

APPENDIX E: COMMENTS & RESPONSE REPORT

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
Private Citizen Andre van der Spuy Email: avdspuy@iafrica.com	05 February 2021	The Amendment Report and associated work is of an exceptionally poor quality and is significantly biased in the interest of the developer. This is not a surprising finding given its source as being the CES office and, in particular Dr Carter (who's various other EIA work the author is very familiar with). Comment number 3 below refers as an example of Mr. Carter's disdain for inter alia the views of I&APs, proper independence and due process. More seriously the work of this application facilitates significant and obvious consequential pollution of the environment in a manner that is contrary to the sustainable development principles espoused under NEMA. Regrettably, such shoddy and biased work is standard industry practice but is welcomed by developers and government alike given their vested interests which mark against proper environmental control.	Mr van der Spuy is requested to refrain from unsubstantiated defamation. Should Mr van der Spuy have a concern regarding the independence of the EAP and the DEFF then Mr van der Spuy is requested to lodge a formal complaint, with all corresponding evidence, through the correct channels. All comments and queries regarding the content of the reports related to the Haga Haga WEF EA Amendment process will be responded to below. However, propaganda and personal insults will not be addressed in this Comments and Response Report.
Private Citizen Andre van der Spuy Email: avdspuy@iafrica.com	05 February 2021	1. It is noted that our original comment on the Battery Energy Storage System (BESS) has been ignored in the latest draft report version. In the Draft Amendment Report it is stated that: "Battery Storage does not, in itself constitute an additional listed activity and due to the fact that it will be constructed on land previously assessed and authorised as part of the Haga Haga WEF, no additional assessment has been deemed necessary. " This is incorrect and the DAR makes every effort to avoid the necessary new full environmental application required to accommodate such a significant, large and environmentally-costly infrastructural facility. The report and Appendix G are vague and significantly underplay the size, consequences and environmental "Duty of Care" implications of the BESS and they attempt to defer its design, and even choice of technology, to a later stage which is beyond the NEMA	1. As described in the EA Amendment Report the proposed Battery Storage does <u>not</u> trigger any new listed activities (extract below): Battery Storage has become available as a low impact energy solution since the completion of the Haga Haga WEF EIA process. The applicant is proposing that 1ha of the available 14ha ("Remainder of Storage Area") be used as Battery Storage. The Battery Storage will be connected to the IPP substation (already authorised) via 33kV underground cabling (33kV or less does not trigger any listed activities). Battery Storage does not, constitute an additional listed activity and due to the fact that it will be constructed on land previously assessed and authorised as part of the Haga Haga WEF, no separate assessment (BA/EIA) is deemed necessary. Appendix G of the EA Amendment Report includes a project description, a site layout, a site location, a description of the alternatives considered and a risk assessment for the proposed BESS.

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		<p>application planning stage to which it must legally and correctly be subjected.</p> <p>Contrary to the misadvice of the EAP in Appendix G of the DAR the BESS proposal is indeed a listed activity under:</p> <ul style="list-style-type: none"> - Activity 14 of Listing Notice 1: “The development and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres” <p>and,</p> <ul style="list-style-type: none"> - Activity 10 of Listing Notice 3: “The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.” <p>The EAP makes a concerted, but obviously flawed, deliberate misinterpretation of the applicability of NEMA in regard to the BESS proposal. The EAP argues that the BESS is not subject to a specific NEMA application for the following reasons:</p> <ul style="list-style-type: none"> (i) “...due to the fact that is to be located on an area already authorised for storage related activity.” (ii) “a battery is not deemed to be a container”. (iii) “Electrolytes that are used within battery storage facilities: their function is deemed to be like transformers within substations: converting high voltage electricity to lower voltage electricity for further distribution. The function of the battery is not for “storage” or “storage and handling” of a dangerous good.” 	<p>The proposed battery storage will be situated on an existing (and authorised) WEF footprint and none of activities associated with its construction or operation require assessment as per NEMA.</p> <p>Activity 14 and Activity 10 do not apply to the proposed Li-Ion Battery Energy Storage System due the following:</p> <ul style="list-style-type: none"> - The BESS containers (housing the battery modules) are preassembled prior to arriving on site. No dangerous goods are therefore handled on site. - The BESS containers (housing the battery modules) are operational on site and their function is not to store batteries on site, the batteries are operational. Energy is stored, hence the name, battery ENERGY storage system. - The BESS system will use underground 33kv cables to connect adjacent to the collector substation. These underground cables are already authorised as part of the original WEF EA. - The BESS system does not have a new footprint but will be a 1ha area within an area authorised as “Remaining Storage Area, 14ha” in the original Haga Haga WEF EA. Please refer to Figure 1-1 of Appendix G of the EA Amendment Report. - The battery modules are self-contained within the containers. Faulty modules are removed, transported off site and replaced with new modules. No battery module production or assembly occurs on site. <p>Further to the above, the following answers are in response to Mr van der Spuy’s three questions raised in his comment.</p> <p>- <i>What is the total (cradle to grave) environmental cost of the BESS?</i></p> <p>The proposed BESS facility will be subject to vegetation clearing of 1ha. This area, once decommissioned, will be rehabilitated as per the Rehabilitation Management Plan</p>

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		<p>The EAP is incorrect - the BESS proposal is indeed required to be subjected to proper environmental scrutiny via a full NEMA application. This is because:</p> <p>(i) The fact that “an area” (which area?) has already been authorized for storage related activity does simply permit for any other different form of storage facility (especially a fundamentally different one such as a BESS) to be installed on the authorized site where the new “activity” (the BESS) has not been subjected to a proper environmental impact assessment under NEMA. The original application did not assess a BESS and therefore the existing authorisation does not cover the BESS. This is a long-established and fundamental understanding of the application of NEMA- listed activities and which application is consistent with NEMA. The precedents under South African law for such situations are numerous and well-known.</p> <p>(ii) Significant and large components of the proposed massive BESS facility are indeed containers (of hazardous chemical substances), although the battery itself is not.</p> <p>(iii) The EAP’s description of the reason given under first point (iii) above is somewhat confusing and grammatically poor and which complicates a proper interpretation of what he is trying to communicate. This may indeed be his intention. Whatever the case, the function of a battery (such as the proposed BESS) is to store chemical potential energy. Irrespective of the choice of BESS technology significant and potentially dangerous substances will be used as the store of chemical potential energy in the storage system. It is stated that “(a)nother disadvantage is the relatively high toxicity of oxides of vanadium” (https://en.wikipedia.org/wiki/Vanadium_redox_battery). The containers of the BESS which are designed to store the hazardous chemicals are components,</p>	<p>which is relevant to WEF and its supplementary infrastructure. The battery modules will be recycled as far as possible (see below, 95% of the battery module components are recyclable) and the containers are reusable upon decommissioning.</p> <p>- <i>How much of the BESS is recyclable at the end of its lifecycle?</i></p> <p>If recycled, 95 per cent of components can be turned into new batteries or used in other industries (https://www.csiro.au/en/Research/EF/Areas/Grids-and-storage/Energy-storage/Battery-recycling). Recycling rates of batteries globally are currently very low due to technical constraints. However, with the growing supply - and demand - of lithium-ion batteries for both energy storage systems and electric vehicles a concomitant market for battery recycling is expected to develop.</p> <p>- <i>How much electricity will be required to power the BESS (e.g. pumps)? Such power will no doubt be sourced from Eskom and will be predominantly coal-generated, right?</i></p> <p>Flow batteries have DC round trip efficiencies of between 65-75%. Inefficiencies are largely due to compound build up on the negative electrode; however auxiliary power consumption does contribute to the battery technology’s lower efficiency level (albeit a small amount) when compared with other technology types. Despite the lower round trip efficiency rating, flow batteries theoretically have an unlimited cycle life and a typical service life of 20 years. The source of the auxiliary power requirements would be from the stored power produced by the WEF.</p>

