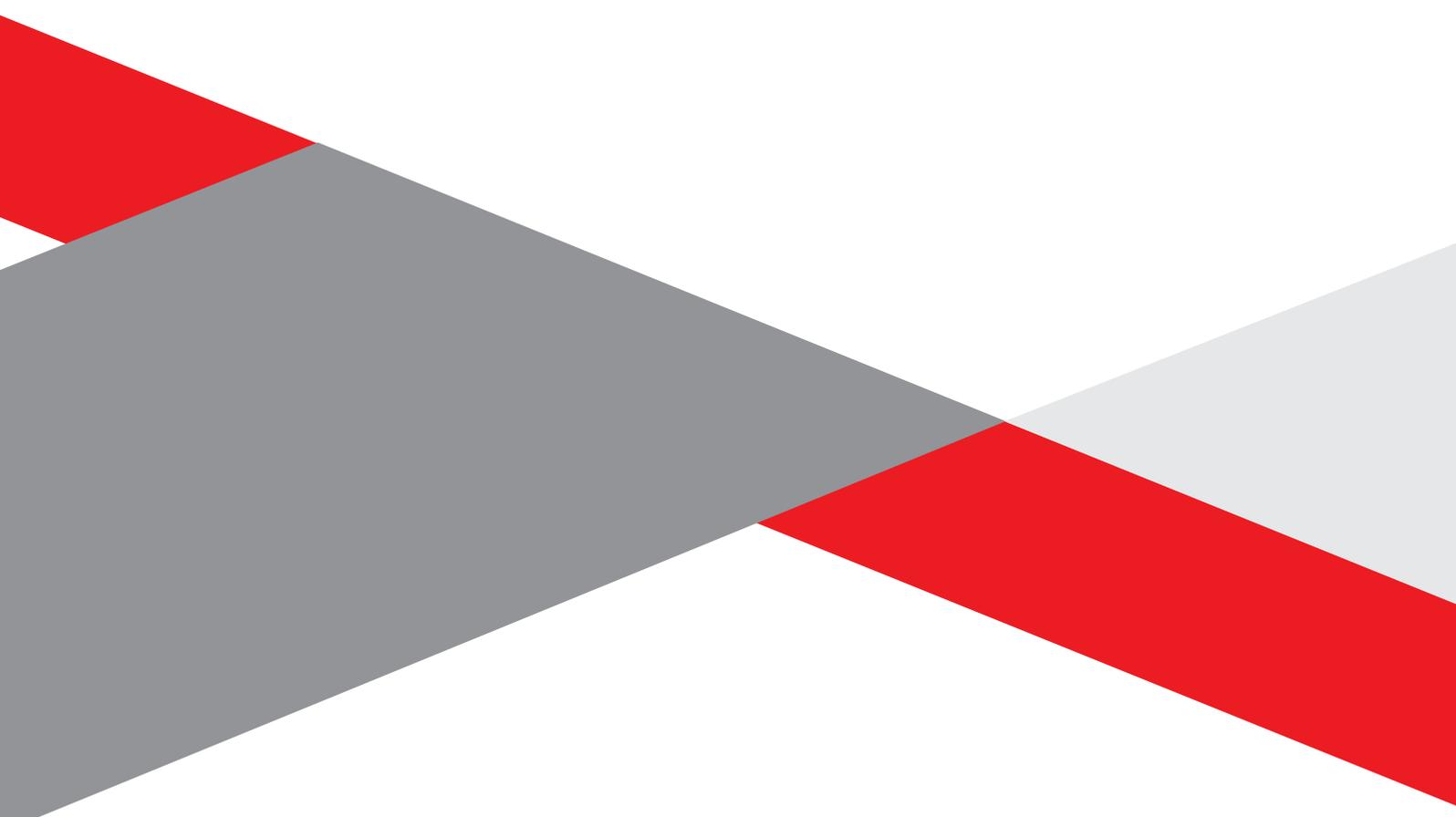


**APPENDIX C9**  
**COMMENTS AND RESPONSES REPORT**



## DEVELOPMENT OF THE UMBILA EMOYENI SOLAR ENERGY FACILITY, MPUMALANGA PROVINCE

(DFFE Ref. No.: 4/12/16/3/3/2/2161)

### 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 EIA process for 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 that they might have.

The Scoping Report was made available for a 30-day review and comment period from **Thursday, 12 May 2022** until **Monday, 13 June 2022**, and the Environmental Impact Assessment Report (EIAR) was made available for a 30-day review and comment period from **Friday, 14 October 2022** until **Monday, 14 November 2022**. All written comments received during the EIA process have been included in **Appendix C8: Comments Received** and captured within this Comments and Responses Report (C&RR) and is 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	NEMA	National Environmental Management Act
BID	Background Information Document	NHRA	National Heritage Resources Agency
CAPEX	Capital Expenditure	OoS	Organs of State
CBA	Critical Biodiversity Area	OPEX	Operational Expenditure
CEO	Chief Executive Officer	PV	Photovoltaic
CMIS	Command Management and Information Services	SACAA	South African Civil Aviation Authority
C&RR	Comments and Response Report	SACNASP	South African Council For Natural Scientific Professions
DOD	Department of Defense	SAAF	South African Air Force
EIA	Environmental Impact Assessment	SAHRA	South African Heritage Resources Agency
EMPr	Environmental Management Programme	SAHRIS	South African Heritage Resources Information System
EWT	Endangered Wildlife Trust	SANDF	South African National Department of Defense
FGM	Focus Group Meeting	SANRAL	South African National Roads Agency Ltd
HIA	Heritage Impact Assessment	SCC	Species of Conservation Concern
I&AP	Interested and Affected Parties	SR	Scoping Report
KSW	Key Stakeholder Workshop	S&EIR	Scoping & Environmental Impact Report
MR	Mining Right	OoS	Organs of State
MW	Mega Watt		



