background Information Document, Appendix C5: Correspondence

No.	Comment	Raised by	Response
			<p>Stakeholders & Appendix C6: Correspondence Organs of State of the final EIA Report)</p> <ul style="list-style-type: none"> o An advertisement was placed in the Ridge Times Newspaper on Friday, 13 May 2022 (refer to Appendix C4 of the final EIA Report). o Site notices announcing the EIA process were placed at visible points the along the boundary of the proposed project area in accordance with the requirements of the EIA Regulations on 29 April 2022 (refer to Appendix C2 of the final EIA Report). o Process notices were placed at various public places in Bethal and Morgenzon (refer to Appendix C2 of the final EIA Report). <ul style="list-style-type: none"> • Scoping Report available for review and comment: <ul style="list-style-type: none"> o Registered I&APs, stakeholders and Organs of State were notified of the availability of the Scoping Report for a 30-day review and comment period via e-mail on 12 May 2022 (refer to Appendix C5 and C6 of the final EIA Report). o An e-mail to all registered I&APs, stakeholders and OoS as a reminder that the review and comment period of the Scoping Report would be ending soon was e-mailed on 06 June 2022 (refer to Appendix C5 and C6 of the final Scoping Report). • Scoping Phase Meetings: <p>Various Meetings were held during the 30-day review and comment period of the Scoping Report (refer to Appendix C7 of the final Scoping Report for the meeting notes). The following meetings were scheduled:</p> <ul style="list-style-type: none"> o Virtual Public Participation Process Meeting held on Tuesday, 31 May 2022. The invitation for attendance was included in the Scoping Report notification letter that was

No.	Comment	Raised by	Response
			<p>distributed to all registered I&APs on the project database on 12 May 2022.</p> <ul style="list-style-type: none"> ○ In-person Focus Group Meeting (FGM) with adjacent landowners held on 14 June 2022 at 10h00. ○ Virtual FGM on 15 June 2022 with Provincial Authority Officials at 09h00 – No attendance ○ Virtual Key Stakeholder Workshop (KSW) was held on 15 June 2022 at 11h00. ○ Virtual FGM with District & Local Municipal Officials was held on 15 June 2022 at 14h00 – No attendance. <ul style="list-style-type: none"> • EIA Report available for review and comment: <ul style="list-style-type: none"> ○ Registered I&APs, stakeholders and Organs of State were notified of the availability of the Scoping Report for a 30-day review and comment period via e-mail on 08 September 2022 (refer to Appendix C5 and C6 of the final EIA Report). • EIA Phase Meetings: <p>Various Meetings were held during the 30-day review and comment period of the EIA Report (refer to Appendix C7 of the final Scoping Report for the meeting notes). The following meetings were scheduled:</p> <ul style="list-style-type: none"> ○ In-person Focus Group Meeting (FGM) with landowners held on 05 October 2022 at 10h00 and 14h00. ○ Virtual Key Stakeholder Workshop (KSW) was held on 07 October 2022 at 10h00. • Ongoing Consultation: <ul style="list-style-type: none"> ○ Proof of consultation with I&APs and OoS throughout the EIA process is included in Appendix C5 and C6 of the final Scoping Report. • Comments & Responses Report:

No.	Comment	Raised by	Response
			All comments received during the EIA process have been captured in this C&RR which is attached as Appendix C9 to the final EIA Report.
	<ul style="list-style-type: none"> 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. 		It was confirmed by the Case Officer that a combined site visit for the Ummbila Emoyeni Wind Energy Facility, Ummbila Emoyeni Solar Energy Facility and the Electrical Grid Infrastructure can be undertaken after the final EIA Report for the Ummbila Emoyeni Wind Energy Facility has been submitted to the DFFE for decision making (Refer to Appendix B: Authority Consultation of the final EIA Report).
	<p>d) Specialist assessments</p> <ul style="list-style-type: none"> Specialist studies must provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation. 		<ul style="list-style-type: none"> » The identified specialist studies (Appendix D to M) 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.
	<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. 		<ul style="list-style-type: none"> » The specialist studies provide a detailed description of the limitations to the studies.
	<ul style="list-style-type: none"> 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. 		<ul style="list-style-type: none"> » 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. » 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. » All specialist studies attached to this EIA Report (refer to Appendix D – M are final and provide detailed and practical mitigation measures and recommendations.
	<ul style="list-style-type: none"> Please include a table in the EIAR summarising the specialist studies required by the Screening Tool, a column indicating whether these studies were 		Table 7.6, which is included under Section 7.5 of EIA Report, details all the specialist studies required by the Screening Tool and a column indicating whether these studies were conducted or not.

No.	Comment	Raised by	Response
	<p>conducted or not, and a column with motivation for any studies not conducted.</p> <ul style="list-style-type: none"> It is further brought to your attention that the 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 to such applications. Please indicate in the EIAR whether the protocols were applied. 		<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 (i.e., protocols for terrestrial plant and animal species). The report compilers/reviewers are registered with SACNASP.</p>
	<ul style="list-style-type: none"> Please also ensure that the specialist studies conducted as per requirements of the protocols also include the Site Verification Report that confirms the level of sensitivity from what has been identified by the screening report. 		<p>The specialist studies include site sensitivity verification as detailed within the sensitivity description and maps included.</p>
	<ul style="list-style-type: none"> Please note that the Protocols require the specialists to be SACNASP registered. Proof of registration in the form of valid SACNASP certificate must be submitted for each specialist conducted. 		<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
			(i.e., protocols for terrestrial plant and animal species). The report compilers/reviewers are registered with SACNASP.
	<ul style="list-style-type: none"> For the themes that have been identified as medium which requires compliance statements, please ensure that these compliance statements are attached to the EIAR and that they comply with the requirement of the protocols. 		All specialist reports, including compliance statements are attached to the final EIA Report within Appendix D to M.
	e) Environmental Management Programme <ul style="list-style-type: none"> The EMPr must also include the following: All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted. 		The EMPr includes all recommendations and mitigation measures recorded in the EIA Report and the specialist studies conducted.
	<ul style="list-style-type: none"> An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process. 		An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process is included as Figure 2.4 of the EMPr.
	<ul style="list-style-type: none"> 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. 		Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts are included within the EMPr (Chapters 6, 7 and 8).
	<ul style="list-style-type: none"> In addition to the above, the EMPr must comply with Appendix 4 of the EIA Regulations, 2014, as amended. 		The EMPr complies with Appendix 4 of the EIA Regulations, 2014, as amended.
	<ul style="list-style-type: none"> Please ensure that the Generic EMPr for substation submitted includes the date of the signature of the applicant 		The Generic EMPr for substation submitted includes the date of the signature of the applicant.
	General You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: <i>"The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority -</i>		The Final EIA Report will be submitted in accordance with the timeframes specified in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended.