COMMENTS AND RESPONSE TRAIL			
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		<p>amongst many other components (such as pumps, cabling piping), of the battery storage facility.</p> <p>It is quite clear that the proposed BESS, or at least major components of the 1 hectare facility, is/are subject to the listed activities quoted above.</p> <p>Like wind farms, batteries have a very significant negative environmental cost from “cradle to gate” (see, for instance: https://www.manhattan-institute.org/mines-minerals-and-green-energy-reality-check). The huge size of the proposed BESS of 1 hectare must not be underestimated, as the DAR does. Notwithstanding the applicability of the NEMA EIA Regulations and listed activities under NEMA, the mere “Duty of care” prescription under Section 28 of NEMA places an administrative obligation upon the Competent Authority to enforce compliance by Dr, Carter who is trying to side-step the legal requirements of NEMA in regard to the BESS proposal.</p> <p>The following are just some questions about the BESS and which deserve to be answered before the Competent Authority will be sufficiently informed in order to apply a rational and thorough decision-making process:</p> <ul style="list-style-type: none"> - What is the total (cradle to grave) environmental cost of the BESS? - How much of the BESS is recyclable at the end of its lifecycle? - How much electricity will be required to power the BESS (e.g. pumps)? Such power will no doubt be sourced from Eskom and will be predominantly coal-generated, right? <p>The DAR is grossly deficient in detailed information regarding the BESS. This needs to be rectified.</p>	
<p>Private Citizen Andre van der Spuy</p>	<p>05 February 2021</p>	<p>2. Our previous comments on the potential highly significant visual impact (as confirmed) remain valid still. The specialist</p>	<p>2. Please find here within the response from Lourens du Plessis (visual specialist):</p>

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Email: avdspuy@iafrica.com		<p>(who was proactively copied in to our previous comment) failed to use the opportunity provided since the last comment to amend his report and opinion accordingly. He has not answered as to what the source reference is of his definition of a “fatal flaw” (the reference source for only the third fatal flaw criterion (Section 9 of the December 2020 VIA report) is given). The definition therefore appears to be one of his own invention. The fundamental flaws therein have already been identified in our previous comment.</p> <p>Mr. Louren’s interpretation of the information of his study, against his definition of what constitutes a fatal flaw, is irrational. He states in his VIA that the “worst-case scenario”[1] is the applied methodology by which he has determined his findings (impact ratings and recommendations). However, in assessing the application of the third fatal flaw criterion[2] he finds that it is not relevant (and thus a fatal flaw is not registered by him on its account) since, while “(i)t is likely that the WEF development will be met with (largely valid) concern and potential opposition from affected land owners and tour operators within the region... this report cannot categorically state that ... the above (third criterion was) transgressed, nor can it be empirically determined that the statistical majority of objecting stakeholders were exceeded.” The following damning comments on the specialist’s flawed (mis)interpretation need to be made:</p> <p>(i) His rationale in dismissing the third fatal flaw criterion is contrary to his own proclaimed study methodology of application of the “risk averse”[3] approach and the “worst case scenario”. If he had correctly applied his stated risk averse approach then the failure to confirm the “statistical majority” should have activated the third criterion and thus too a “fatal flaw” finding. His local is therefore irrational. Application of the specialist’s own methodology determines that the negative visual impact of the</p>	<p>“It is clear that the wind farm is intended to be constructed on private property and as such the VIA have no legal grounds to pronounce it as fatally flawed, but only to state the potentially high visual impacts, and to appeal to the deciding authority to consider these when reviewing the development application.</p> <p>I stress again, as mentioned in the report, the following:</p> <p>A fatal flaw occurs when:</p> <ol style="list-style-type: none"> 1) There is non-compliance with Acts, Ordinances, By-laws and adopted policies relating to visual pollution, scenic routes, special areas or proclaimed heritage sites. 2) Non-compliance with conditions of existing Records of Decision. 3) Impacts that may be evaluated to be of high significance and that are considered by the majority of stakeholders and decision-makers to be unacceptable. <p>Source: Oberholzer, B. 2005</p> <ol style="list-style-type: none"> 1) As mentioned before, the area in question does not have protected natural or heritage status. 2) I’m not aware of any non-compliance related to existing Records of Decision. 3) That the impacts are expected to be high is undisputed. What worries me is that I am not sure what constitutes “a majority of stakeholders and decision-makers” in this case. I do not have access to all the relevant information to determine this statistical majority. I therefore leave it to the deciding authority to consider the impacts when reviewing the development application (which includes a database of objecting I&APs and affected landowners) and to weigh in on the matter of whether “the majority of stakeholders” consider the impacts to be unacceptable, and thus fatally flawed.

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		<p>proposal is indeed an environmental “fatal “flaw” and therefore the application must be refused. The specialist’s, and EAP’s, recommendations should have been in accordance with this proper logical application of thought and information.</p> <p>(ii) Secondly, the specialist plays “dumb” in regard to his ridiculous statement (Section 6.4) that, “(t)he author is not aware of any specific or formal objections to the WEF. However, for the purpose of this study (and as a worst-case scenario), it is assumed that all the above mentioned receptors may experience the WEF as intrusive.” This is untrue on merely the basis that he was copied into our previous comment of 7/12/2020 and which is clearly an objection to the WEF and his own study and findings. He is anyway duty bound to familiarize himself with all relevant and available information, including the preceding original EIA, and in which a large amount of objections are clearly tabled (the honest reality is that it is highly unlikely that he is unaware of, or without access to, this information). Notwithstanding, Mr. Lourens proceeds to make the obvious assumption “that all the above mentioned receptors may experience the WEF as intrusive” as an excuse for (intentionally) avoiding his duty to have empirically determined the “statistical majority of objecting stakeholders”, per point 3 below. In this way he attempts to protect the Applicant’s interests by avoiding the otherwise inevitable “activation of his third fatal flaw criterion. This is nothing less than a manipulation of the truth and information by Mr. Lourens.</p> <p>(iii) Thirdly, under NEMA Mr. Lourens, as a specialist, is required to undertake the necessary work to determine whether an environmental fatal flaw exists in regard to a potential environmental impact</p>	

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		<p>of the proposed development. By his own hand, he was required to have objectively determined whether the “statistical majority of objecting stakeholders (was) exceeded”. This is easily possible to do given the data available from the original application’s public participation process and that which will also be derived from this application. His attempt to excuse his poor and calculated effort to avoid engaging with this data (“with the information available to the VIA practitioner”) speaks to his obvious lack of independence and effort to protect the interest of the Applicant by avoiding a “fatal flaw” finding at any cost and even at risk of his own reputation.</p> <p>Rational and honest application of the specialist’s own “worst-case scenario” methodology determines that, contrary to his stated finding, the significant negative visual impact of the Haga Haga WEF and proposals is indeed a “fatal flaw” and that the application must accordingly be refused based upon proper obligatory recommendations (of refusal) of both the specialist and EAP in this regard.</p> <p>(iv) Mr. Lourens states, “However, this report cannot categorically state that any of the above conditions were transgressed, nor can it (with the information available to the VIA practitioner) be empirically determined that the statistical majority of objecting stakeholders were exceeded. If evidence to the contrary surfaces during the progression of the development application, this statement may need to be revised”. This is not correct. It is required to have correctly read, “...If evidence to the contrary surfaces during the progression of the development application, this statement WILL (replacement added) need to be revised”.</p>	