No.	Comment	Raised by	Response
	<p>underground cable route crossings. These freshwater systems 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.)</p> <p>The bulk of the development is however, planned within cultivated areas and secondary grassland, these areas are irrespectively classified as "low" and "low-medium" sensitive areas. Furthermore, 15% (51.39 ha) of the proposed development footprint is planned within primary grassland that fall outside of any CBAs ("medium" sensitivity). 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 &amp; Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p> <p>In conclusion, please note that all Public Participation Process documents related to Biodiversity EIA review and any other Biodiversity EIA queries must be submitted to the Directorate: Biodiversity Conservation at Email: <a href="mailto:BCAdmin@environment.co.za">BCAdmin@environment.co.za</a> for attention of <b>Mr Seoka Lekota</b>.</p>		<p><i>development is appropriate from an environmental perspective and is suitable for development within the project site.</i></p> <p><i>Based on the findings as documented in this EIA report, it was concluded that this layout avoids areas of sensitivity and therefore no further optimisation was recommended. As such, the impact of this proposed Facility Layout is considered to be acceptable and the layout is recommended for approval. Final micro-siting must however be undertaken prior to construction considering all mitigation measures recommended within this EIA Report and associated specialist studies."</i></p> <p>The avifauna assessment has been undertaken in accordance with the requirements of the Best Practice Guideline for Birds &amp; Solar Energy for assessing and monitoring the impact of solar energy facilities on birds in Southern Africa.</p> <p>It is confirmed that all Public Participation Process related documents are submitted to the Directorate as requested.</p>
2.	The following procedures are applied by the DOD to evaluate the potential impact of the intended development on the DOD:	Maj Gen XB Ndlovu Chief Logistics: Lieutenant General	The submissions and that SANDF has no objection to the project are noted.

No.	Comment	Raised by	Response
	<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 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>SANDF</p> <p>Letter: 14 October 2022</p>	

No.	Comment	Raised by	Response
	<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>		
3.	<p>This letter serves to inform you that the following information must be included in the final EIAR:</p> <p><b>a) <u>Specific comments</u></b></p> <ul style="list-style-type: none"> <li>• Recommendations provided by specialist reports must be considered and used to inform the layout.</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.</li> </ul> <hr/> <ul style="list-style-type: none"> <li>• The final EIAR must provide the technical details for the proposed facility in a table format as well as their description and/or dimensions.</li> </ul>	<p>Juliet Mahlangu Case Officer DFFE</p> <p>Letter: 03 November 2022</p>	<p>Recommendations provided by specialist reports have been considered and used to inform the layout. Section 11.3 of the EIA states "<i>Based on the findings as documented in this EIA report, it was concluded that this layout avoids areas of sensitivity and therefore no further optimisation was recommended. As such, the impact of this proposed Facility Layout is considered to be acceptable and the layout is recommended for approval. Final micro-siting must however be undertaken prior to construction considering all mitigation measures recommended within this EIA Report and associated specialist studies.</i>"</p> <hr/> <p>All mitigation recommendations are in line with applicable and most recent guidelines.</p> <hr/> <p>The technical details for the project are provided in table format in Chapter 2 of the Final EIA Report.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> <li>• Please ensure that all softcopy maps are clear and legible.</li> <li>• 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.</li> <li>• 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.</li> </ul> <p><b>b) Listed Activities</b></p> <ul style="list-style-type: none"> <li>• 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 <a href="https://www.environment.gov.za/documents/forms">https://www.environment.gov.za/documents/forms</a>.</li> <li>• 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 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.</li> </ul>		<p>All softcopy maps included in the final EIA Report are clear and legible.</p> <p>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 03 August 2022 has been complied with as detailed in Table 7.4 of the EIA Report.</p> <p>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 12-18 months of commencement.</p> <p>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.</p> <p>The relevant authorities have been consulted throughout the EIA process. Records of this consultation are included within <b>Appendix C6: Organs of State Correspondence</b> 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 (<b>Chapters 8 and 9</b>) and the specialist reports (<b>Appendix D to M</b>).</p>