No.	Comment	Raised by	Response
	<p>(a) an environmental impact assessment report inclusive of any specialist reports, an EMPr, a closure plan in the case of a closure activity and where the application is a mining application, the plans, report and calculations contemplated in the Financial Provisioning Regulations, which must have 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."</p>		
	<p>Should there be significant changes or new information that has been added to the EIAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority – (b) a notification in writing that the documents contemplated in sub-regulation 1(a) will be submitted within 156 days of acceptance of the scoping report by the competent authority or where regulation 21(2) applies, within 156 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the documents, which changes or information was not contained in the original documents consulted on during the initial public participation process contemplated in sub-regulation (1)(a), and that the revised documents contemplated in sub-regulation 1(a) will be subjected to another public participation process of at least 30 days".</p>		<p>No significant changes or new information have been included within the Final EIA Report. There is therefore no requirement for additional public participation.</p>

No.	Comment	Raised by	Response
	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.		The Final EIA Report will be submitted in accordance with the timeframes specified in Regulation 23(1)(a) of the NEMA 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 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.
3.	<p>The following procedures are applied by the DOD to evaluate the potential impact of the intended development on the DOD:</p> <p>a. <u>Potential Impact on Landwards Activities</u>. The potential impact of the intended development on landwards force preparation, employment and support is evaluated at the hand of the proximity of the intended development to military training areas and base areas; and possible limitations on the landwards movement and deployment of forces.</p> <p>b. <u>Potential Impact on DOD Communication Installations</u>. The potential impact of the intended development on DOD communication installation is evaluated by ascertaining whether the intended development intrudes into the DOD specified buffers around communication installations, as specified by the DOD Command Management and Information Services (CMIS) Division.</p> <p>c. <u>Potential Impact on DOD Aviation Routes and Flight Safety</u>. The potential impact of the intended development on military aviation is discussed and evaluated amongst applicable specialists from the South African Civil Aviation Authority (SACAA) and the South African Air Force (SAAF) as part of the</p>	<p>Maj Gen XB Ndlovu Chief Logistics: Lieutenant General SANDF</p> <p>Letter: 14 October 2022</p>	The submissions are noted and that SANDF has no objection to the project.

No.	Comment	Raised by	Response
	<p>proceedings of the Obstacle Evaluation Committee (OEC).</p> <p>The following was concluded after conducting the various evaluations:</p> <p>a. <u>Potential Impact on Landwards Activities</u>. The location of the proposed solar and wind energy facility is not in the proximity of military infrastructure and it is therefore not expected to have any impacts on the landward activities. Thus, there is no objection on the part of DOD landwards activities.</p> <p>b. <u>Potential Impact on DOD Communication Installations</u>. The proposed solar and wind energy facility does not intrude into the DOD specified buffers around communication installations and communication links and therefore, there is no objection on the part of DOD communication installations.</p> <p>c. <u>Potential Impact on DOD Aviation Routes and Flight Safety</u>. The proposed solar and wind energy facility is located beyond the bounds of any aviation related buffers and holds no implication for the SAAF. Thus, there is no objection on the part of DOD aviation routes and light safety.</p> <p>The letters of no objection on the part of the DOD should not be deemed to supersede or replace any other statutory authorization.</p>		
4.	<p>Based on the information provided in the report, the following were noted:</p> <p>➤ Various "Very High" sensitivity areas also occur throughout the study area {comprising features such as wetlands, ephemeral rivers and streams, seepages, and other drainage lines). Furthermore, various Critical Biodiversity</p>	<p>M Rabothata Commenting Official DFFE: Biodiversity Conservation Directorate Letter: 18 October 2022</p>	<p>It is correct that there are various "Very High" sensitivity areas within the study area. The revised optimised layout presented in the EIA Report avoids these areas.</p>

No.	Comment	Raised by	Response
	Area (CBA) and Ecological Support Area (ESA) areas occur throughout the study area.		
	➤ A total of fourteen (14) wind turbines are planned within the natural areas classified as CBA Optimal Areas ("Very High" sensitivity) and five (5) wind turbines are planned within natural areas classified as CBA Irreplaceable Areas ("Very High" sensitivity). No development will be permitted within areas considered as CBA irreplaceable or No-Go sensitive areas as these areas play a major role in meeting the biodiversity target. Therefore, these turbines must be moved away from sensitive areas.		The Revised Optimised layout avoids all areas of very high sensitivity, including CBA Optimal Areas. The Revised Optimised Layout is that recommended for approval within the EIA Report.
	➤ A new optimised layout that will not locate any wind turbines within any CBA Irreplaceable Area has been proposed. The adjusted sensitivity layout map with no turbines within the CBA or on its No Go buffer must be included or submitted with the final report.		The Revised Optimised layout (Figure 11.3 of the EIA Report) avoids all areas of very high sensitivity, including CBA Optimal Areas.
	➤ The study area contains numerous habitat variations, and include Drainage, Fallow Land, Natural Clay, Natural Dolerite, Natural Loam Soil, Natural Rock Turf, Natural Sandstone, and Disturbed areas. Therefore, Sensitive habitats of "Very High" sensitivity in close proximity to the development footprint must be avoided or demarcated as No-Go area i.e. drainage lines.		The Revised Optimised layout (Figure 11.3 of the EIA Report) avoids all no-go areas. Drainage lines are considered as no go areas for the placement of infrastructure apart from access roads and cables between project components. It is recommended that existing access roads be used as far as possible and that cables are placed within the road reserve where feasible.
	➤ There are freshwater resource features that are still in a fairly natural, to moderate functional condition and form ecological corridors for the movement of fauna and flora. Furthermore, they provide valuable habitat for faunal Species of Conservation Concern (SCC). It is recommended that an appropriate buffer be established around medium sensitive habitats (i.e. Wetlands and Drainage lines.)		Appropriate buffers around sensitive freshwater resource features have been recommended by the aquatic ecology specialist (refer to Appendix E of the EIA Report). The Revised Optimised layout (Figure 11.3 of the EIA Report) avoids all no-go areas, including these buffers.