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Private Citizen Andre van der Spuy Email: avdspuy@iafrica.com	05 February 2021	3. On page 62 of the report the following extract occurs: <div style="border: 1px solid black; padding: 2px; text-align: center; font-size: small;"> IT IS THE OPINION OF THE EAP THAT, DUE TO THE OPINIONS EXPRESSED BY THE RELEVANT SPECIALISTS AND THE NEW CONDITIONS AND RECOMMENDATIONS INTRODUCED BY THE SPECIALISTS AND EAP THE ABOVE-MENTIONED CHANGES BE AUTHORISED. </div> <p>The statement records Dr. Carter's (predictable) recommendation of approval of the application based SOLELY on the opinions and recommendations of the specialists and EAP (the later is evidently himself). The glaringly obvious omission in the factors determining his recommendation are the critically important views of the local community and other I&APs. In fact, at the time of writing, the views of I&APs have not even been provided with a concluded opportunity to be tabled and aired and it is evident that Dr. Carter really could not be bothered about this despite the fundamental principles under NEMA which require that environmental decisions on matters which affect people only be taken in consideration of the views of affected persons and that such persons are provided with the opportunity to comment on all matters which may affect them. On these grounds it is this author's professional opinion that Dr. Carter is not objective (and is prejudiced against the I&APs in view of the fact that he realizes that they are likely to be opposed, or not supportive, of his client's interests) and is not sufficiently conversant, and appropriately trained, with the NEMA and associated legislation under which he is operating and adversely influencing the environment and (likely) local community members' rights.</p> <p>Accordingly, the report and the EAP lack credibility, as does Dr. Carter's recommendation of approval of the proposed changes which constitute the amendment application.</p> <p>In conclusion, the DAR and the conduct of Dr. Carter are biased towards the interests of the applicant and are prejudicial against I&APs, their interests, and the environment at large. The application is wholly deficient in its process and substance and significant further work will be required before the Competent</p>	3. The conclusion in the <u>Draft</u> Report is based on the findings and recommendations of the specialists and the EAP and any comments made up until the publishing of that report. The <u>Final</u> Report includes updates based on all comments received during the extended PPP on the EA Amendment Reports and associated documentation. All documentation, including and specifically the EMPr, the EA Amendment Report, the Avifaunal opinion letter and the Visual Impact Assessment have taken stakeholder and I&AP comments into consideration. The request for assessment of additional viewpoints by a stakeholder resulted in a significantly extended PPP for all I&APs and Stakeholders to have the opportunity to view and comment on the updated VIA. A Draft EA Amendment Report must include a conclusion based on the evidence collected until that point, as must a Final EA Amendment Report.

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		Authority will be in a position to consider the application for decision-making. Such matters are however of little real consequence given that the significant negative visual impact of what is proposed constitutes an environmental “fatal flaw”. Such finding demands instantly that the application be abandoned failing which the only rational decision that could arise there from is one of complete refusal. The applicant would be properly and best advised to walk away from the proposed unsustainable development and which will most certainly be worthy of a legal challenge should it ultimately be approved.					
Private Citizen Phil Whittington Email: Philip.Whittington@mandela.ac.za	05 February 2021	Draft Amendment Report 1. Table 2.6, point 44: Where do the data collected during these monitoring procedures go? They should be made available to the public. 2. Table 2.6, points 45-46: I do not agree with the changes to these points. By the time high passage rates of Cape Vultures are recorded it will be too late to prevent birds from colliding with the turbines. It would be preferable to retain a 2 km buffer zone to be kept clear of carcasses. 3. Figure 4.1: I assume that the turbine numbers have been revised as a result of the proposed amendment? Where were the turbines previously numbered 27 and 28 situated?	1. The data will be made available to the public on request. The results of the monitoring will be communicated to BirdLife South Africa via quarterly and annual reports. 2. Conditions 45 and 46 will be amended as follows: A carcass management plan must be drafted and implemented with the aim of preventing increasing the population of collision prone species on site. This must include the prompt removal any dead livestock to reduce the likelihood of attracting vultures to the site. 3. Correct. The coordinates for Turbines 27 and 28 in the already approved layout are as follows: <table border="1" data-bbox="1518 887 1995 951"> <tr> <td>Turbine 27</td> <td>32°41'13.18"S, 28°11'14.20"E</td> </tr> <tr> <td>Turbine 28</td> <td>32°41'24.85"S, 28°16'18.03"E</td> </tr> </table>	Turbine 27	32°41'13.18"S, 28°11'14.20"E	Turbine 28	32°41'24.85"S, 28°16'18.03"E
Turbine 27	32°41'13.18"S, 28°11'14.20"E						
Turbine 28	32°41'24.85"S, 28°16'18.03"E						
Private Citizen Phil Whittington Email: Philip.Whittington@mandela.ac.za	05 February 2021	Appendix A (Visual Specialist Report) 1. Map 8: The photograph positions are not numbered so it is not possible to equate the photographs to their position on the map. 2. Very little if any mention is made of the visual impact of the overhead power lines.	1. The revised VIA report which was released as part of the extended review of documents (6 th January – 5 th February 2021) was updated to ensure that the points in Map 8 are numbered and therefore correspond to the photographs on the next pages. 2. The overhead powerlines do not form part of the Haga Haga WEF authorisation. That was undertaken in 2017 as a separate application. No changes are proposed to that application as part of this process. Their location has not been included in the WEF EA Amendment Process.				
Private Citizen Phil Whittington Email: Philip.Whittington@mandela.ac.za	05 February 2021	Environmental Management Programme (Appendix F) 1. Section 4.1, point 27: A bit superfluous since the entire project will have an unreasonable impact on the aesthetics of the area!	1. Please note that this statement is specific to the construction phase of the WEF (and associated infrastructure) and not to the operational phase. The construction includes a number of potential impacts related to aesthetics that do not form				

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		<ol style="list-style-type: none"> 2. Section 4.2, Planning and Design Phase, point 6, bullet 4: I would suggest removing the clause “as far as practically possible”. 3. Section 4.2, Planning and Design Phase, point 6, bullet 9: It may be necessary to provide training to distinguish alien vegetation from indigenous vegetation. 4. Section 4.2, Construction Phase, point 18, bullet 7: If it is unnecessary it should be avoided altogether. 5. Section 4.2, Construction Phase, point 19, bullet 4: I would suggest removing the clause “as far as practically possible”. 6. Section 4.2, Operational Phase, point 6 (Avifaunal Management), bullet 5, line 8: change “next” to “nest”. 7. Section 5.2.5 should perhaps be moved forward to become section 5.2.2 as the ECO is mentioned on numerous occasions before the section that explains who they are and what responsibilities they will have. 8. Appendix D6 (Avifaunal Monitoring Plan): Many references are cited but no reference list is provided. 	<p>part of the overall visual impact of the operation WEF, which is not mitigatable.</p> <ol style="list-style-type: none"> 2. The EAP agrees with this statement. The bullet point has been replaced with the following statement: “Areas with large populations of SCC must be subject to suitable recommendations made by a qualified botanist and must be subject to the relevant permitting process, where applicable.” 3. The following sentence has been added to point 6, bullet 9: “All relevant contractors must be familiar with the Alien Vegetation Management Plan and must be trained in species identification.” 4. This condition has been removed from EMPr. 5. The EAP agrees with this statement. The bullet point has been replaced with the following statement: “Areas with large populations of SCC must be subject to suitable recommendations made by a qualified botanist and must be subject to the relevant permitting process, where applicable.” 6. This has been updated accordingly. 7. The document has been updated to ensure that this practical suggestion is reflected. The ECO is now 5.2.2. 8. Appendix 6D has been updated to include the relevant reference list.
Birdlife South Africa Samantha Ralston-Paton Email: energy@birdlife.org.za	12 January 2020	Layout of turbines <ol style="list-style-type: none"> 1. We do not support the avifaunal specialist’s suggestion that setbacks from rivers and trees proposed by previous avifaunal specialists can just “fall away” in light of new mitigation measures proposed by the Mabula Ground Hornbill Project (page 8 of the addendum to the avifaunal impact assessment). It is important to understand that these setbacks were proposed to protect a number of species and bird communities, not only Southern Ground Hornbill. In this light, any changes to these setbacks must be clearly motivative and assessed. 2. A number of the proposed turbine locations appear to be very close (possibly even within) nogo areas and high sensitivity areas. Both the avifaunal specialist report by 	Please find here within the response from Chris van Rooyen (avifaunal specialist): <ol style="list-style-type: none"> 1. The recommendation is listed in the specialist report prepared by Dr Lucy Kemp titled Specialist Study: Southern Ground Hornbill dated 6 June 2018, attached as Appendix V to the specialist report dated 25 June 2018 prepared by Andrew Pearson who was at the time employed by ARCUS. It is therefore clear that the recommendation refers to Southern Ground Hornbill only. 2. No turbines are located inside of No Go, High or Medium sensitivity areas as defined by the avifaunal specialists. An additional 25m buffer was added to the specialist sensitivity areas (No Go, High and Medium) as defined by the specialists