No.	Comment	Raised by	Response
	<p><b>c) <u>Public Participation</u></b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>		<p>Comments received from Organs of State and key stakeholders during the EIA process are captured in this C&amp;RR and included in <b>Appendix C9: Comments Received</b> of the final EIA Report.</p> <p>The written comments received are included in <b>Appendix C8: Comments Received</b> of the Final EIA Report.</p>
	<ul style="list-style-type: none"> <li>Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAR from registered I&amp;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.</li> </ul>		<p>All written comments received from registered I&amp;APs and Organs of State during the EIA process are included in <b>Appendix C8: Comments Received</b> and the various correspondence with stakeholders is included in <b>Appendix C5: Correspondence Stakeholders</b> and <b>Appendix C6: Correspondence Organs of State</b>.</p> <p><b>Appendix C5</b> and <b>Appendix C6</b> includes the attempts to obtain written comments from registered I&amp;APs and Organs of State.</p>
	<ul style="list-style-type: none"> <li>A Comments and Response trail report (C&amp;R) must be submitted with the final EIAR. The C&amp;R report must 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&amp;R report must be a separate document from the main report. Please refrain from summarising comments made by I&amp;APs.</li> </ul>		<p>All comments received during the EIA process have been captured and addressed, as applicable, in this C&amp;RR (<b>Appendix C9: Comments and Responses Report</b>) and submitted as a separate document 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</p>

No.	Comment	Raised by	Response
	<p>All comments from I&amp;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&amp;AP's comments.</p> <ul style="list-style-type: none"> <li>• Comments from I&amp;APs must not be split and arranged into categories. Comments from each submission must be responded to individually.</li> <li>• The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations, 2014, as amended.</li> </ul>		<p>captured verbatim. No comment has been responded to as "noted".</p> <p>Comments submitted have not been split or arranged according to categories but according to date received and where applicable, comments have been responded to individually.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended (GNR 326), as follows:</p> <ul style="list-style-type: none"> <li>• <b>Project database:</b> <ul style="list-style-type: none"> <li>○ A register of I&amp;APs has been compiled and will be updated throughout the EIA process (<b>Appendix C1: I&amp;AP Database</b>).</li> </ul> </li> <li>• <b>Project Announcement:</b> <ul style="list-style-type: none"> <li>○ The Background Information Document (BID), accompanied by a cover letter inviting I&amp;APs to register on the project database, was distributed via email to identified I&amp;APs and relevant Organs of State (OoS) on 12 May 2022 (refer to <b>Appendices C3: Background Information Document, Appendix C5: Correspondence Stakeholders &amp; Appendix C6: Correspondence Organs of State</b> of the final EIA Report)</li> <li>○ An advertisement was placed in the Ridge Times Newspaper on Friday, 13 May 2022 (refer to <b>Appendix C4: Newspaper Advertisement</b> of the final EIA Report).</li> <li>○ 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 <b>Appendix C2: Site Notices Placed</b> of the final EIA Report).</li> </ul> </li> </ul>

No.	Comment	Raised by	Response
			<ul style="list-style-type: none"> <li>○ Process notices were placed at various public places in Bethal and Morgenon (refer to <b>Appendix C2: Site Notices Placement</b> of the final EIA Report).</li> <li>● <b>Scoping Report available for review and comment:</b> <ul style="list-style-type: none"> <li>○ Registered I&amp;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 <b>Appendix C5: Stakeholder Correspondence</b> and <b>C6: Organs of State Correspondence</b> of the final EIA Report).</li> <li>○ An e-mail to all registered I&amp;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 <b>Appendix C5: Stakeholder Correspondence</b> and <b>C6: Organs of State Correspondence</b> of the final EIA Report).</li> </ul> </li> <li>● <b>Scoping Phase Meetings:</b> <p>Various Meetings were held during the 30-day review and comment period of the Scoping Report (refer to <b>Appendix C7: Meeting Notes</b> of the final EIA Report for the meeting notes). The following meetings were scheduled:</p> <ul style="list-style-type: none"> <li>○ 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&amp;APs on the project database on 12 May 2022.</li> <li>○ In-person Focus Group Meeting (FGM) with adjacent landowners held on 14 June 2022 at 10h00.</li> <li>○ Virtual FGM on 15 June 2022 with Provincial Authority Officials at 09h00 – No attendance</li> <li>○ Virtual Key Stakeholder Workshop (KSW) was held on 15 June 2022 at 11h00.</li> </ul> </li> </ul>

