

APPENDIX C8
COMMENTS & RESPONSES REPORT



**HARMONY TARGET SOLAR PV FACILITY, ASSOCIATED INFRASTRUCTURE AND ELECTRICAL GRID INFRASTRUCTURE LOCATED NEAR THEUNISSEN, FREE STATE
PROVINCE**

**DESTEA Ref. No. EMS/11(i),12(ii)(a)(c),14,19,24(ii),1,15,4(b)(i)(ee),10(b)(ee)(hh),12(b)(0,1400(a)(c)(i)(ee)/22J12
NEAS Ref Nr: FSP/EIN0000477/2022**

COMMENTS AND RESPONSES REPORT

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Information regarding the Scoping and Environmental Impact Assessment (S&EIA) and Public Participation processes for the proposed Harmony Target Solar PV as well as technical project details, was made available with the distribution of the Background Information Document (BID) on **Wednesday, 24 August 2022**. The BID served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments / queries that they might have. The cover letter accompanying the BID served to notify I&APs that the Scoping Report is available for review and comment.

The Scoping Report was made available for a 30-day review and comment period from **Wednesday, 24 August 2022** to **Friday, 23 September 2022**. All written comments received on the Scoping Report have been included in this Comments and Responses Report (C&RR) which has been submitted with the final Scoping Report to the Department of Economic, Small Business Development, Tourism and Environmental Affairs (DESTEA) for their acceptance.

The Environmental Impact Assessment Report (EIAR) will be made available for a 30-day review and comment period from **Monday, 16 January 2023** to **Wednesday, 15 February 2023**. All written comments received on the EIAR will be included in the C&RR which will be submitted with the final EIAR to the Department of Economic, Small Business Development, Tourism and Environmental Affairs (DESTEA) for their acceptance.

NOTE:

In terms of Regulation 44(1) of the EIA Regulations 2014, as amended, please note that the comments raised and responses provided at the various virtual Meetings held during the 30-day review period of the Scoping Report are attached as **Appendix C7** of the final Scoping Report and those to be held during the 30-day review period of the EIAR will be included in **Appendix C7** of the final EIAR.

The C&RR is included as **Appendix C8** as a separate document to the EIAR.

Note: Comments received have been captured verbatim and have not been edited for typing or grammatical errors.

LIST OF ABBREVIATIONS / ACRONYMS

APM	Archaeology Palaeontology & Meteorite Unit	HC	Hard Copy
DESTEA	Department of Economic, Small Business Development, Tourism and Environmental Affairs	SAHRA	South African Heritage Resources Agency
DWS	Department of Water and Sanitation	SAHRIS	South African Heritage Information System
EIA	Environmental Impact Assessment	SR	Scoping Report

1 COMMENTS SUBMITTED PRIOR TO THE RELEASE OF THE EIAR

1.1 Organs of State

No.	Comment	Raised by	Response
1.	Point 1 on Draft Scoping Report comments is not addressed on page 181 of the final Scoping Report.	Dimakatso Mokoena Case Officer DESTEA Letter: 17 October 2022	It can be confirmed that the advertisement was placed in the Volksblad on 24 August 2022, Page 11. This error has been corrected in the Draft EIAR.

2 COMMENTS SUBMITTED DURING THE SCOPING REPORT COMMENTING PERIOD

2.1 Organs of State

No.	Comment	Raised by	Response
2.	On behalf of the Provincial Head of the Department of Water and Sanitation: Free State, hereby would like to acknowledge receipt your mail and its contents with kindness. The matter is receiving attention. Can you kindly refrain from sending your EIA's to our Head Office, please? Share your EIA's with Mr Musekene and copy me.	Pule Lenong Office of the Provincial Head DWS E-mail: 25 August 2022	The protocol outlined in the e-mail was acknowledged and will be followed going forward in the EIA process. No further action required.
3.	Kindly complete the attached wayleave application form and resubmit with your plans and/or map the completed application to WayleavesWesternOU@eskom.co.za Please keep the form "live" as our automated system extract the information to allow for swift response. Our automated system do not recognize handwritten/scanned applications.	Rochell Fortuin On behalf of Wayleaves Western OU Eskom Holdings SOC Ltd E-mail: 26 Augustus 2022	The Wayleave Application request has been submitted to the Applicant for attention should it be required.
4.	Your e-mail below is noted. Kindly send a hard copy of the scoping reports to this office for comments. The documents must be addressed as follows: Attention: Dr T Ntli Department of Water and Sanitation Corner Charlotte Maxeke and East Burger 2nd Floor: Bloem Plaza Building Bloemfontein	Boitumelo Melato Administrator DWS E-mail: 31 August 2022	The request for a HC of the Scoping Report was acknowledged and the HC of the Scoping Report was courier on 13 September 2022 (proof included in Appendix C4: OoS Correspondence).
	This office has evaluated the Draft Scoping Report and the comments are as follows. <ul style="list-style-type: none"> The applicant must take note that any development within 500m from the boundary of any wetland requires to be authorised according to the Department's regulation. The authorisation must be obtained prior commencement of the project. 	Letter: 20 September 2022	It has been acknowledged that it is located within a 500-metre radius of a wetland, and therefore a Water Use License will be required for Section 21 (c) & 21 (i). A WUL application has been initiated with the Department of Water and Sanitation, and a RAM is being prepared to consider the risk of infrastructure within 500m of any water resource.