COMMENTS AND RESPONSE TRAIL			
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		Arcus and the EMPr recommend the preferential placement of turbines in areas with no sensitivity score, followed by low sensitivity, medium sensitivity and medium-high sensitivity. Larger, fewer turbines present an opportunity to minimise the environmental impacts, but it is unclear if and how the new layout has been guided by this approach. Please clarify this.	during the original EIA process to accommodate the increase in rotor diameter (from 150m to 200m) currently being applied for in the amendment application. These sensitive areas were all avoided in the positioning of the revised 36 turbine layout. Therefore, to clarify, no turbine positions are located inside of medium, high, or no-go areas. An 100m blade constraint buffer has been added to all sensitivity layers to ensure no encroachment of the rotor swept area upon these sensitive areas.
Birdlife South Africa Samantha Ralston-Paton Email: energy@birdlife.org.za	12 January 2020	<p>Draft amended EMPr (dated November 2020):</p> <ol style="list-style-type: none"> 1. BirdLife South Africa (re)emphasises the importance of proactive, clear and enforceable requirements for monitoring and mitigation of impacts on birds for the operation-phase of the proposed facility. In our opinion, the (draft amended) EMPr remains weak. 2. The draft amended EMPr does not clearly stipulate environmental management outcomes and actions (as is required by Gn R. 982 (Gn R. 326, 2017) Appendix 4) for potential impacts on birds. 3. Some mitigation measures included in the Operational Phase Table of the EMPr relate to the layout of the facility. It does not make sense to require these in the Operational Phase. 4. It seems that the document appended as the “Avifaunal Monitoring Plan” is actually just an extract of an earlier Avifaunal Impact Assessment Report. In fact the “monitoring plan” recommends the following: “Develop and implement a carcass search programme for birds as a minimum during the first three years of operation followed by year 5, 10, 15, 20 and 25, in line with the applicable South African monitoring guidelines” and “Develop and implement a 24 month post-construction bird activity monitoring program that mirrors the preconstruction monitoring surveys completed by Arcus and is in line with the applicable South African post-construction monitoring guidelines. This program must include thorough and ongoing nest searches and nest monitoring” (emphasis added). It therefore 	<p>Please find here within the response from Chris van Rooyen (avifaunal specialist):</p> <ol style="list-style-type: none"> 1. This concern is noted by the avifaunal specialist and the EMPr has been revised to address this concern. The operational requirements have been updated. 2. This concern is noted by the avifaunal specialist and the EMPr has been revised to address this concern. The planning and design, construction and operational phase mitigation and management requirements have been updated. 3. This concern is noted by the avifaunal specialist and the EMPr has been revised to address this concern. The operational requirements have been updated. 4. The detailed operational monitoring plan will be developed in line with the applicable South African monitoring guidelines should the project be selected as a preferred bidder and proceed to construction. This will happen prior to the operational phase. 5. That is the implied assumption, otherwise it would be a meaningless exercise. 6. Agreed. The operational monitoring which will be conducted in line with the applicable South African monitoring guidelines requires an adaptive management approach to mitigate for impacts if required. 7. This concern is noted by the avifaunal specialist and the EMPr has been revised to better reflect outcomes and actions.