No.	Comment	Raised by	Response
			<ul style="list-style-type: none"> <li>○ Virtual FGM with District &amp; Local Municipal Officials was held on 15 June 2022 at 14h00 – No attendance.</li> <li>● <b>EIA Report available for review and comment:</b> <ul style="list-style-type: none"> <li>○ Registered I&amp;APs, stakeholders and Organs of State were notified of the availability of the EIA Report for a 30-day review and comment period via e-mail on 08 September 2022 (refer to <b>Appendix C5: Stakeholder Correspondence</b> and <b>C6: Organs of State Correspondence</b> of the final EIA Report).</li> <li>○ An advertisement was placed in the community newspaper Ridge Times on 14 October 2022 announcing the availability of the EIA Report</li> </ul> </li> <li>● <b>EIA Phase Meetings:</b> <p>Various Meetings were held during the EIA phase of the process (refer to <b>Appendix C7: Meeting Notes</b> of the final EIA Report for the meeting notes). The following meetings were held:</p> <ul style="list-style-type: none"> <li>○ In-person Focus Group Meeting (FGM) with landowners held on 05 October 2022 at 10h00 and 14h00.</li> <li>○ Virtual Key Stakeholder Workshop (KSW) was held on 07 October 2022 at 10h00.</li> </ul> </li> <li>● <b>Ongoing Consultation:</b> <ul style="list-style-type: none"> <li>○ Proof of consultation with I&amp;APs and Organs of State (OoS) throughout the EIA process is included in <b>Appendix C5: Stakeholder Correspondence</b> and <b>C6: Organs of State Correspondence</b> of the final EIA Report.</li> </ul> </li> <li>● <b>Comments &amp; Responses Report:</b> <p>All comments received during the EIA process have been captured in this C&amp;RR which is attached as <b>Appendix C9: Comments and Responses Report</b> as a separate document to the final EIA Report.</p> </li> </ul>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> <li>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.</li> </ul>		<p>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 <b>Appendix B: Authority Consultation</b> of the final EIA Report).</p>
	<p><b>d) Specialist assessments</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>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.</li> <li>It is further brought to your attention that the Procedures for the Assessment and Minimum Criteria</li> </ul>		<ul style="list-style-type: none"> <li>» The identified specialist studies (<b>Appendix D to M</b>) 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.</li> <li>» The specialist studies provide a detailed description of the limitations to the studies.</li> <li>» 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.</li> <li>» 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.</li> <li>» All specialist studies attached to this EIA Report (refer to <b>Appendix D – M</b> are final and provide detailed and practical mitigation measures and recommendations.</li> </ul> <p>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 and relevant reasons.</p> <p>The specialist studies have been conducted in accordance with Government Notice No. 320 of 20 March 2020 (i.e., "the</p>

No.	Comment	Raised by	Response
	<p>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>		<p>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"> <li>• 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.</li> </ul>		<p>The specialist studies include site sensitivity verification as per requirements of the protocols.</p>
	<ul style="list-style-type: none"> <li>• 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.</li> </ul>		<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"> <li>• For the themes that have been identified as medium which requires compliance statements, please ensure that these compliance statements are</li> </ul>		<p>All specialist reports are attached to the final EIA Report within Appendix <b>D to M</b>.</p>

No.	Comment	Raised by	Response
	<p>attached to the EIAR and that they comply with the requirement of the protocols.</p>		
	<p><b>e) Environmental Management Programme</b> The EMPr must also include the following:</p> <ul style="list-style-type: none"> <li>• All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.</li> </ul>		<p>The EMPr includes all recommendations and mitigation measures recorded in the EIA Report and the specialist studies conducted.</p>
	<ul style="list-style-type: none"> <li>• An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process.</li> </ul>		<p>An environmental sensitivity map indicating environmental sensitive areas and features identified during the assessment process is included as Figure 2.3 of the EMPr.</p>
	<ul style="list-style-type: none"> <li>• 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.</li> </ul>		<p>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).</p>
	<ul style="list-style-type: none"> <li>• In addition to the above, the EMPr must comply with Appendix 4 of the EIA Regulations, 2014, as amended.</li> </ul>		<p>The EMPr complies with Appendix 4 of the EIA Regulations, 2014, as amended.</p>
	<ul style="list-style-type: none"> <li>• Please ensure that the Generic EMPr for substation submitted includes the date of the signature of the applicant</li> </ul>		<p>The Generic EMPr for substation submitted includes the date of the signature of the applicant.</p>
	<p><b>General</b></p> <p>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 - (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,</i></p>		<p>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.</p>

No.	Comment	Raised by	Response
	<p><i>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."</i></p>		
	<p>Should there be significant changes or new information that has been added to the EIA or EMP 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: <i>"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"</i>.</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>
	<p>Should there be significant changes or new information that has been added to the EIA or EMP 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: <i>"The applicant must within 106 days of the acceptance of the</i></p>		

No.	Comment	Raised by	Response
	<p>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>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.</p>		<p>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.</p>
	<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>		<p>The Applicant is aware of the requirements of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended. No activity will commence prior to an Environmental Authorisation being granted by the Department.</p>

## 1.2. Interested and Affected Parties

No.	Comment	Raised by	Response
1.	<p>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.</p>	<p>Mariette Liefferink CEO Federation for a Sustainable Environment  E-mail: 08 October 2022</p>	<p><b>Response by Applicant</b> Once the Ummbila Emoyeni Solar Facility (UmmE) reaches the end of its operational stage, all impactful on-site infrastructure, including panels, inverters, conductors and buildings will be decommissioned and removed from the area. The current term of the purchase power agreement (PPA) is 20 years, but it is possible</p>

No.	Comment	Raised by	Response
			<p>that the term will be extended, and further off-take agreements signed.</p> <p>Decommissioning will involve the removal of all foreign 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 guidelines developed by other countries and institutions around the world.</p> <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. The decision as to which pieces of infrastructure would be considered "significantly impactful" will be made by an independent environmental specialist at the correct time.</p>