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> Any activity which is located within 100m of the water resource needs to be authorised by the Department. The authorization must be obtained prior commencement of the project. 		
	<ul style="list-style-type: none"> The applicant must clearly state where water for this project will be obtained from and for which stages of the project will it be used. The volumes of water to used must be stated. 		<p>Water for construction purposes will be sourced from the Target mining facility, elements such as dust suppression will fall within the scope (refer to Section 2.4 in the EIA Report).</p>
	<ul style="list-style-type: none"> Soil and stormwater management must be put in place through all stages of the project. 		<p>Objective 5 of Appendix J – Facility EMPR includes a requirement for a stormwater management plan. This requirement has been expanded to ensure that these conditions are also contained in the stormwater management plan to be developed by the contractor prior to commencement of construction.</p>
	<ul style="list-style-type: none"> All sections of the National Environmental Act: Waste Act (Act 59 of 2008) pertaining to the disposal of waste must be adhered to. 		<p>The responsibility and requirement relating to the requirements of the National Water Act have been detailed, as required in the EIAR and EMPr. The need to comply with the requirements of the NWA has been communicated to the Applicant.</p>
	<ul style="list-style-type: none"> All fuel and lubricants must be stored in sealed containers at least 100m from the nearest water course and all reasonable precautions must be taken to prevent any possible pollution. 		
	<ul style="list-style-type: none"> Sanitary conveniences which causes or is likely to cause pollution of a water resource should not be located within the 1:50 year flood line or 100m of any watercourse or borehole. 		<p>The recommendations will be included within the Environmental Management Programme (EMPr) for the project.</p>
	<ul style="list-style-type: none"> The applicant shall further note that in terms of Section 19(1) of the National Water Act: Act 36 of 1998 it is stated that: <i>An owner of land, a person in control of land or a person who occupies or uses the land on which — (a) any activity or process is or was performed or undertaken, or (b) any other situation exists, which causes, has caused or likely to cause pollution to a water resource must take all reasonable measures to prevent any such pollution from occurring, continuing or recurring</i>". Therefore, any pollution incident(s) originating from this project shall be reported to Department of Water Sanitation: Free State Operations within 24 hours. 		<p>The responsibility and requirement relating to the requirements of the National Water Act have been detailed, as required in the EIAR and EMPr. The need to comply with the requirements of the NWA has been communicated to the Applicant.</p>

No.	Comment	Raised by	Response
	<ul style="list-style-type: none"> All the commitments stipulated in the various parts of this report must be adhered to and any deviations must be reported to this Department. Further comments, if any, will be provided during the Environmental Impact Assessment process. 		<p>All processes as stated in the Scoping Report, and in the event any water uses as defined in Section 21 of the Water Act will be adhered to as per the legislation.</p> <p>All processes followed are per the National Environmental Management act of 1997.</p>
5.	<p>Interim Comment The SAHRA APM Unit notes the heritage specialist studies along with the recommendations provided therein.</p> <p>Further comments will be issued once the Draft EIA report and its appendices has been submitted to the case.</p>	<p>Sityhilelo Ngcatsha Archaeology, Palaeontology, Meteorite Assistant</p> <p>and</p> <p>Philip Hine Manager: Archaeology, Palaeontology and Meteorite Unit</p> <p>Letter: 07 September 2022</p>	<p>The EIA Report and its appendices will be uploaded onto SAHRIS CaseID 19411 once available for review and comment.</p>
6.	<p>The Department of Economic, Small Business Development, Tourism and Environmental Affairs (DESTEA) - "The Department" has reviewed the Draft Scoping Report and the following should be amended and included in Final Scoping Report:</p> <ol style="list-style-type: none"> Page 179 under section 9.8 Public Participation Process, it stated that newspaper advertisement placement was on Rustenburg Herald and Bushveld Platinum. Page 169 table 9.2 stated that Darius van Rensburg from DPR will conduct Terrestrial Biodiversity Specialist study, but on Appendix D Jamie Pote compiled preliminary Terrestrial Biodiversity Scoping Report. 	<p>Dimakatso Mokoena Case Officer DESTEA</p> <p>Letter: 14 September 2022</p>	<p>It can be confirmed that the advertisement was placed in the Volksblad on 24 August 2022, Page 11. This error has been corrected in the Final SR.</p> <p>It is confirmed that Jamie Pote is the consulting terrestrial ecologist on the project. Appendix D – Terrestrial Ecology scoping report has been included in the submission of the final scoping report.</p>

No.	Comment	Raised by	Response
	3. No Scoping report for Freshwater (including all waterbodies and wetlands) included as appendix in this report.		In line with the DFFE screening tool the Aquatic Theme for the Target development area is considered Low, with no watercourses or wetlands/pans being flagged by the screening tool. A Freshwater assessment has therefore not been included in the Scoping report However, a wetland impact assessment has been completed and is included as Appendix E to the draft EIAr.
	4.		