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>appears that the Avifaunal Monitoring Plan still needs to be developed.</p> <p>5. The EMPr refers the reader to the Avifaunal Monitoring Plan, yet it does not explicitly require the Avifaunal Monitoring Plan to be implemented.</p> <p>6. Monitoring is not mitigation. We suggest an Avifaunal Monitoring and Mitigation Plan should be required.</p> <p>7. While we understand the need for a more detailed document dealing with avifaunal monitoring and mitigation, we suggest that key (minimum) requirements of the plan should be reflected in EMPr. This will support for meaningful environmental auditing.</p> <p>8. By way of example, we propose the inclusion of the following outcomes and actions in the EMPr to address collision risk (note this is not complete and should be done for all major impacts):</p> <p>Outcome: Zero fatalities of threatened bird species.</p> <p>Actions:</p> <ul style="list-style-type: none"> - Prior to construction, an Avifaunal Monitoring and Mitigation Plan must be developed to support and monitor compliance with the outcome. - As a minimum, this plan must be aligned to the latest version of the Birds and Wind Energy Best Practice Guidelines and include mitigation measures outlined in the avifaunal impact assessment and below. - Implementation of the Avifaunal Monitoring and Mitigation Plan must be overseen by an avifaunal specialist. - The holder of the environmental authorisation must ensure that any necessary landowner agreements are in place and that sufficient budget is set aside each year to facilitate the necessary monitoring and mitigation (assuming the worst-case scenario). - A habitat management plan must be drafted and implemented with the aim of preventing increasing the population of collision prone species on site and improving bird habitats and conservation away from the turbines. For example, this must include the prompt 	<p>8. This concern is noted by the avifaunal specialist and the EMPr has been revised to reflect outcomes and actions in line with these suggestions</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>removal any dead livestock to reduce the likelihood of attracting vultures to the site.</p> <ul style="list-style-type: none"> - Annual and quarterly bird monitoring reports must be submitted to BirdLife South Africa (and any other key stakeholders) within 3 months of completion of data collection for the relevant period. - The avifaunal specialist must review the Avifaunal Monitoring and Mitigation Plan annually (more often if necessary) in light of monitoring data (bird activity and carcass). - If necessary, the Avifaunal Monitoring and Mitigation Plan must be updated. This must be done in consultation with key stakeholders. 	
<p>Birdlife South Africa Samantha Ralston-Paton Email: energy@birdlife.org.za</p>	<p>12 January 2020</p>	<p>We have the following comments on the proposed changed to the condition of authorisation: Condition 44:</p> <ol style="list-style-type: none"> 1. We suggest in addition to requiring that the applicant must make “financial provision for” monitoring and research, the applicant must also ensure that the necessary monitoring and research is actually undertaken. 2. To ensure key requirements are not lost in the details of guidelines, we suggest that some of the more critical components of the Best Practice Guidelines should be reflected as a condition of authorisation. For example, monitoring results must be shared with BirdLife South Africa (within a timeframe stipulated in the condition or in the EMPr). 3. The proposed amendment removes any explicit reference to research, mitigation and possibly even compensation (if mitigation process to be ineffective and/or not feasible) for bird species other than the Southern Ground Hornbill. This is not supported. 	<p>Please find here within the response from Chris van Rooyen (avifaunal specialist):</p> <ol style="list-style-type: none"> 1. A detailed research study, of one year minimum (involving tracking using a suitable, safe, tail-mounted tracking device) and funded by the wind farm, will be undertaken prior to the commencement of operations of the wind farm, the results of which could, for example, be used to further inform the nest management plan, an overall habitat management plan and species guidelines for wind farm development. 2. The following condition has been added to the EMPr: Annual and quarterly bird monitoring reports must be submitted to BirdLife South Africa (and any other key stakeholders) within 3 months of completion of data collection for the relevant period. 3. It has always been the intention that the research will be conducted on Southern Ground Hornbill only. The recommendation in the specialist report dated 25 June 2018 prepared by ARCUS reads as follows: Facilitate and assist in securing funding for a research study on Southern Ground Hornbill on the WEF site. No reference is made to other species.
<p>Birdlife South Africa Samantha Ralston-Paton Email: energy@birdlife.org.za</p>	<p>12 January 2020</p>	<p>We have the following comments on the proposed changed to the condition of authorisation: Condition 45 and 46:</p>	<p>Please find here within the response from Chris van Rooyen (avifaunal specialist):</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<ol style="list-style-type: none"> 1. The proposed changes to conditions 45 and 46 would minimise the obligation on the applicant to proactively minimise the risk to Cape Vultures (i.e. by keeping the area clear of livestock carcasses and avoiding livestock birthing near turbines). This is not supported. 2. It has been confirmed that Cape Vulture an occasional visitor to the site and that the species is at risk of turbine collisions. We suggest that the required measures are proactive and precautionary and necessary to minimise the risk to the species. 	<ol style="list-style-type: none"> 1. The EMPr has been amended to include the following condition: A carcass management plan must be drafted and implemented with the aim of preventing increasing the population of collision prone species on site. This must include the prompt removal any dead livestock to reduce the likelihood of attracting vultures to the site. 2. The EMPr has been amended to include the following condition: A carcass management plan must be drafted and implemented with the aim of preventing increasing the population of collision prone species on site. This must include the prompt removal any dead livestock to reduce the likelihood of attracting vultures to the site.
Private Citizen Richard Reynolds Email: richr.reynolds@gmail.com	10 December 2020	<p>Dear Ms Evans,</p> <p>I have just tried to make contact with you at your advertised office to no avail. I have been forwarded an email detailing the facts that there has been a new EIA undertaken for this project and that the heights and diameters have been extended to 200m and rotor diameters to 150m, this despite being a registered IAAP since the start of this project and commencement of the initial EIA. I find this unacceptable that some IAAP's have to discover this via accident.</p> <p>My concerns with regard to the initial project were the route chosen for the Transmission line and after a series of meetings I pointed out to two of the gentlemen planning the route where my boundaries ran, with the understanding that visual impact would be removed by routing it out of sight of my property. I received an email with a number of grid references which I was unable to use to determine the position of structures for the transmission line and requested a Google Earth map detailing its route. This was only forthcoming after the closure of the comments period and I must conclude that it was entirely deliberate, as based on that map, I see that the line is planned to run right against my entire Eastern boundary and that of my adjoining neighbour! This has an even greater visual impact than the initial route and leaves me entirely unsatisfied.</p>	<p>Good afternoon Mr Reynolds</p> <p>I hope that you are well.</p> <p>Please find attached the email which was sent to all registered I&APs (from the original Haga Haga WEF database) on the 9th of November as a notification of the commencement of the public participation process for the proposed Amendment to the Haga Haga WEF Environmental Authorisation (EA). We (CES) received the original database from the previous environmental consultants who worked on the Haga Haga WEF EIA, unfortunately I do not see that you were registered on the original database, but Ms Yvonne Reynolds was. I have now added you as an I&AP on the updated database. This means that you will receive all project related correspondence going forward.</p> <p>The process that CES has been appointed to undertake is called an Environmental Authorisation (EA) Amendment, it is not a new environmental assessment, but rather an amendment to the existing environmental authorisation from 2019. This amendment includes a reduction in the number of turbines and an increase in the size of the turbines, amongst other amendments. The powerline route does not form part of this process as it does not form part of the WEF environmental authorisation and instead has its own environmental authorisation. CES has been appointed to amend the wind farm</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>For your information, my properties, farm 212 and 153, adjoin a National Heritage site declared for its Coastal Woodland forest, some of which extends onto my properties. The Ocean View Guest Farm has trails within their forest and as such you can see the tourism potential to be gained in this regard. Long term plans include a short airstrip to take Caravan sized ferry planes on my properties and the initial route planned for the transmission line negated the possibility of fitting this in.</p> <p>Further, the visual impact of the line was also brought to the attention of these consultants. The planned route does not take into account this concern. I therefore hereby register my objection to the route in relation to its traversing parallel to my Eastern Boundary. If the interpretation of the Google map sent to me is correct, the servitude will overlap into my property. No discussion regarding compensation was entered into in this regard.</p> <p>Further to this matter, the fact that towers are now being planned at 200m heights, with 150m circumference blades giving a total height of 275 m it means that those towers will be visible for at least 50km. We live in a community that is largely reliant on tourism, which has taken a harder knock than most and I don't believe this visual litter on the pristine Coastal Savannah Grasslands is beneficial to more than half a dozen active commercial farmers, to the detriment of hundreds, if not thousands of seaside homeowners, tourism operators and industry players and their employees. Or pristine visual value is a huge drawcard especially to overseas visitors and I feel that this project will negatively affect the perceptions of that value, to the detriment of all, bar a select few. I cannot, in good faith sanction a project of this nature and do hereby register my vehement objection to said project.</p> <p>Further in this regard- has anybody brought the fact to your attention that those towers are directly in line with the flight path of the Steppe Buzzards, which are documented as nesting in the greater Double Mouth area? Has anybody considered the risks to these annual visitors and if yes, what mitigation measures are</p>	<p>environmental authorisation (DEFF Ref: 14/12/16/3/3/2/1087), the powerline does not form part of this amendment and its routing will not be changed by the content of the amendment.</p> <p>The Haga Haga WEF EA Amendment process has included additional assessments and opinions from all specialists (14 specialist fields in total), of which Avifauna and Visual assessments are included. All documentation regarding the anticipated impact of the proposed amendments can be accessed on our website http://www.cesnet.co.za/public-documents I have sent a subsequent email to all I&APs to notify them that there will be an extension to the PPP period as the Visual Impact Assessment (VIA) has had additional viewpoints added to it. Once the updated VIA is completed an email will be sent to all I&APs, yourself included, with the new PPP dates.</p> <p>If you have any queries or comments related to the proposed WEF amendments, as per the EA Amendment documentation then please do send them through. All comments received during this process will be captured in an Issues and Response Trail (IRT) document which will form part of the final submission to the Department of Environment, Forestry and Fisheries (DEFF). As mentioned previously a PPP extension has been granted, the dates of which will be communicated shortly.</p> <p>Kind regards Caroline</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>planned. With a planned height of 275m for the towers, these migratory visitors are at great risk of total annihilation. This is a grave concern and should be addressed to.</p> <p>In closing, based on the above, I hereby register my objection to this project.</p> <p>Yours Sincerely Richard R. Reynolds</p>	
<p>Department of Environment, Forestry and Fisheries (DEFF) Lunga Dlova Email: LDlova@environment.gov.za</p>	10 December 2020	<p>(a) Specific Comments</p> <p>(i) The applicant is required to provide the technical details of supplementary infrastructure of the Battery Energy Storage System (BESS).</p> <p>(ii) You are required to provide Global Position System (GPS) coordinates of the Battery Energy Storage System in the Final Amendment Report and must be Degrees, minutes, and seconds' format.</p> <p>(iii) The amendment report must include the description of any identified alternatives for the Battery Storage Facility that are feasible and reasonable, including the advantages and disadvantages that the proposed activity or alternatives will have on the environmental and on the community that may be affected by the activity as per the requirements of GN R.982 of 2014, as amended. Alternatively, you should submit written proof of an investigation and motivation. If no reasonable or feasible alternatives exist, the motivation for not considering such must be provided.</p> <p>(iv) An "End-of-Life plan" needs to be in place for the handling, repurposing or disposal or dysfunctional, severely damaged batteries, module, and containers. This information must be included in the final amendment report.</p> <p>(v) An Emergency Response Plan needs to be in place that will be applicable for the life cycle of the project. The Emergency Response Plan must include details of the most appropriate emergency response to fires, both while the units are in transit and once they are installed and operating.</p>	<p>(i) The applicant has updated the Appendix G of the report to include all relevant supplementary infrastructure. Please refer to Section 1.2 of Appendix G for technical information as well as layout plans of the proposed BESS.</p> <p>(ii) Please see Appendix G (BESS Technical Information and Risk Matrix), Figure 1-1 for the location of the BESS. The GPS coordinates (32°40'34.04"S, 28°11'45.01"E) have been included to ensure that it is clear that the proposed site forms part of the existing and authorised "Remainder of Storage Area" as per the original EIA documentation.</p> <p>(iii) Please see Appendix G (BESS Technical Information and Risk Matrix), Section 1.3 which outlines the three technology alternatives which were considered. The preferred alternative is the Lithium-Ion Battery alternative.</p> <p>(iv) Please see Appendix G (BESS Technical Information and Risk Matrix), Section 1.7 which describes the end of life plan, as well as the proposed way forward with regard to the management of the decommissioning phase of the proposed BESS system. This includes the disposal of the battery modules as well as the BESS site itself.</p> <p>(v) Please see Appendix G (BESS Technical Information and Risk Matrix), Section 1.8 which describes the Emergency Response Plan which must be development in conjunction with the services provider of the Battery Technology which is used for the Haga Haga WEF BESS.</p> <p>(vi) The EAP hereby confirms that all mitigation measures recommended by the various specialists, IA&Ps and stakeholders have been incorporated into the Draft EMPr as part of the EA Amendment process. The updated Draft EMPr</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<ul style="list-style-type: none"> (vi) The EMPr to be submitted with the final amendment motivation report must be updated to include and incorporate all mitigation measures recommended by the specialists. (vii) The applicant is required to comply with Regulation 39 (1) of EIA Regulations 2014, as amended and submit a written consent of the landowners for the amendment application. (viii) The EAP is to ensure that all the amendments applied for does not trigger any listed or specific activity as outlined in Regulation 31 of the EIA Regulations, 2014 as amended. 	<ul style="list-style-type: none"> has been subject to PPP in accordance with Chapter 6 of NEMA as per the EA Amendment (Part 2) process. (vii) All landowner consent forms were submitted as part of the EA Amendment Application process. A table outlining the land parcels as well as the corresponding landowners was included as required. (viii)The EAP hereby reiterates that the proposed amendments to the Haga Haga WEF EA do not trigger any additional listed or specific activities as per the EIA Regulations (LN1-3), 2014 as amended.
Department of Environment, Forestry and Fisheries (DEFF) Lunga Dlova Email: LDlova@environment.gov.za	10 December 2020	(b) Layout and Sensitivity Maps <ul style="list-style-type: none"> (i) The final amendment report must include an environmental sensitivity map indicating environmental sensitive areas, buffer areas and features identified during the assessment process. (ii) A copy of the layout map must be submitted with the final amendment report. All available biodiversity information must be used in the layout map. The layout map must indicate the following: <ul style="list-style-type: none"> o The location of the BESS taking into consideration the motivation provided that “the units would be placed far apart to prevent propagation from one unit to another large external fires”. The distance of the units must be clearly indicated in metres on the legend of the layout map; o All supporting onsite infrastructure e.g. roads (existing and proposed); o The location of sensitive environmental features on site e.g. drainage lines etc. that will be affected; o Buffer areas; and o All “no-go” areas. 	<ul style="list-style-type: none"> (i) Please refer to Figure 4.1. of the Final EA Amendment Report. This map (and its description on the preceding page) include the full WEF site sensitivities as determine by all specialists. (ii) Please see Figure 1.1: Locality Map of the Proposed Haga Haga WEF; Figure 1.2: Layout Map of the Proposed Haga Haga WEF; Figure 4.1: Site Sensitivity (amended layout, 2020) and Appendix G (Battery Storage Layout). These maps include the placement of all infrastructure, the locality of the WEF in relation to its surroundings, the sensitivity of the site in relation to the placement of all infrastructure, and the layout of the BESS.
Department of Environment, Forestry and Fisheries (DEFF) Lunga Dlova	10 December 2020	(c) Public Participation <ul style="list-style-type: none"> (i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the 	<ul style="list-style-type: none"> (i) Please refer to Section 5.4 of the EA Amendment Report which includes the extensive list of Stakeholders who were