No.	Comment	Raised by	Response
			Solar arrays and inverters could be dismantled and either sold for installation on another project (a 20-year-old panel is likely to retain approximately 90% of the efficiency which it could produce in its first year of operation) or dismantled for the salvaging of parts which could be repurposed as spares for other solar 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 currently present challenges.
2.	<p>Is Savannah Consulting aware of the MR application and proposed underground mining at the Goedgedacht portion for the Remhoogte project.</p> <p>Will the Ummbila Emoyeni Renewable Solar PV Infrastructure overlap into the portions that Remhoogte surface infrastructure will be constructed in.</p> <p>The stability of the site where the proposed Remhoogte underground mining will take place. (Will this be for Seriti to determine?)</p>	<p>Anisha Muniappen Environmental Specialist Seritiza</p> <p>E-mail: 16 October 2022</p>	<p>Yes, Savannah Environmental is aware of the MR application at the Goedgedacht portion for the Remhoogte project. The applicant is aware of the Mining Right, and as mentioned below, the project is now part of the Seriti group of companies. A letter of no objection has been obtained.</p> <p>The Project Focus Area over which the Ummbila Emoyeni Renewable Energy Farm is proposed overlaps with the area for the proposed MR. The solar facility footprint proposed does not overlap with this area.</p> <p>The project developer is part of the Seriti Resources group of companies (the project is owned by Seriti Green) and a letter of no objection in terms of above-ground development as it pertains to the Remhoogte MR has been given by Seriti. This can be provided if required.</p> <p>This forms part of the Section 53 (1) consent that is required from DMRE. This is therefore no conflict.</p>
3.	<p><b>1. Climate Change</b></p> <p>The project area is within the economic region where activities are expected to take place in order to reindustrialise from fossil fuel economy. How can the</p>	<p>Johannes Mabela Moepo Investments (Pty) Ltd</p> <p>Letter: 13 November 2022</p>	<p>Note that the project is located within the coal belt of South Africa and that traditionally, Solar PV Plants have been located in the Northern and Western Cape provinces of the country. Therefore, jobs and other socio-economic benefits will, by design, be created adjacent to the decommissioned coal plants. This in itself, is</p>

No.	Comment	Raised by	Response
	<p>project activities at the operational phase be aligned to the national Just Transition plans taking into consideration the global goal to limit future warming to 1.5 degrees Celsius.</p>		<p>assisting the JET. It is key that there is certainty in the industry-certainty allows for long-term investment and will allow the project to invest in local supply chains and factories in the area.</p> <p>As detailed within the EIA Report, the Ummbila Emoyeni Solar 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 Solar Energy Facility under the Department of Mineral Resources and Energy's (DMRE's) Renewable Energy Independent Power Producer Procurement (REIPPP) Programme or 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), with the Ummbila Emoyeni Solar Energy Facility set to inject up to 150MW 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 Solar 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 (see graph below). This will be vitally important if the JET is to be successfully implemented and is a transition for everyone.</p>
	<p><i>1.5.5 Quantification of OPEX and CAPEX</i></p> <p><i>Economic impact modelling will be undertaken for both the construction and operational phase of the project in order to quantify all upstream and downstream impacts to the local and national economy through the application</i></p>		<p>The proposed development is a solar energy facility, which does not result in any greenhouse gas emissions during the operation phase. There will therefore be no contribution of emissions related to climate change. The proposed PV facility will assist in reducing the country's CO2 emissions associated with energy supply relative to fossil fuels (e.g. coal). Development of numerous such facilities</p>

No.	Comment	Raised by	Response
	<p><i>of economic multipliers developed for the Eastern Cape Province. This will allow for impacts to be forecasted through the various sectors of the economy and provide for the magnitude of the development from a Regional Gross Domestic Product (GDP_R), Production, Job creation and tax perspective. In addition, the economic impacts of the proposed SED infrastructure spend will also be modelled. P van Jaarsveld 2022 Socio-Economic Impact Assessment EIA Report - (150MW Solar PV) September 2022 SOCIO-ECONOMIC IMPACT ASSESSMENT FOR THE UMBILA SOLAR PV (150MW).</i></p> <p>How will the project activities and deliverables contribute to mitigate the effects of Climate Change in the Mpumalanga Highveld region, taking stock of the GHG concentration on the area which has an adverse effects on air quality, pollution and ecological degradation. <i>It requires a transition to a new economic model (Alexis Scholtz A Discussion Of Systemic Challenges For A Just Transition Towards A Low Carbon Economy).</i></p> <p>Are there any new industries that are likely to be created from the UMBILA SOLAR PV (150MW) FACILITY, taking into consideration the urgent need to transition to cleaner energy technologies. Liberalised trade regulations have resulted in cheap imports from developing countries like China and India making it impossible for SMMEs to compete <b>(Alexis Scholtz A Discussion Of Systemic Challenges For A Just Transition Towards A Low Carbon Economy)</b>. It against this statement that it is wished that SMMEs, are provided a fair space to trade fairly, openly</p>		<p>will have a cumulative positive impact on CO2 emissions as this will reduce reliance on power generation from fossil fuels. This will aid the country in meeting the commitments made under the COP 21 Agreement, to which the Government is a signatory. This is considered to be a significant positive impact for the environment and society at an international level.</p> <p>Localisation will be prioritised in the area and province and local equipment will be procured wherever possible. As mentioned above, this requires certainty in the industry. If the project has long-term sight of procurement of renewables, it will be easier to invest in local supply chain industries such as panels and inverters.</p>