No.	Comment	Raised by	Response
	<p>➤ Since there are watercourses present within the development area of the Ummbila Emoyeni Wind Energy Facility and water may be abstracted from boreholes for use during the construction and operational phases, a Water Use License for the project must be obtained from the Department of Water and Sanitation (DWS).</p>		<p>As detailed in the EIA Report, the site considered for the establishment of the Ummbila Emoyeni Wind Energy Facility is associated with the presence of freshwater/drainage features. During the construction and operation phases, sewage may be collected and treated using septic or conservancy tanks, and water required for construction and operation may be sourced from boreholes. In the event that the flow of water in the freshwater/drainage features is affected and the bed, banks or course characteristics are altered, and should septic tanks be used, and water be abstracted from boreholes then a water use authorisation would be required.</p> <p>The process of applying for a WUL or GA registration has been started by the applicant and will be concluded once a positive EA has been received and off-take with a buyer finalised. This is in line with the requirements of DWS.</p>
	<p>Therefore, the development may proceed to the next stage of the EIA process provided the recommendations mentioned above and detailed in the report are adhered to.</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 EIA process for the facility has been completed. The final EIA Report is being submitted to the DFFE for decision-making.</p> <p>The project proposed is a wind energy facility. Therefore, the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa is not applicable. The avifauna monitoring and assessment has however been undertaken in accordance with the BirdLife SA best practice guidelines for Wind Energy and Avifauna.</p>
5.	<p>The Department of Water and Sanitation (DWS) has evaluated the above-mentioned report and wish to comment as follows:</p> <p>1. The Applicant shall conduct a preliminary legal assessment to identify all the water use activities associated with the proposed project that will require</p>	<p>NP Mandlazi Case Officer DWS: Mpumalanga Letter: 18 October 2022</p>	<p>The process of applying for a WUL or GA registration has been started by the applicant and will be concluded once a positive EA has been received and off-take with a buyer finalised. This process has included the identification of all relevant water uses associated with the project.</p>

No.	Comment	Raised by	Response
	authorisation by the DWS and the applicant is hereby referred to Section 22(1) of the National Water Act, 1998 (Act No. 36 of 1998).		
2.	Stormwater Management: The applicant must ensure that clean stormwater is diverted away from all the working areas and stormwater leaving the construction areas must not be contaminated by any substance, whether that substance is a solid, liquid, vapour or any combination thereof. Should there be impacts on stormwater, adequate mitigation measures must be implemented as soon as possible.		The requirement for appropriate stormwater management, including those specified by DWS, is included within the EMPr for the facility, which is included as Appendix O1 of the EIA Report.
3.	Wetlands and stream crossings: It is stated in the report that the site considered for the establishment of the Ummbila Emoyeni Wind Energy Facility is associated with the presence of freshwater/drainage features. Activities pertaining to the establishment of the wind farm might encroach on freshwater/drainage features which may lead to an impediment and diversion of the flow in the watercourses. The applicant should note that this activity constitutes a Section 21 (c) and (i) water use which requires authorisation in terms of the National Water Act, 1998 (Act 36 of 1998).		The applicant is aware that encroachment on freshwater /drainage features constitutes a Section 21 (c) and (i) water use which requires authorisation in terms of the National Water Act, 1998 (Act 36 of 1998). This is detailed within the EIA Report (Chapter 7).
4.	Waste Management: The applicant shall ensure that the waste generated on site is separated and disposed of at the permitted waste disposal site in such a manner as not to cause any nuisance conditions or secondary pollution. Furthermore, a service level agreement shall be entered into by the developer and the Local Municipality concerned to ensure that provision will be made to render this service.		The requirement for appropriate waste management, including those specified by DWS, is included within the EMPr for the facility, which is included as Appendix O1 of the EIA Report.
5.	Public Participation: The applicant should note that this is one of the critical requirements when processing a water		The process of applying for a WUL or GA registration has been started by the applicant and will be concluded once a positive EA

No.	Comment	Raised by	Response
	use authorisation application and it must be done as per "Regulations Regarding Procedural Requirements for Water Use Licence Applications and Appeals."		has been received and off-take with a buyer finalised. The required Public Participation Process will be conducted in line with the required Regulations when the Water Use Licence Application process continues.
	6. The Applicant is referred to Section 19(1) of the National Water Act, 1998 (Act No. 36 of 1998), and to report any pollution incidents originating from the proposed project to the Provincial Office of DWS within 24 hours.		This requirement has been included within the project EMPR included within Appendix O1 of the EIA Report.

1.2. Key Stakeholders and I&APs

No.	Comment	Raised by	Response
1.	I just wanted to follow up on the below and if you could provide contact details for the below wind farm. Should we be on the same acreage as the below we would need to enter a coexistence agreement with the wind farm.	Anne Flynn Falcon Oil & Gas E-mail: 08 September 2022	Details regarding the project have been provided as requested. Details of the activities contemplated by Falcon Oil & Gas have also been requested.
2.	I am noting that there will be more energy to be derived from the Wind, certainly not sure of that capacity when not being located around the coastal area. Has the project gone through an assessment of the OEMs?. Is the issue of the renewable tariffs covered here (NERSA) etc., all depending on the energy off-takes?	Abe Mkhize E-mail: 08 September 2022	As detailed in the EIA Report, the project site, which is located near the towns of Bethal and Morgenzon in the Mpumalanga Province has good wind resource potential. The wind resource for the development site has been monitored using onsite monitoring devices over approximately 18 months and has been proven to be competitive and equal to other projects in the country. Modelled wind speeds were validated using nearby weather station data at 10m above ground level and extrapolated to the hub height of up to 150m. The windlab technical team explored the wind resource around the country and highlighted this area as being a strong site from a resource perspective.
	My last question is, is this being regarded as an environmentally- sensitive study since there is an with the birds when it comes to the wind turbines?		The EIA undertaken assessed the potential impacts of the project on the environment as required by the EIA Regulations and NEMA. This included an assessment of potential impacts on birds. As stated in the EIA Report, the specialist findings from the EIA studies undertaken have indicated that there are no identified fatal flaws

No.	Comment	Raised by	Response
			associated with the implementation of the development footprint within the project site subject to implementation of the recommended mitigation measures.
	I am quite interested in this project, and I believe I might add a great deal of value.		The comment is noted. All registered parties will be informed once a decision on the project is issued.
3.	May I kindly request, however, how the proponent proposes to dispose of the infrastructure at the end of life, that is, in terms of the "cradle to grave" principle.	Mariette Liefferink CEO Federation for a Sustainable Environment E-mail: 08 October 2022	<p>Response by Applicant</p> <p>Once the Ummbila Emoyeni Wind Facility (UmmE) reaches the end of its operational stage, all Wind Turbine Generators (WTGs) will be decommissioned. The current term of the purchase power agreement (PPA) is 20 years, but it is possible that the term will be extended, and further off-take agreements signed.</p> <p>Decommissioning will involve the removal of all turbine structures and recycling of materials where possible. Any materials which are considered valuable will be sold and the site will be rehabilitated to pre-construction conditions as far as is possible. Foundations will be removed to an appropriate depth and the covered with soil which would then be deep enough to allow the natural growth of local vegetation.</p> <p>A decommissioning plan is included in the EMPr. This decommissioning plan will guide the actions described above.</p> <p>Due to the relative youth of the renewable energy industry in South Africa, there is currently no national standard guiding the decommissioning of wind turbine infrastructure. It is expected that, by the time UmmE reaches end of life, a standard of this nature will be in place which the decommissioning plan will adhere to. At this moment however, planned decommissioning activities are written in accordance with the main regulations for dismantling onshore windfarms in key European countries.</p>