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
Email: LDlova@environment.gov.za		<p>final report. This includes but is not limited to the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), the Department of Public Works, the provincial Department of Agriculture, the South African Civil Aviation Authority (SACAA), the Department of Transport, Eastern Cape Department of Agriculture and Land Affairs, BirdLife South Africa, the Department of Water and Sanitation (DWS), the South African National Roads Agency Limited (SANRAL), the South African Heritage Resources Agency (SAHRA), South African National Parks (SANParks), the Department of Mineral Resources, Amathole District Municipality, Great Kei Local Municipality, the Department of Rural Development and Land Reform, the Department of Environment, Forestry and Fisheries: Directorate Biodiversity and Conservation.</p> <p>(ii) A Comments and Response trail Report (C&R) must be submitted with the final report. The C&R report must incorporate all comments for this application. The C&R report must be a separate document from the main report and the format must be in the table format as indicated in Appendix 1 of this comments letter. Please refrain from summarising comments made by I&APs. All comments from I&APs must be copied verbatim and responded to clearly. Please note that a response such as “noted” is not regarded as an adequate response to I&APs comments.</p> <p>(iii) Please ensure that all issues raised, and comments received during the circulation of the draft report from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity area adequately addressed in the final report. Proof of correspondence with the various stakeholders must be included in the final report. 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</p>	<p>contacted during the undertaking of the EA Amendment process. Appendix C of the EA Amendment Report includes all proofs associated with this engagement.</p> <p>(ii) Please refer to Appendix E of the EA Amendment Report for the Comments and Response Trail Report (C&R)</p> <p>(iii) Please refer to Section 5 of the EA Amendment Report for the full PPP breakdown; Appendix C of the EA Amendment Report for the Proof of PPP; and Appendix E of the EA Amendment Report for the Comments and Response Trail Report (C&R)</p> <p>(iv) Please refer to Section 5 of the EA Amendment Report for the full PPP breakdown.</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014 as amended.</p> <p>(iv) The final report must also indicate that this draft report has been subjected to a public participation process.</p>	
<p>Department of Environment, Forestry and Fisheries (DEFF) Lunga Dlova Email: LDlova@environment.gov.za</p>	<p>10 December 2020</p>	<p>(d) Specialist Assessments</p> <p>(i) The EAP must provide confirmation that all specialists were provided with the same request of proposed amendments as well as ensure that the terms of reference for all the identified specialist studies include the following.</p> <p>a) A detailed description of the study's methodology; indication of the locations and descriptions of the development footprint, and all other associated infrastructures that they have assessed and are recommending for authorisation.</p> <p>b) Provide a detailed description of all limitations to the studies. All specialists' studies must be conducted in the right season and providing that as a limitation will not be allowed.</p> <p>c) Please note that the Department considers 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads in the 'no-go' areas.</p> <p>d) Should the specialist definition of 'no-go' area differ from the Department's definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.</p> <p>e) All specialist studies must be final, and provide detailed/practical mitigation measures and recommendations, and must not recommend further studies to be completed post EA.</p> <p>f) Should specialists recommend specific mitigation measures for identified turbine positions, these must be clearly indicated.</p> <p>g) Clearly defined cumulative impacts and where possible the size of the identified impact must be</p>	<p>(i) The EAP hereby confirms that all following process was followed with regards to the specialists for the proposed amendment process:</p> <ol style="list-style-type: none"> 1) Emailed request to be part of the assessment team; 2) Await confirmation of availability; 3) Emailed table of full proposed amendments (as per the pre-application meeting and the application form) and requested to undertake a study based on the proposed amendment, this included a list of undertakings of the assessment including: a) new impacts associated with the amendments; cumulative impacts associated with the amendments; new legislation relevant to the date of the updated assessment; new sensitivity features and buffers relevant to the date of the updated assessment; an assessment of the existing EA and any changes required as part of the amendment and/or EMPr in terms of mitigation measures; 4) Awaited costing from each specialist; 5) Appointed specialists to undertake assessments as per point 3; <p>(ii) The EAP hereby confirms that there were no contradicting recommendations made by the specialists and further input from the EAP was therefore not required in terms of substantiating recommendations</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>quantified and indicated, i.e. hectares of cumulatively transformed land.</p> <p>h) 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 the cumulative impacts and when the conclusion and mitigation measures were drafted for this project.</p> <p>i) Identified cumulative impacts associated with the proposed development must be rate with the significance rating methodology used in the process.</p> <p>j) The significance rating must also inform the need and desirability of the proposed development.</p> <p>k) A cumulative impact environmental statement on whether the proposed development must proceed.</p> <p>(ii) Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and where necessary, include further expertise advice.</p>	
<p>Vulpro Kate Webster Email: kate@lcom.co.za</p>	07 December 2020	<p>1. I quote from the Avifaunal report (Chris van Rooyen) the following:</p> <p><i>"The proposed changes will not trigger any additional requirements as per the Cape Vulture best practice guidelines, which were published in August 2018, which would require additional fieldwork to be conducted, over and above what was already conducted.</i></p> <p><i>The last fieldwork for the project was completed in May 2018, which is within the three-year envelope required by the best practice guidelines."</i></p> <p>In my objection to the approval of the proposed WF facility, I stated the following:</p>	<p>Please find here within the response from Chris van Rooyen (avifaunal specialist):</p> <p>While it is indeed correct that the latter half of the year October to December is a critical period for the young fledgling vultures as this is when they are leaving the nests and foraging on their own, the specialist is of the opinion that available data is sufficient to establish that Cape Vultures are unlikely to be regularly recorded at the development site, for the following reasons:</p> <ul style="list-style-type: none"> • Surveys were conducted by Bioinsight between 2016 and 2017, which included visits to the site in May, June, July, November and February. During these surveys no vultures were recorded. During the additional monitoring in May 2018, one flight of 5 birds were recorded. In a combined 444