No.	Comment	Raised by	Response
	<p>and competitively within the project value chain processes in order to attain an inclusive economic activities that are biased towards women and the youth. <i>This range of benefits includes opportunities for enhanced climate competitiveness for a range of domestic industries, technology transfer and local manufacture, job creation and the development of reliable and readily available renewable energy supplies.</i> <b>Climate Change: Risks and Opportunities for the South African Economy Renewable Energy and the Draft IRP 2010. Alex McNamara.</b> A humble request is wished for the continuous engagements regarding environmental concerns on the project with focus on developing issues of Climate Change which are national and global socio-economic imperatives.</p>		
	<p><b>2. Just Transition</b></p> <p>The project is a microcosm of the country Just Transition trajectory with Eskom implementing JET program which is an anchor project towards Green Economy. Eskom is decommissioning, repowering and repowering its old fleet, Bethal and Morgenzon are areas within which some of the activities are actively taking place. Are there any Social Compact anticipated between Eskom and Ummbila Emoyeni for a collaborative process on JET, in making certain that “no one is left behind” as not only South Africa but the global north has vested interest on how the country implements the new industrial revolution into clean energy. <i>Understood most broadly, the just transition aims to ensure that groups with limited resources – workers, their communities and small business, in particular – can take advantage of opportunities brought by the transition to a</i></p>		<p>There is no formal agreement with Eskom as it pertains to the JET but because this project is within the coal belt part of the province (and not in the northern or western cape where most other PV projects are located) it goes to reason that it will add considerable value to the JET.</p> <p>The project will create significant local jobs for people in the area, and, if the scale is reached, be an anchor for localisation of supply chains.</p> <p>Additionally, it is anticipated that social compacts, of various guises, will be entered into with many local community groups within the local area in order to allow genuine benefit from the project.</p>

No.	Comment	Raised by	Response
	<p><i>more sustainable economy. (Muhammed Patel TIPS Economist: Sustainable Growth TOWARDS A JUST TRANSITION). The just transition features in Cosatu's 2011 paper entitled "A Just Transition to a low carbon and climate resilient economy. (Muhammed Patel TIPS Economist: Sustainable Growth TOWARDS A JUST TRANSITION)</i></p> <p><b>3. Governance in Environmental Management</b></p> <p>It has be evidenced though cases that misconduct and maladministration of local community by unethical representatives hampers development and is the cause of stakeholder challenges between private sector, government and immediate or host communities. Systems of governance in stakeholder relationships must be developed in order to promote a seamless relationship amongst stake holders. <i>Inclusivity in Just Transition calls for, open and transparent conduct in order to promote social cohesion to achive sustainable development. Transformation towards a fair and equitable system of governance in South Africa is not a new fight. (Alexis Scholtz A Discussion Of Systemic Challenges For A Just Transition Towards A Low Carbon Economy)</i></p> <p>Nearby communities, Morgenzon in particular participation in the project for the period of operation must have a reasonable value both in quantum and quality, and contribute to the social and environmental issues experienced by the local citizens.</p>		<p>It is still to be confirmed but generally communities within 50km of the project will be targeted. This includes the communities of Morgenzon, Bethal and Davel. As part of this exercise, the needs of the community will be assessed, and their needs sought to be met. Please note that the power generated by these projects will be evacuated via the national grid, either for use by Eskom, or to an energy intensive user who will buy the power. A competitive tariff, whilst not compromising the quality of the project, will be sought as this benefits the country as a whole. The applicant is confident that a proactive governance approach has been followed by all Gov actors. The process followed has, at all times, been one of quality and integrity.</p>

No.	Comment	Raised by	Response
	<p>In terms of relative governance responsibilities, taking into consideration relevant laws and legislation, what is the relationship of the project with National government (IRP 2019, NEMA, IPPPP, etc), Provincial government and the Local government. What is the relationship between Eskom and the Lekwa Local Municipality in Mpumalanga in terms of electricity distribution agreements, Air Quality management, tariffs and debts owed to the national utility. Has the project developer made an independent assessment on the state of household and industrial establishments (farms etc) electricity connection and supply challenges for the residents of Bethal and Morgensons. This background can provide an overview of the potential risk for tempering with infrastructure which hampers seamless project execution. Do consumers really care about the environment the source of electricity generation technologies, or tariffs.</p> <p>Just Transition calls for proactive governance approach from the state actors listed, as the democratic representatives of the society. Proactive governance approach will reduce project operational risks caused through the irresponsible and unethical conduct from state actors when engaging with the project developer. The project sets out an example on how governance and conjucive economic environment can attract investments and drive the country pathway to a Just Transition.</p>		
	<p><b>4. Sustainable Development</b>                      Is there a matrix for to quantify the project contribution to Sustainable Development goals, focusing on collaborations and inclusivity.</p>		<p>Yes, the goals of the project clearly look to meet the sustainable Development goals of the country and Province. Specifically, it will be the first big step in the reindustrialisation of the Mpumalanga province as coal plants are decommissioned. The applicant is</p>