No.	Comment	Raised by	Response
			<p>While above ground infrastructure would all be removed, certain elements of below ground infrastructure may remain in place as long as no surface traces were visible and there would be no significant impact on the environment.</p> <p>WTGs could be dismantled and be either sold for installation on another project or dismantled for the salvaging of parts which could be repurposed as spares for other wind facilities. Those parts which could not be repurposed would then be recycled as far as is possible. It is believed that, by the time UmmE reaches end of life (>20yrs), processes will have been developed for the recycling of components which present challenges at present (such as turbine blades). Additionally, certain OEMs may purchase certain parts of the wind turbine (for instance the magnet within each generator).</p>
	<p>1. LOCAL ECONOMIC DEVELOPMENT</p> <p>Morgenzon is the nearest location to where the project activities will be taking place. Over the period project life span, the project developer should estimate the economic spin offs that is allocated to the Community of Morgenzon in Lekwa Local Municipality Mpumalanga. Moepo view is that local economic development initiatives (SMME development and employment opportunities) must be biased towards the Community of Morgenzon. <i>Duration will be 20-30 years. Requirements for security and maintenance of the project. Employment opportunities relating mainly to operation activities and maintenance. Approximately 10 to 25 full-time employment opportunities will be available during the operation of the wind farm. Waste containers, including containers for hazardous waste, will be located at easily accessible locations /turbine positions on site when construction activities are undertaken. Waste removal and</i></p>	<p>Moepo Investments</p> <p>Letter: 10 October 2022</p>	<p>Response by Applicant</p> <p>Windlab is aware that the towns that are closely located to the Ummbila Emoyeni project will be affected by both the positive socio-economic benefits, as well as experience some of the challenges that may arise during the construction and operations of a renewable energy facility.</p> <p>Windlab as an experienced renewable energy developer has an economic development department that monitors and reports to all stakeholders on the commitments that have been made for this project. Community specific socio-economic and enterprise development plans have been developed in consultation with local community stakeholders. This will ensure that the surrounding community will be the beneficiaries of projects that assist in providing opportunities for upliftment and development. The exact geographical definition of which beneficiaries will be effected is to be confirmed.</p>

No.	Comment	Raised by	Response
	<p>sanitation will be undertaken by a suitably qualified contractor. Either borehole / municipal / dam or a combination of all 3 will be used to provide water. Should water availability at the time of construction be limited, water will be transported to site via water tanks. Water will be used for sanitation and potable water on site as well as construction works. Ummbila Emoyeni Wind Energy Facility, Mpumalanga Province Environmental Management Programme.</p>		
	<p>2. JUST TRANSITION</p> <p>The community in the area have been far too long experienced environmental issues emanating from continuous extraction, beneficiation and combustion of fossil fuels (coal) to produce energy for both household and industrial consumption. The mechanical activities of burning coal has exposed the community of Morgenzon to:</p> <ol style="list-style-type: none"> 1. Harmful noxious gases (GHG) 2. Pollution <p>Many of the local community members of Morgenzon have reported for the symptomatic health conditions such as:</p> <ol style="list-style-type: none"> 1. Bronchitis 2. Asthma 3. TB and cardio vascular illnesses <p>UMMBILA EMOYENI WIND ENERGY FACILITY is a perfect and convenient project to reindustrialize the area for Just Transition, and to play an important role in restoring the energy generation and distribution legacy of the area.</p>		<p>As stated in the EIA Report, the Ummbila Emoyeni Wind Energy Facility is proposed in response to the identified objectives of national and provincial government and local and district municipalities to develop renewable energy facilities for power generation purposes. It is the developer's intention to bid the Ummbila Emoyeni Wind Energy Facility under the Department of Mineral Resources and Energy's (DMRE's) Renewable Energy Independent Power Producer Procurement (REIPPP) Programme or possibly a similar private programme, with the aim of evacuating the generated power into the national grid. This will aid in the diversification and stabilisation of the country's electricity supply, in line with the objectives of the Integrated Resource Plan (IRP) published by the Department of Minerals Resources and Energy, with the Ummbila Emoyeni Wind Energy Facility set to inject up to 666MW of electricity into the national grid. Similarly, the location of the new generation in the Mpumalanga Province is important in the context of the Just Energy Transition (JET). The Ummbila Emoyeni Wind Energy Facility will provide valuable jobs and socio-economic benefits that are required in an area where coal fired generation will be phased out over the next 10 years. This will be vitally important if the JET is to be successfully implemented and is a transition for everyone.</p>

No.	Comment	Raised by	Response
	<p>All this calls for the introduction and development of economic model with platform that can generate assumptions on performance barometers and KPI's which will determine the social and environmental impact of the project on the nearby Morgenzon and other surrounding areas.</p>		<p>Response by Applicant</p> <p>Renewable Energy facilities are being developed in the Gert Sibande district to address climate change and ensure that the transition from fossil fuel energy generation to renewables takes place in a manner that does not have a negative impact on the environment and does not leave any employee or citizen behind. Environmental, Health and Safety compliance for all parties involved in the construction and operations of the project is required and is monitored and reported on through formal structures ensuring that the project complies with the highest environmental and health standards.</p>
	<p>3. CONTRIBUTION TO LOCAL BENEFICIATION OF STEEL</p> <p>Can the project developer provide information in relation to the contribution of the project to the manufacturing in South Africa in programs such as the SA Steel Master Plan. Reference is made to the EIA TRANSPORT STUDY, Port of Entry. It is assumed that if components are imported to South Africa, it will be via the Port of Richard's Bay, which is located in KwaZulu-Natal. The Port is located approximately 460km from the proposed site. The Port of Richard's Bay is a deep-sea water port boasting 13 berths. The terminals handle abnormal loads and among others dry bulk ores, minerals, and break-bulk consignments. The terminal exports over 30 varied commodities from magnetite to ferrochrome, woodchips to aluminium and steel. A large percentage of dry bulk commodities are handled via a computer-controlled network of conveyor belts extending 40 km to seven harbour bound industries. The Richards Bay Port is operated by Transnet Port Terminal.</p>		<p>Response by Applicant</p> <p>To ensure that localisation and preferential procurement for the projects aligns with development of the local community, Windlab is in negotiations to manufacture hybrid concrete towers sections locally. It is our hope that economies of scale will facilitate the creation of a local batching plant that will create job opportunities in the local area. This is just one of the initiatives that Windlab are proposing in conjunction with turbine suppliers and balance of plant construction companies.</p>

No.	Comment	Raised by	Response
	<p>Alternatively, components can be imported via the Port of East London, located approximately 1130km from the proposed site, or from the Port of Ngqura, approximately 1200km from the proposed site, both being located in the province of the Eastern Cape. Please note that shorter routes exist between the Port of East London and the proposed site, but the poor condition of these roads aren't suitable for transport with heavy and/or abnormal vehicles.</p> <p>Linking the project infrastructure (Wind Turbines) contribution to the local steel manufacturing sector will also grow local manufacturing business and create employment opportunities.</p>		