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		<p>The timing of the visit specifically with regards to Cape Vulture activity (May 2018) also is indicative of the type of vulture activity that would be observed. While the specialist can be commended for the identification of the additional roosts/breeding sites within the greater study area, May is not an ideal time to assess vulture movement in/around/through the development site as the birds would be on the nests. It would have been good practice to conduct a subsequent survey during October, January and March as that would enable the specialist to assess vulture movement/flights as this is CRITICAL to assessing the collision impact. The fact that they only saw relatively few flights is quite simply because the birds were confined to the colony at this time of year. How can one then make an informed decision on the flight paths of these birds for the rest of the year based on a survey that was conducted in May? The latter half of the year October to December is a critical period for the young fledgling vultures as this is when they are leaving the nests and foraging on their own.</p> <p>Mr van Rooyen states that no additional field work should be conducted over and above what has already been conducted, however, once comments from all I&AP's have been received, the time period for fieldwork will be closer to past this 'envelope' that he talks about in addition to one of my main concerns about the ORIGINAL field work done by ARCUS consultants. Surely given the fact that there is more and more evidence that vultures foraging patterns are not as 'predictable' as all WEF developers would like to assume, this cannot be accepted as completed! I strongly feel that additional monitoring is a priority given that this species is declining at an alarming rate and any additional development within their range could be additional threats to their survival. We are all fully aware that there are breeding colonies in the Great Kei River, and this is within close proximity of this potential development. I therefore do think it would be extremely reckless to allow</p>	<p>hours of VP monitoring across five site visits, the passage rate for Cape Vultures was 0.011 birds per hour.</p> <ul style="list-style-type: none"> The proposed development site overlaps with four SABA2 pentads. A total of 64 full protocol survey cards have been completed for these pentads in the period 2008 to 2020. The full protocol reporting rate for Cape Vultures in this period is zero. <p>As far as the collision risk to Cape Vultures is concerned, it should be noted that mitigation measures have been included in the authorisation to address this, including the timeous removal of carcasses from the site before they can attract vultures, and the implementation of temporary curtailment of shut-down on demand if unacceptable impacts are observed (in the opinion of the bird specialist after consultation with BLSA, relevant stakeholders and an independent review).</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
		development to continue (despite reduced number of turbines) without additional field work being conducted in the area and at the correct times as indicated in my objection above.	
Vulpro Kate Webster Email: kate@lcom.co.za	07 December 2020	<p>2. My second comment follows the quote from Mr van Rooyen as follows;</p> <p>“The proposed changes in the layout and turbine dimensions should not result in additional cumulative impacts.”</p> <p>As there are only 7 turbines within close proximity of the urban development of Komga, (Chaba WF) where there was an increase found; (quote Cape Vulture was recorded significantly more frequently post construction (0.26 birds/hour) than pre-construction (0.02 birds/hour)), how can this statement be made whereas there was evidence found that there was an increase in the number of vultures sited? This supports my recommendation of additional field work that needs to be put into this aspect as well to be able to confirm this will not happen. In fact some research has shown that vultures are attracted to the turbines.</p>	<p>Please find here within the response from Chris van Rooyen (avifaunal specialist):</p> <p>As far as cumulative impacts are concerned, the reduction in turbine numbers from 42 to 36 will in fact reduce the cumulative impact of the facility, as it will lower the risk of collisions for all species.,</p>
Vulpro Kate Webster Email: kate@lcom.co.za	07 December 2020	<p>Lastly regarding the visual impacts, I agree completely that the visual impact will ultimately have a huge negative impact on the ‘wild coast’ vibe of the area which is well within reach of many holiday makers/ travellers and tourists given the distance from East London. It will be very sad to see this countryside spoilt by man-made intrusions over and above the disruptions the whole construction process will bring into the area.</p>	<p>Please see Section 8 of the VIA by Mr Lourens du Plessis (visual specialist) which outlines the complexity surrounding visual sensitivity. “The visual impact assessment (VIA) practitioner takes great care to ensure that all the spatial analyses and mapping is as accurate as possible. The intention is to quantify, using visibility analyses, proximity analyses, photo simulations and the identification of sensitive receptors, the potential visual impacts associated with the Haga Haga WEF. These processes are deemed to be transparent and scientifically defensible when interrogated.”</p> <p>Mr du Plessis concludes the following: “Overall, the significance of the visual impacts associated with the proposed Haga Haga WEF is expected to be high as a result of the generally undeveloped character of the landscape. The facility would be visible within an area that contains certain sensitive visual receptors who would consider visual exposure to this type of</p>

COMMENTS AND RESPONSE TRAIL			
STAKEHOLDER AND I&AP DETAILS	DATE RECEIVED	STAKEHOLDER OR I&AP COMMENT	EAP/APPLICANT RESPONSE
			<p>infrastructure to be intrusive. Such visual receptors include people travelling along roads, residents of rural homesteads and settlements and tourists passing through or holidaying in the region.</p> <p>Conventional mitigation (e.g. such as screening of the structures) of the potential visual impacts is highly unlikely to succeed due to the nature of the development and the receiving environment. A number of mitigation measures have been proposed (Section 6.10 of the VIA). The proposed mitigation measures will primarily be effective in terms of mitigating lighting and construction phase visual impacts."</p> <p>These conclusions have also been taken into account in the SIA by Kerryne McKune-Desai (social specialist).</p>
<p>Private Citizen Andre van der Spuy Email: avdspuy@iafrica.com</p>	07 December 2020	<p>My very preliminary review of just the VIA and summary document motivates the following comments:</p> <p>The proposed battery is a significant addition to the proposed wind farm and accordingly a new full application is properly required irrespective of the misinterpretation provided in order to negate such. On this subject I am advised by an energy expert, Prof. John Ledger, that the proposed battery facility (which would probably be the biggest in Africa to date) constitutes a significant danger too (through explosion) given the characteristic lighting that the area experiences regularly and should accordingly be subjected to an EIA.</p>	<p>As described in the EA Amendment Report the proposed Battery Storage does <u>not</u> trigger any new listed activities (extract below):</p> <p>"Battery Storage has become available as a low impact energy solution since the completion of the Haga Haga WEF EIA process. The applicant is proposing that 1ha of the available 14ha ("Remainder of Storage Area") be used as Battery Storage. The Battery Storage will be connected to the IPP substation (already authorised) via 33kV underground cabling (33kV or less does not trigger any listed activities). Battery Storage does not, in itself constitute an additional listed activity and due to the fact that it will be constructed on land previously assessed and authorised as part of the Haga Haga WEF, no additional assessment has been deemed necessary. Appendix G of this report includes a brief risk assessment and project description of the proposed battery storage".</p> <p>The proposed battery storage will be situated on an existing (and authorised) WEF footprint and none of activities associated with its construction or operation require assessment as per NEMA.</p>
<p>Private Citizen Andre van der Spuy Email: avdspuy@iafrica.com</p>	07 December 2020	<p>1. The high negative visual impact which is beyond mitigation effectively is indeed an environmental fatal flaw without doubt. The specialist's unreferenced definition of a "fatal</p>	<p>Please find here within the response from Lourens du Plessis (visual specialist):</p>