No.	Comment	Raised by	Response
	<p>Are the project objectives and goals aligned to national development strategy on Sustainable Development, taking stock of the focus on reindustrialization of the country's energy hub of Mpumalanga Highveld region.</p> <p>It important that the project, in its operational lifetime develop a Social Compact for Sustainable Development, considering.</p> <p>Unemployment, poverty and inequality to nearby communities. Can the project sustainable development plans be aligned to UNDP Sustainable Development Goals Impact</p> <ol style="list-style-type: none"> <li>1. Strategy</li> <li>2. Management approach</li> <li>3. Transparency</li> <li>4. Governance</li> </ol> <p>The above is important in promoting justifiable economic and social development, as a constitutional imperative, and will help to position the project on global Sustainable Development bench marks.</p>		<p>committed to alleviating unemployment, poverty and inequality in nearby communities. This will be done by creating jobs during construction and operation and allocating funds for other socio-economic initiatives. There will be several social compacts with communities, groups and individuals in the socio-economic catchment area. This is important if the socio-economic benefits are to be appropriately used.</p> <p>The project 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. The Integrated Resource Plan (IRP), which is the energy planning policy for South Africa, takes environmental factors (such as climate change) into consideration. As detailed in the EIA Report, it was concluded that the project is well aligned with the policy framework, and a clear need for the project is seen from a policy perspective at a local, provincial and National level.</p>

## 2. COMMENTS SUBMITTED AFTER SCOPING REPORT REVIEW PERIOD AND PRIOR TO RELEASE OF EIAr FOR REVIEW AND COMMENT

### 2.1. Organs of State

No.	Comment	Raised by	Response
1.	<p>1. The subject matter has reference.</p> <p>2. The department has received an application submitted in fulfilment of the National Environmental Management Act, Act 107 of 1998 (NEMA).</p> <p>3. 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.</p> <p>4. The department also notes the regional impact and potential positive socio-economic and infrastructure development more so given the countries energy supply.</p>	<p>TB Sebogodi Co-Operative Governance &amp; 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>
	<p>5. The department supports the application subject to the following conditions:</p> <p>5.1. The application must comply with all provision of the municipal Spatial Planning and Land Use Management By-law and town planning scheme.</p>		<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>
	<p>5.2. Consent and conditions imposed by the Local Municipality be adhered to.</p>		
	<p>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>		
	<p>5.4. All site specific assessment recommendations be strictly adhered to mitigate impacts.</p>		

	5.5. All other laws that may be triggered must be complied with relevant departments.		
2.	With reference to the Notice dated 12 May 2022 and sent to Govan Mbeki Municipality, you are hereby informed of the following: 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).	Thapelo Madisha Land Development Officer Town and Regional Planning Govan Mbeki LM  Letter: 27 September 2022	The Applicant is aware of the requirement to comply with SPLUMA and the Municipal SPLUMA By-Laws.
	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.		The Applicant has appointed Professional Town Planners to apply for the necessary Land Use Rights.
	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.		The Applicant is aware of this requirement and will submit the Building Construction Plans as required.
	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).		The comment has been noted and the applicant advised accordingly.
1.			
2.			
3.			
4.			

### 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
5.	<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><b>Renewable Energy Generation Plant Setbacks to Eskom Infrastructure included in Appendix C8 of the final Scoping Report</b></p> <p>Eskom requirements for work in or near Eskom servitudes.</p> <ol style="list-style-type: none"> <li>1. Eskom's rights and services must be acknowledged and respected at all times.</li> <li>2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.</li> <li>3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.</li> <li>4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.</li> <li>5. If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations 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.</li> <li>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</li> </ol>	<p>John Geeringh Senior Consultant Environmental Management Grid Planning: Land &amp; 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 <b>Appendix C6</b> 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 EMP for the project.</p>

<p>issued in terms of the blasting process. It is advisable to make application separately in this regard.</p>		
<p>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.</p>		
<p>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.</p>		
<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>		

<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.</p>		
<p>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.</p>		
<p>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).</p>		
<p>13. Equipment shall be regarded electrically live and therefore dangerous at all times.</p>		
<p>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 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</p>		

	the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude.		
6.	<p><u>This letter serves to inform you that the following information must be included to the Final Scoping Report:</u></p> <p><b>a) Layout &amp; Sensitivity Maps</b> Please provide a layout map which indicates the follow:</p> <ul style="list-style-type: none"> <li>• location of the proposed solar energy facility including associated infrastructure</li> <li>• The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</li> <li>• Buffer areas; and</li> <li>• All "no-go" areas.</li> <li>• The above map must be overlain with a sensitivity map and a cumulative map which shows neighbouring renewable energy developments and existing grid infrastructure.</li> <li>• Google maps will not be accepted.</li> </ul> <p><b>b) Public Participation Process</b></p> <ul style="list-style-type: none"> <li>• Please ensure that all issues raised and comments received during the circulation of the SR from registered I&amp;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</li> </ul>	<p>Juliet Mahlangu Case Officer DFFE</p> <p>Letter: 08 June 2022</p>	<p>An appropriate facility layout map indicating the location of the Solar Energy Facility 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> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended (GNR 326), as follows:</p> <ul style="list-style-type: none"> <li>• <b>Project database:</b> <ul style="list-style-type: none"> <li>◦ A register of I&amp;APs has been compiled and will be updated throughout the EIA process (<b>Appendix C1</b>).</li> </ul> </li> <li>• <b>S&amp;EIA and Public Participation Process announcements:</b> <ul style="list-style-type: none"> <li>◦ The Background Information Document (BID), accompanied by a cover letter inviting I&amp;APs to register on the project database, was distributed via email to identified I&amp;APs and relevant Organs of State (OoS) on</li> </ul> </li> </ul>