2. COMMENTS RECEIVED AFTER FINAL SCOPING REPORT SUBMISSION AND BEFORE EIAr REVIEW

2.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>Based on the information provided in the report, the majority of the project site is located within a Critical Biodiversity Area (CBA): Optimal area (41%), whilst 36% of the project site has been modified to some extent, either through cultivation, ploughing (historical and current). Therefore, no development will be permitted within areas considered as CBA irreplaceable or no-go sensitive areas as these areas play a major role in meeting the biodiversity target. Nevertheless, the detailed Biodiversity Specialist studies must be conducted, updated and submitted in your final report and all the relevant National and Provincial biodiversity guidelines must be considered during the next phases.</p> <p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable</p>	<p>M Rabothata / T Sekonko Case officers DFFE: Biodiversity Conservation Directorate</p> <p>08 July 2022</p>	<p>A detailed Biodiversity Impact Assessment has been undertaken for the project. This is included in Appendix D (terrestrial Biodiversity) and E (Aquatic Biodiversity) of the EIA Report.</p> <p>The EIA Report and specialist studies comply with all relevant guidelines and protocols relevant to the project. The project is</p>

No.	Comment	Raised by	Response
	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.		a wind energy facility and therefore the Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa is not relevant. The avifauna study was however undertaken in accordance with the requirements of the Best Practice Guidelines for Wind Energy.
2.	<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>a) <u>Listed Activities</u></p> <ul style="list-style-type: none"> 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. <p>b) <u>Public Participation</u></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 Eskom, the provincial Department of Agriculture Rural Development, Land and Environmental Affairs, Mpumalanga Tourism and Parks Agency, Govan 	<p>Juliet Mahlangu Case Officer DFFE</p> <p>Letter: 03 August 2022</p>	<ul style="list-style-type: none"> i. An assessment of impacts and recommended mitigation measures is included in this EIA Report (refer to Chapter and 10). ii. The listed activities applied for in the application form submitted to the DFFE on 24 June 2022 are the same as those included in this EIA Report. iii. The EIA Report assesses the correct sub listed activities for each listed activity applied for (refer to Section 7.2.1, Table 7.1). <p>All comments received to date have been included within the Comments and Responses Report (Appendix C9). Where comments have not been obtained, proof that attempts were made to obtain comments have been included in Appendix C4 and Appendix C5.</p>

No.	Comment	Raised by	Response
	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.		The database detailing registered I&APs is included as Appendix C1 to the EIA Report.
	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.		<p>Comments received during the 30-day review and comment period of the draft Scoping Report have been captured and addressed in the Comments and Responses Report attached as Appendix C9 to this EIA Report.</p> <p>Comments received during the 30-day review and comment period of the draft EIA Report will be captured and addressed in the Comments and Responses Report (Appendix C9) to be submitted with the final EIA Report to the DFFE for decision-making. Proof of correspondence with the various stakeholders will be included in the final EIA Report in Appendix C4 and Appendix C5. Where comments have not been obtained, proof that attempts were made to obtain comments will be included in Appendix C4 and Appendix C5.</p>
	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		All comments received during the Scoping Phase, and the 30-day review and comment period of the draft EIA Report, including those of the DFFE, will be included within the Comments and Responses Report (to be included as Appendix C9 to the final EIA Report). All comments received from I&APs to date have been copied verbatim and responded to clearly (refer to Appendix C9). Comments received during the 30-day

No.	Comment	Raised by	Response
	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.		review and comment period of the draft EIA Report will also be copied verbatim and responded to clearly within the Comments and Responses Report to be submitted with the final EIA Report.
iv.	Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.		Comments received from I&APs to date on the project have not been split and arranged in categories, and comments from each submission have been responded to individually (refer to Appendix C9).
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.		The public participation process to date is being conducted in terms of Regulation 39, 40, 41, 42, 43 and 44 of the EIA Regulations 2014, as amended (GNR 326). Details of the public participation process undertaken to date are included in detail in Chapter 7 of the EIA Report.
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.		Necessary arrangements to conduct a site inspection. As agreed with the case officer, this will be arranged following submission of the Final EIA Report and will be combined with that for the solar energy facility and the grid connection infrastructure.
	c) <u>Alternatives</u> i. Please provide a description of each of the preferred alternative type and provide detailed motivation on why it is preferred.		An overview of the various alternatives (i.e., property/location alternatives, design and layout alternatives, activity alternatives, and technology alternatives) considered for the Ummbila Emoyeni Wind Energy Facility is included in Chapter 3 of the EIA Report. An assessment of the 'do-nothing' alternative is included in Chapter 9 of the EIA Report.
	d) <u>Layout & Sensitivity Maps</u> 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.		The EIA Report includes coordinate points of the proposed project site (refer to Chapter 1, Table 1.1)

No.	Comment	Raised by	Response
	<p>ii. The EIA must provide the following:</p> <ul style="list-style-type: none"> – 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: <ul style="list-style-type: none"> ➤ 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. 		<p>The facility layout is included in this EIA Report as Figure 9.1, under Chapter 9. A clear description of the infrastructure associated with the Ummbila Emoyeni Wind Energy Facility is included in Chapter 2.</p>
	<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.</p>		<p>The facility layout is included in this EIA Report as Figure 9.1. Potential sensitive areas were identified through specialist desktop and in-field studies. The sensitivity shapefiles were shared with the project developer and were used to inform the design of the facility layout considered within this EIA Report. Existing roads will be used to access the project site as far as possible. Only the establishment of new internal roads to provide access to the wind turbines and other infrastructure associated with the facility is proposed.</p>
	<p>iv. The layout map must indicate the following:</p> <ul style="list-style-type: none"> ➤ 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; 		<p>The facility layout is included in the EIA Report as Figure 9.1 and the revised Optimised Layout is included in Figure 11.3. The layout includes the positions of the wind turbines and other infrastructure associated with the facility. A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as Figure 11.3.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> ➤ 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.		A map showing the layout overlain on the identified environmental sensitivities is included in this EIA Report as Figure 11.3 .
	vi. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		A map showing the revised optimised layout overlain on the identified environmental sensitivities is included in this EIA Report as Figure 11.3 .
	<p>e) 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, 		Several renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Chapter 10 of the EIA Report. An evaluation of potential cumulative impacts is included in Chapter 10 of the EIA Report.