COMMENTS AND RESPONSE TRAIL			
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		<p>flaw” is overtly subjective and is rationally invalid (the speculated view of the competent authority before it adjudicates an issue is irrational and anyway invalid since the party is merely an administrator and is dictated to according to political instruction). Notwithstanding this, the level of uncertainty given by the specialist in his statement concerning his definition of fatal flaw criteria:</p> <p>“However, this report cannot categorically state that any of the above conditions were transgressed, nor can it (with) be empirically determined that the statistical majority of objecting stakeholders were exceeded. If evidence to the contrary surfaces during the progression of the development application, this statement may need to be revised”,</p> <p>is meaningfully influential and dictates that the visual impact is indeed a fatal flaw under application of the precautionary principle, as required. The specialist’s opinion is vague, ambiguous and non-committal and it appears that he wishes to accede to the interests of the applicant while being of the conviction (unstated) that the visual impact is indeed environmentally unacceptable. He must of course realize that the placement of a plethora of industrial structures and infrastructure, of more than 0.25 kilometres in height, within a near-natural landscape barely requires a specialist assessment to determine the unacceptability (from an environmental perspective) of doing so. Correct methodology dictates that the specialist must take necessary measures to acquire the necessary information for him to arrive at an informed opinion (and thus the mere statement that “the information available to the VIA practitioner” is the basis of his opinion is not sufficient). It is suggested that the specialist should abide by the courage of his convictions and he is copied into this email to provide him with opportunity to properly and honestly reconsider his opinion from an environmental perspective and in light of the requirements that NEMA places upon him (rather than the applicant and EAP) as a specialist.</p>	<p>“It is clear that the wind farm is intended to be constructed on private property and as such the VIA have no legal grounds to pronounce it as fatally flawed, but only to state the potentially high visual impacts, and to appeal to the deciding authority to consider these when reviewing the development application.</p> <p>I stress again, as mentioned in the report, the following:</p> <p>A fatal flaw occurs when:</p> <ol style="list-style-type: none"> 4) There is non-compliance with Acts, Ordinances, By-laws and adopted policies relating to visual pollution, scenic routes, special areas or proclaimed heritage sites. 5) Non-compliance with conditions of existing Records of Decision. 6) Impacts that may be evaluated to be of high significance and that are considered by the majority of stakeholders and decision-makers to be unacceptable. <p>Source: Oberholzer, B. 2005</p> <ol style="list-style-type: none"> 4) As mentioned before, the area in question does not have protected natural or heritage status. 5) I’m not aware of any non-compliance related to existing Records of Decision. 6) That the impacts are expected to be high is undisputed. What worries me is that I am not sure what constitutes “a majority of stakeholders and decision-makers” in this case. I do not have access to all the relevant information to determine this statistical majority. I therefore leave it to the deciding authority to consider the impacts when reviewing the development application (which includes a database of objecting I&APs and affected landowners) and to weigh in on the matter of whether “the majority of stakeholders” consider the impacts to be unacceptable, and thus fatally flawed.

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		<p>It is reiterated that this is not the full extent of our comment and concern on the subject application and that full comment will be provided as soon as reasonably possible, as permitted under the NEMA.</p>	
<p>Eastern Cape Development Corporation (ECDC) Rory Haschick Email: rdhaschic@ecdc.co.za</p>	01 December 2020	<p>Good day Caroline</p> <p>The recent application for amendment of EA of Haga Haga WEF has reference.</p> <p>Visual Impact Assessment report</p> <p>The modelling done from different viewpoints (page 50 on) is really helpful and worthwhile but no viewpoints have been assessed at all on the coast.</p> <p>As a minimum one should be done from the cliffs at Morgan Bay – definitely the most important tourism viewpoint in the whole study area - and another from Cintsa. I attach a map – sorry my Google Earth is on the blink.</p> <p>I mention this matter now as the lack of such an assessment makes it impossible to comment properly on the Amendment Report. Hopefully it can be addressed ASAP.</p> <p>I copy in my DEDEAT colleagues on this matter as well.</p> <p>Kind regards,</p> <p>Rory Haschick: ECDC - East London</p>	<p>Good morning Rory</p> <p>I hope you're well.</p> <p>Just a quick update on the Morgan Bay cliffs and Chintsa vantage points. Additional work is being done by the visual specialist and the report will be updated to include all additional information. This updated report will be distributed to all Stakeholders and I&APs and the PPP period will be extended accordingly.</p> <p>Kind regards Caroline</p>
<p>Eastern Cape Provincial Tourism Association (ECPTA) Shanè Gertze Email: Shane.Gertze@ecpta.co.za</p>	11 November 2020	<p>Hi Caroline</p> <p>Hope you are well.</p> <p>Can you please send me the kml/kmz file for the new site layout (esp the turbine positions) of the project.</p> <p>Regards,</p>	<p>Good morning Shanè</p> <p>I am thank you! I hope that you're well too.</p> <p>Yes of course, please find the kmz for the turbine positions, roads and hardstand areas of the proposed EA Amendment layout attached.</p>

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		Shanè	Kind regards Caroline
Private Citizen Dianne Williams Email: marshstrand@isat.co.za		Hi Caroline, Could you tell me how far are the turbines from Haga Haga/Marshstrand villages. Cant really tell from the attached map, exactly where the closest ones will be?? Kind regards Dianne Williams	Good morning Dianne I hope you're well. I have done a quick measurement and the closest turbine is 4.72km from Haga Haga / Marshstrand (turbine 18). Please note that the study site for the proposed EA Amendment is the same as the original Environmental assessment, except for the removal of one property. The original site sensitivities also remain valid, apart for those which have been increased due to updated specialist input. Essentially the areas which are considered acceptable for turbine placement have not been significantly altered by the amendment, hence the need to reduce the number of turbines to accommodate the proposed changes. Please do not hesitate to contact me should you have any other queries. Kind regards Caroline
Private Citizen Stuart Smith Email: stuart@rvsmith.co.za	10 November 2020	Hi Caroline, I have object to the wind farm which I happened to hear about at a wedding reception, in St Francis some years back! Not remembering all the case numbers, is this the same one as the guys in Oyster Bay, the ones North West of Marsh Strand? feeding Butterworth substation, to which I have already objected and met with the official in my office, or the "Buck Wright" farm who has begun testing, erecting a tower, I am told for self-consumption? however unconfirmed! Is it necessary to lodge a second objection? As previously stated, our roads and infrastructure cannot support all this activity, I am not sure what grade of road it is whether the same as the one to Haga. Locals have witnessed First-hand in	Good morning Stuart I hope that you are well. Yes, this facility is proposed near Marshstrand / Haga Haga villages. I'm unsure of who is erecting a tower at "Buck Wright" farm, but that turbine would not be associated or linked to the proposed Haga Haga WEF. Perhaps the WEF you are referring to is part of the private WEF being constructed as part of Wild Coast Abalone (https://aquavitaeproject.eu/atlantic-consortium/wild-coast-abalone-south-africa/) for self-generation purposes. The Haga Haga WEF (DEFF Ref: 14/12/16/3/3/2/1087) was authorised last year and is currently undergoing an amendment to ready the facility for "bidding" as part of the REI4P process. No construction activities have commenced as part of this project.

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		<p>Bedford Cradock area, the impact the construction has on a farm. I have pleaded with the officials to sort these issues out, the trucks to and from the Abalone farm twice a day and the ready-mix concrete trucks handling the expansion programme is a daily occurrence! If you couple this with Milk trucks and the concrete bases for the Turbines, which run 24/7 and the masses of concrete and cement which are required, is ruining my piece of paradise, for which reason I invested in this particular spot: 40 minutes from town in a Citi Golf!</p> <p>My first night spent there was the night the Oceanos sunk on the wild coast, I could commute to town daily on a decent road 40 min., take my son to play the first game of rugby barefoot in Queenstown at 08:00, and hey I'm not that old!</p> <p>Eye Pollution, and 5G Towers is one thing. Radiation from the towers, is another! However Poor roads can be up graded and tarred!</p> <p>Regards, Stuart</p>	<p>The process to lodge objections during this second round would be read through the documents, which include the proposed changes to the original environmental authorisation, and base any objections on these changes and the impact that they will have on the receiving environment.</p> <p>The EMPr has been updated to ensure that road maintenance is a priority during the construction and operational phases of the WEF, so the roads which are proposed as part of the development, including sections of access roads, will have to be maintained and where necessary upgraded during the process.</p> <p>Fortunately, based on recent scientific studies, tests have shown that electromagnetic radiation from the generation and export of electricity from wind turbines are too low to affect human health. As part of the amendment process a new VIA (Visual Impact Assessment) has been undertaken to illustrate the impact that the proposed WEF will have on the surrounding receptors, this document is available as part of the EA Amendment Report documentation on the CES website. This document includes new mitigation measures to reduce the visual impact of the proposed WEF, particularly at night. Please note that 5G towers are not planned as part of this development (not originally or in this amendment).</p> <p>Please do not hesitate to submit any comments or queries regarding the proposed amendment to the Haga Haga WEF (a reminder that the documentation is available at this link: http://www.cesnet.co.za/haga-haga-wef-ea-amendment).</p> <p>Kind regards Caroline</p>