	<p>comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 &amp; 44 of the EIA Regulations 2014, as amended.</p>		<p>12 May 2022 (refer to <b>Appendices C3, C5 &amp; C6</b> of the final Scoping Report.)</p> <ul style="list-style-type: none"> <li>○ An advertisement was placed in the Ridge Times Newspaper on Friday, 13 May 2022 (refer to <b>Appendix C4</b> of the final Scoping Report).</li> <li>○ 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 <b>Appendix C2</b> of the final Scoping Report).</li> <li>○ Process notices were placed at various public places in Bethal and Morgenzon (refer to <b>Appendix C2</b> of the final Scoping Report).</li> </ul> <ul style="list-style-type: none"> <li>● <b>Scoping Report available for review and comment:</b> <ul style="list-style-type: none"> <li>○ Registered I&amp;APs 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 <b>Appendix C5</b> and <b>C6</b> of the final Scoping Report).</li> <li>○ 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 <b>Appendix C6</b> of the final Scoping Report).</li> </ul> </li> <li>● <b>Attempt to obtain comments on the Scoping Report:</b> <ul style="list-style-type: none"> <li>○ An e-mail to all registered I&amp;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 <b>Appendix C5</b> and <b>C6</b> of the final Scoping Report).</li> </ul> </li> <li>● <b>Meetings:</b> <p>Various Meetings were held during the 30-day review and comment period of the Scoping Report (refer to <b>Appendix C7</b></p> </li> </ul>
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			<p>of the final Scoping Report for the meeting notes). The following meetings were scheduled:</p> <ul style="list-style-type: none"> <li>○ 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&amp;APs on the project database on 12 May 2022.</li> <li>○ In-person Focus Group Meeting (FGM) with adjacent landowners held on 14 June 2022 at 10h00.</li> <li>○ Virtual FGM on 15 June 2022 with Provincial Authority Officials at 09h00 – No attendance</li> <li>○ Virtual Key Stakeholder Workshop (KSW) was held on 15 June 2022 at 11h00.</li> <li>○ Virtual FGM with District &amp; Local Municipal Officials was held on 15 June 2022 at 14h00 – No attendance.</li> </ul> <ul style="list-style-type: none"> <li>● <b>Consultation:</b> <ul style="list-style-type: none"> <li>○ Proof of consultation with I&amp;APs and OoS throughout the scoping phase is included in <b>Appendix C5</b> and <b>C6</b> of the final Scoping Report.</li> </ul> </li> <li>● <b>Comments &amp; Responses Report:</b> <ul style="list-style-type: none"> <li>○ All comments received from the announcement of the S&amp;EIA process and those submitted during the 30-day review and comment period of the Scoping Report have been captured in this C&amp;RR which is attached as <b>Appendix C9</b> to the final Scoping Report.</li> </ul> </li> </ul>
	<ul style="list-style-type: none"> <li>● A comments and response trail report (C&amp;R) must be submitted with the final SR. The C&amp;R report must incorporate all historical comments for this development. The C&amp;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</li> </ul>		<p>All comments received during the Scoping Phase (included in <b>Appendix C8</b>), 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&amp;RR (<b>Appendix C9</b>) and submitted with the final Scoping Report to the DFFE for the review and acceptance.</p>

<p>this comments letter. Please refrain from summarising comments made by I&amp;APs. All comments from I&amp;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&amp;AP's comments.</p>		<p>Comments have been captured verbatim as submitted and have not been summarised or corrected for grammatical errors.</p>
<ul style="list-style-type: none"> <li>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.</li> </ul>		<p>Responses, as applicable, have been provided and no comment has been responded to as "noted".</p>
<p><b>c) Specialist Assessments</b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>		<p>All identified and relevant competent authorities have been given an opportunity to comment on the proposed development, including the South African Astronomical Observatory &amp; 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 <b>Appendix C6</b> of the final Scoping Report.</p>
<ul style="list-style-type: none"> <li>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</li> </ul>		<p>The specialist studies compiled in support of this project provide detailed descriptions of the different methodologies followed (refer to <b>Appendix D - K</b>). 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"> <li>Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expert advice.</li> </ul>		<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 <b>Appendix D - K</b>).</p>
		<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"> <li>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. <b>Please note that specialist assessments must be conducted in accordance with these protocols.</b></li> </ul>		<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>
<p><b>d) Cumulative Assessment</b></p> <ul style="list-style-type: none"> <li>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"> <li>➤ Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.</li> <li>➤ Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.</li> </ul> </li> </ul>		<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>

	<ul style="list-style-type: none"> <li>➤ The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</li> <li>➤ A cumulative impact environmental statement on whether the proposed development must proceed.</li> </ul>		
	<p><b>General</b>                  You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that:</p> <p><i>"If S&amp;EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority"</i></p> <p>You are 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>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 <b>Appendix 2</b> of the EIA Regulations, 2014, as amended (GNR 326).</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.		
7.	<p><b>Interim Comment</b></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>
	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.		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.
	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.		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.
	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		Should any of the heritage resources listed in this comment be identified within the development footprint of the Solar Energy Facility, impacts on these heritage resources will be assessed in the HIA and included in the EIA Report.

	of conflict, and cultural landscapes or viewsapes must assessed.		
	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 during as part of the S&EIA process.