No.	Comment	Raised by	Response
	<p>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> <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>f) <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 Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable. 		<ul style="list-style-type: none"> » The identified specialist studies (Appendix D to M) 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. » The specialist studies provide a detailed description of the limitations to the studies. » 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. » 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. » All specialist studies attached to this EIA Report (refer to Appendix D – M are final and provide detailed and practical mitigation measures and recommendations. » The mitigation and enhancement measures proposed by the specialists are included in Chapters 9 and 10 of the EIA

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> ➤ 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: <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. 		<p>Report, as well as the project EMPs which are attached as Appendix O to the EIA Report.</p> <p>» Several renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Chapter 10 of the EIA Report. An evaluation of potential cumulative impacts is included in Chapter 10 of the EIA Report.</p>
	<p>ii. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with</p>		<p>The appointed specialists do not specify contradicting recommendations.</p>

No.	Comment	Raised by	Response
	defendable reasons; and were necessary, include further expertise 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.		Table 7.6, which is included under Section 7.5 of this EIA Report, details all the specialist studies required by the Screening Tool and a column indicating whether these studies were conducted or not.
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.		The specialist studies have been conducted in accordance with Government Notice No. 320 of 20 March 2020 (i.e., "the protocols"), and Government Notice No. 1150 of 30 October 2020 (i.e., protocols for terrestrial plant and animal species). The report compilers/reviewers are registered with SACNASP.
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		Specialist studies that focus on the biophysical environment (terrestrial biodiversity, aquatic biodiversity, avifauna, bats) and the socio-economic environment have been undertaking as part of the S&EIA process for the proposed Ummbila Emoyeni Wind Energy Facility. This EIA Report considers and assesses the social, economic and environmental impacts of the proposed activity, including disadvantages and benefits, as documented within the specialist reports included as Appendix D – M to this EIA Report.
vi.	The following Specialist Assessments will form part of the EIAR:		All specialist assessments listed in the table form part of this EIA Report (refer to Appendix D – M).

No.	Comment	Raised by	Response																						
	<table><tr><th>Specialist Study^a</th><th>Company^a</th></tr><tr><td>Terrestrial Ecology (Fauna and Flora)^a</td><td>Gerhard Botha of <u>Nkurenkuru Ecology and Biodiversity (Pty) Ltd^a</u></td></tr><tr><td>Freshwater resources (including all waterbodies and wetlands)^a</td><td>Gerhard Botha of <u>Nkurenkuru Ecology and Biodiversity (Pty) Ltd^a</u></td></tr><tr><td>Bats^a</td><td>Jonathan Aronson of Camissa^a</td></tr><tr><td>Avifauna^a</td><td>Owen Davies of Arcus Consulting^a</td></tr><tr><td>Soils and Agricultural Potential^a</td><td>van Baker/Andrew Husted of the Biodiversity Company^a</td></tr><tr><td>Heritage → (including → Cultural → Landscape, Archaeology and <u>Palaeontology</u>)^a</td><td>Jenna Lavin of CTS Heritage^a</td></tr><tr><td>Visual^a</td><td>Jon Marshall of Environmental Planning & Design CC^a</td></tr><tr><td>Noise^a</td><td>Morné de Jager of Enviro-Acoustic Research^a</td></tr><tr><td>Traffic^a</td><td>Iris Wink of JG Afrika^a</td></tr><tr><td>Socio-Economic^a</td><td>Pierre → van → Jaarsveld → of → Urban-Econ Development Economist (Pty) Ltd^a</td></tr></table>	Specialist Study ^a	Company ^a	Terrestrial Ecology (Fauna and Flora) ^a	Gerhard Botha of <u>Nkurenkuru Ecology and Biodiversity (Pty) Ltd^a</u>	Freshwater resources (including all waterbodies and wetlands) ^a	Gerhard Botha of <u>Nkurenkuru Ecology and Biodiversity (Pty) Ltd^a</u>	Bats ^a	Jonathan Aronson of Camissa ^a	Avifauna ^a	Owen Davies of Arcus Consulting ^a	Soils and Agricultural Potential ^a	van Baker/Andrew Husted of the Biodiversity Company ^a	Heritage → (including → Cultural → Landscape, Archaeology and <u>Palaeontology</u>) ^a	Jenna Lavin of CTS Heritage ^a	Visual ^a	Jon Marshall of Environmental Planning & Design CC ^a	Noise ^a	Morné de Jager of Enviro-Acoustic Research ^a	Traffic ^a	Iris Wink of JG Afrika ^a	Socio-Economic ^a	Pierre → van → Jaarsveld → of → Urban-Econ Development Economist (Pty) Ltd ^a		
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	<p>g) <u>Environmental Management Programme (EMPr)</u></p> <p>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.</p>		The generic substation EMPr is included as Appendix O2 to the EIA Report. Section C of the EMPr includes specific mitigation measures identified in the EIA Report and specialist reports.																						
	<p>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</p>		The facility EMPr is included as Appendix O1 to the EIA Report. The facility EMPr has been compiled in accordance with Appendix 4 of the EIA Regulations, 2014, as amended, an																						

No.	Comment	Raised by	Response
	content of the EMPr in terms of Appendix 4 of the EIA Regulations, 2014, as amended.		includes all mitigation measures specified in the EIA Report and specialist reports.
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.		A monitoring programme for the construction phase is included under Chapter 7, Section 7.4 of the facility EMPr attached as Appendix O1 to the EIA Report. The monitoring programme includes details on the frequency of auditing of compliance with the conditions of the EA and EMPr and the frequency of 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.		The environmental sensitivity map is attached as Appendix A to the facility EMPr which is included as Appendix O1 to the EIA Report.
v.	A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		A map showing the layout overlain on environmental sensitivities is attached as Appendix A to the facility EMPr which is included as Appendix O1 to the EIA Report.
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.		Measures to protect hydrological features during construction are included under Chapter 7, Objective 7.
vii.	EMPr must include the following plans: <ul style="list-style-type: none"> • 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. 		<ul style="list-style-type: none"> » An alien invasive management plan is included as Appendix C to the facility EMPr. » A plant rescue and protection plan is included as Appendix E to the facility EMPr. » 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. » The requirement to compile a post construction monitoring plan for implementation during the operational phase of the facility has been included as a mitigation measure in

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> • 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 		<p>the facility EMPr (refer to Chapter 6, Objective 2 of the facility EMPr).</p> <ul style="list-style-type: none"> » A re-vegetation and habitat rehabilitation plan is included as Appendix D to the facility EMPr and will be implemented during the construction and operational phases. » An open space management plan is included as Appendix C to the facility EMPr and will be implemented during the construction and operational phases. » A traffic management plan is included as Appendix F to the facility EMPr. » The requirement for a transportation plan is included in the facility EMPr under Chapter 6, Objective 2. » A stormwater management plan is included as Appendix G to the facility EMPr. » A fire management plan for implementation during the construction and operation of the facility is included as Appendix I to the facility EMPr. » An erosion management plan is included as Appendix G to the facility EMPr. » This comment is noted and has been included as a mitigation measure in the facility EMPr (refer to Chapter 7, Objective 16 and Chapter 8, Objective 7). » Measures to protect archaeological sites, artefacts and palaeontological fossils or graves during construction are included under Chapter 7, Objective 13 of the facility EMPr.

No.	Comment	Raised by	Response
	<p>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.</p> <ul style="list-style-type: none"> • 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. 		
	<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. A sample for the minimum information required is listed under Annexure 2 below.</p>		<p>The technical details of the proposed facility, in table format, are included under Chapter 2 of the EIA Report (refer to Table 2.2).</p>
	<p>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.</p>		<p>Details if the future plans for the site after decommissioning are included under Chapter 2 of the EIA Report (refer to Table 2.3).</p>

No.	Comment	Raised by	Response
	iii. Should a Water Use License be required, proof of application for a license needs to be submitted.		The site considered for the establishment of the Ummbila Emoyeni Wind Energy Facility is associated with the presence of freshwater/drainage features. During the construction and operation phases, sewage may be collected and treated using septic or conservancy tanks, and water required for construction and operation may be sourced from boreholes. In the event that the flow of water in the freshwater/drainage features is affected and the bed, banks or course characteristics are altered, and should septic tanks be used, and water be abstracted from boreholes then a water use authorisation would be required. The process of applying for a WUL or GA registration will only be completed once a positive EA has been received and the project selected as Preferred Bidder under the REIPPPP or similar programme. This is in line with the requirements of 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 consents for the wind energy facility were included as an Appendix 3 to the EA Application form submitted on 24 June 2022.
	v. A construction and operational phase EMP that includes mitigation and monitoring measures must be submitted with the final EIAR.		The EMP for the wind energy facility is included as Appendix O1 to the EIA Report. The generic substation EMP is included as Appendix O2 to the EIA Report. Both EMPs include mitigation and monitoring measures for the construction and operational phases.
	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 EA is required for a period of 10 years as detailed under Chapter 11, Section 11.6 of the EIA Report.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amendment,		

No.	Comment	Raised by	Response
	with regard to the time period allowed for complying with the requirements of the Regulations.		The Final EIA Report will be submitted in accordance with the timeframes specified in Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended.
	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.		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.
3.	<ol style="list-style-type: none"> The subject matter has reference. The department has received an application submitted in fulfilment of the National Environmental Management Act, Act 107 of 1998 (NEMA). The application is for the proposed Emoyeni Renewable Energy Farm (Pty) Ltd development which is a cluster of renewable energy facilities and associated infrastructure, including grid connection infrastructure and battery energy storage. The department also notes the regional impact and potential positive socio-economic and infrastructure development more so given the countries energy supply. 	<p>TB Sebogodi Co-Operative Governance & Traditional Affairs</p> <p>Letter: 08 August 2022</p>	<p>The Department's acknowledgement of the application was acknowledged, and no further action required.</p>
	<ol style="list-style-type: none"> The department supports the application subject to the following conditions: <ol style="list-style-type: none"> 5.1. The application must comply with all provision of the municipal Spatial Planning and Land Use Management By-law and town planning scheme. 5.2. Consent and conditions imposed by the Local Municipality be adhered to. 5.3. Compliance with that the National Water Act, No 36 of 1998 and an Environmental Authorisation (As required by National Environmental Management Act, 1998)). 		<p>The support of the Department for the project is noted. The specific conditions of this support have been noted by the applicant. The project will be constructed and operated in compliance with all legislation and site-specific assessment recommendations.</p>

No.	Comment	Raised by	Response
	5.4. All site specific assessment recommendations be strictly adhered to mitigate impacts.		
	5.5. All other laws that may be triggered must be complied with relevant departments.		

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

3.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>Please send me a KMZ file of the affected properties. Please find attached Eskom general requirements for works at or near Eskom infrastructure, as well as the Eskom setbacks guideline for renewable energy developments.</p> <p>Renewable Energy Generation Plant Setbacks to Eskom Infrastructure included in Appendix C6 of the final Scoping Report</p> <p>Eskom requirements for work in or near Eskom servitudes.</p> <ol style="list-style-type: none"> 1. Eskom's rights and services must be acknowledged and respected at all times. 2. Eskom shall at all times retain unobstructed access to and egress from its servitudes. 3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals. 4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer. 5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations 	<p>John Geeringh Senior Consultant Environmental Management Grid Planning: Land & Rights Eskom</p> <p>E-mail: 12 May 2022</p>	<p>The requested .KMZ file was e-mailed to Mr Geeringh on 17 May 2022 (refer to Appendix C6 of the final Scoping Report).</p> <p>The requirements for development at or near Eskom infrastructure servitudes are noted. These requirements have been submitted to the developer for their attention and consideration for the development.</p> <p>In addition, the need to comply with Eskom requirements (as applicable) will be included into the EMPr for the project.</p>

No.	Comment	Raised by	Response
	as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand.		
	6. The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard.		
	7. Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction.		
	8. Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.		

No.	Comment	Raised by	Response
	<p>9. No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager</p> <p>Note: Where and electrical outage is required, at least fourteen work days are required to arrange it.</p>		
	10. Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with.		
	11. Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom.		
	12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993).		
	13. Equipment shall be regarded electrically live and therefore dangerous at all times.		
	14. In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of		

No.	Comment	Raised by	Response
	<p>1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area.</p> <p>15. Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant.</p> <p>16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant</p> <p>17. Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.</p>		
1.	<p><u>This letter serves to inform you that the following information must be included to the Final Scoping Report:</u></p> <p>a) Layout & Sensitivity Maps</p> <p>Please provide a layout map which indicates the follow:</p> <ul style="list-style-type: none"> • 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 	<p>Juliet Mahlangu Case Officer DFFE</p> <p>Letter: 08 June 2022</p>	<p>An appropriate facility layout map indicating the location of the wind turbines and associated infrastructure is not available at this stage of the process. A layout map will however be included as part of the EIA Report to be submitted during the EIA Phase of the process. A map indicating the facility layout superimposed on the identified sensitive features will also be included in the EIA Report.</p>

No.	Comment	Raised by	Response
	<p>renewable energy developments and existing grid infrastructure.</p> <ul style="list-style-type: none"> Google maps will not be accepted. 		
	<p>b) Public Participation Process</p> <ul style="list-style-type: none"> 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. 		<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), as follows:</p> <ul style="list-style-type: none"> Project database: <ul style="list-style-type: none"> A register of I&APs has been compiled and will be updated throughout the EIA process (Appendix C1). S&EIA and Public Participation Process announcements: <ul style="list-style-type: none"> The Background Information Document (BID), accompanied by a cover letter inviting I&APs to register on the project database, was distributed via email to identified I&APs and relevant Organs of State (OoS) on 12 May 2022 (refer to Appendices C3, C5 & C6 of the final Scoping Report.) An advertisement was placed in the Ridge Times Newspaper on Friday, 13 May 2022 (refer to Appendix C4 of the final Scoping Report). Site notices announcing the EIA process were placed at visible points the along the boundary of the proposed project area in accordance with the requirements of the EIA Regulations on 29 April 2022 (refer to Appendix C2 of the final Scoping Report). Process notices were placed at various public places in Bethal and Morgenzon (refer to Appendix C2 of the final Scoping Report). Scoping Report available for review and comment: <ul style="list-style-type: none"> Registered I&APs were notified of the availability of the Scoping Report for a 30-day review and comment period

No.	Comment	Raised by	Response
			<p>via e-mail on 12 May 2022 (refer to Appendix C5 and C6 of the final Scoping Report).</p> <ul style="list-style-type: none"> o Commenting authorities, municipal councillors and local and district municipalities which have jurisdiction in the area were requested to submit written comments on the Scoping Report via email on 12 May 2022 (refer to Appendix C6 of the final Scoping Report). <ul style="list-style-type: none"> • Attempt to obtain comments on the Scoping Report: <ul style="list-style-type: none"> o An e-mail to all registered I&APs and OoS as a reminder that the review and comment period of the Scoping Report would be ending soon was e-mailed on 06 June 2022 (refer to Appendix C5 and C6 of the final Scoping Report). • Meetings: <p>Various Meetings were held during the 30-day review and comment period of the Scoping Report (refer to Appendix C7 of the final Scoping Report for the meeting notes). The following meetings were scheduled:</p> <ul style="list-style-type: none"> o Virtual Public Participation Process Meeting held on Tuesday, 31 May 2022. The invitation for attendance was included in the Scoping Report notification letter that was distributed to all registered I&APs on the project database on 12 May 2022. o In-person Focus Group Meeting (FGM) with adjacent landowners held on 14 June 2022 at 10h00. o Virtual FGM on 15 June 2022 with Provincial Authority Officials at 09h00 – No attendance o Virtual Key Stakeholder Workshop (KSW) was held on 15 June 2022 at 11h00.

No.	Comment	Raised by	Response
			<ul style="list-style-type: none"> ○ Virtual FGM with District & Local Municipal Officials was held on 15 June 2022 at 14h00 – No attendance. • Consultation: <ul style="list-style-type: none"> ○ Proof of consultation with I&APs and OoS throughout the scoping phase is included in Appendix C5 and C6 of the final Scoping Report. • Comments & Responses Report: <ul style="list-style-type: none"> ○ All comments received from the announcement of the S&EIA process and those submitted during the 30-day review and comment period of the Scoping Report have been captured in this C&RR which is attached as Appendix C9 to the final Scoping Report.
	<ul style="list-style-type: none"> • 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 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>All comments received during the Scoping Phase (included in Appendix C7), including those received during the 30-day review and comment period of the Scoping Report, have been captured and addressed, as applicable, in the C&RR (Appendix C9) and submitted with the final Scoping Report to the DFFE for the review and acceptance.</p> <p>The DFFE: Directorate Biodiversity Conservation informed the project team during the Key Stakeholder Workshop held on Wednesday, 15 June 2022, from 11:00 – 12:30 that they will be submitting their comments on the final Scoping Report. Comments received from the DFFE: Directorate Biodiversity Conservation will be included in the EIA Report.</p> <p>Correspondence with the various stakeholders, including Organs of State (OoS), has been included in Appendix C5 and Appendix C6 of the final Scoping Report.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> 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. 		<p>All identified and relevant competent authorities were given an opportunity to comment on the proposed development, including the South African Astronomical Observatory & Mpumalanga Environmental Department, the District and Local Municipal Officials. Evidence that all identified and relevant competent authorities were given an opportunity to comment on the proposed development is included in Appendix C6 of the final Scoping Report.</p>
	<p>c) Specialist Assessments</p> <ul style="list-style-type: none"> 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. 		<p>The specialist studies compiled in support of this project provide detailed descriptions of the different methodologies followed (refer to Appendix D - L). The locations and descriptions of the turbine positions, and all other associated infrastructure, will be included and assessed in the EIA Report.</p>
	<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 		<p>All specialist studies, with the exception of the heritage screener, provide a detailed description of the limitations to the studies. The full Heritage Impact Assessment (HIA) to be submitted as part of the EIA Report will however include limitations to the study (refer to Appendix D – L).</p>
	<ul style="list-style-type: none"> Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice. 		<p>This comment is noted and will be taken into consideration during the EIA Phase of the process.</p>
	<ul style="list-style-type: none"> 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 		<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 (i.e., protocols for terrestrial plant and animal species).</p>

No.	Comment	Raised by	Response
	<p>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>d) Cumulative Assessment</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. ➤ 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>Three (3) authorised renewable energy facilities within a 30km radius of the proposed development have been identified as detailed in Section 9.4 of the Scoping Report. An evaluation 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>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 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 amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>		<p>All timeframes as per regulations Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, will be adhered to.</p> <p>The Scoping Report has been prepared in accordance with Appendix 2 of the EIA Regulations, 2014, as amended (GNR 326).</p>

No.	Comment	Raised by	Response
2.	<p>Interim Comment</p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit notes the pending assessment of the impact to heritage resources. The HIA must comply with section 38(3) of the NHRA as required by section 38(8) of the NHRA. The HIA must include an archaeological and palaeontological component.</p>	<p>Natasha Higgitt Heritage Officer SAHRA</p> <p>Letter: 10 June 2022</p>	<p>As part of the Scoping Phase, a heritage screener was produced for the proposed development which indicated the project area and the area more broadly have not been subjected to many HIAs and therefore substantial gaps in knowledge exist. The specialist has recommended that a full HIA with a detailed field component be undertaken.</p> <p>The full HIA will be submitted as part of the EIA Report during the EIA Phase of the process. As per this requirement, the HIA will comply with section 38(3) of the NHRA as required by section 38(8) of the NHRA and include an archaeological and palaeontological component.</p>
	<p>The archaeological component of the HIA must be conducted by a qualified archaeologist and must comply with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports.</p>		<p>The archaeological component of the HIA will be prepared in accordance with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Report and will be undertaken by a qualified by archaeologist.</p>
	<p>The proposed development footprint is located in areas of moderate and very high sensitivity as per the SAHRIS PalaeoSensitivity Map. Therefore, a field-based Palaeontological Impact Assessment must be undertaken by a qualified palaeontologist. The report must comply with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments.</p>		<p>The palaeontological component of the HIA will be prepared in accordance with the 2012 Minimum Standards: Palaeontological Components of Heritage Impact Assessments. The field-based Palaeontological Impact Assessment will be undertaken by a qualified palaeontologist.</p>
	<p>Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as built structures over 50 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and cultural landscapes or viewsapes must be assessed.</p>		<p>Should any of the heritage resources listed in this comment be identified within the development footprint of the Wind Energy Facility, impacts on these heritage resources will be assessed in the HIA and included in the EIA Report.</p>

No.	Comment	Raised by	Response
	Further comments will be issued upon receipt of the draft EIA documents inclusive of appendices and the above pending heritage specialist reports.		The draft EIA Report and HIA will be uploaded on the South African Heritage Resources Information System (SAHRIS) for comment by SAHRA.

3.2. Key Stakeholders and I&APs

No.	Comment	Raised by	Response
1.	I saw a post notice on our fence Vaalbank and wanted to find out more on the project.	Joseph Masego Land Occupier of Vaalbank Telephonic Call: 11 May 2022	There was a discussion on what the project entails and the activities that will be undertaken as part of the S&EIA process.