



References:

16/3/3/6/4/2/1/C3/2/0212/21 (Development Management)
18/2/3/2022-2023 (Development Facilitation)
19/3/2/4/C3/1/DDF093/21 (Pollution and Chemicals Management)
19/2/5/3/C3/2/WL0169/21 (Waste Management)
19/4/4/1/BB1/Koup 1 Wind Energy Facility, Beaufort West (Air Quality Management)

Attention: Ms Michelle Guy

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Dear Madam

COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE PROPOSED DEVELOPMENT OF THE 140MW KOUPE 1 WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE (INCLUDING AN ON-SITE SUBSTATION AND BATTERY ENERGY STORAGE SYSTEM) ON THE FARM RIET POORT NO. 231, PORTIONS 11 AND 15 OF THE FARM BRITS EIGENDOM NO. 374 AND PORTIONS 5, 10 AND 11 OF THE FARM KATJIES KRAAL NO. 380 NEAR BEAUFORT WEST, BEAUFORT WEST AND PRINCE ALBERT LOCAL MUNICIPALITIES (DFFE REF 14/12/16/3/3/2/2120)

The Draft Scoping Report ("DSR") dated November 2021, the Department's comments thereto dated 12 January 2022, and the email notification of 29 April 2022 regarding the availability of the Draft Environmental Impact Assessment ("EIA") Report for comments refer.

Thank you for the opportunity to provide comments on the Draft EIA Report. The email notification of 29 April 2022 advises interested and affected parties that the Draft EIA Report will be available for "*public comment and review for a 30-day period (excluding public holidays) as from Friday 29 April 2022 to Monday 30 May 2022.*" The attention of the environmental assessment practitioner ("EAP") is however drawn to regulation 3(1) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") EIA Regulations, 2014 (as amended), which states that "*Subject to subregulations (2) and (3), when a period of days must in terms of these Regulations be reckoned from or after a particular day, that period must be reckoned as from the start of the day following that particular day to the end of the last day of the period, but if the last*

day of the period falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday Sunday or public holiday" (own emphasis). The periods of days must thus be calculated from 30 April 2022, with the commenting period effectively ending on 31 May 2022 (exclusive of the public holidays of 01 and 02 May 2022).

Notwithstanding the above, please find consolidated comment from various directorates within the Department on the Draft EIA Report dated 29 April 2022 that was available for download from the website of the EAP.

1. Directorate: Development Management (Region 3) – Ms Dorien Werth (Email: Dorien.Werth@westerncape.gov.za; Tel.: (044) 814 2005):
 - 1.1. It is noted that the proposed wind energy facility ("WEF") carries a low intensity impact on aquatic resources as wind farms generally target higher lying areas where wind resources are the best. The WEF's associated infrastructure such as roads and cables will however traverse some of the identified surface water features/ watercourses. Water uses in terms of section 21 of the National Water Act, 1998 (Act No. 36 of 1998) may be triggered and thus require licensing. It is noted from the Aquatic Impact Assessment compiled by EnviroSci (Pty) Ltd dated 14 April 2022 that a separate Risk Assessment Matrix was required by the applicant to establish the water use licensing requirements; however, the Risk Assessment Matrix was not included in the Draft EIA Report. It is thus not clear if a general authorisation or water use licence for the water uses would be required.
 - 1.2. Based on the Bat Specialist Study compiled by EkoVler dated 20 April 2022, operational monitoring and mitigation must be implemented upon construction of the WEF to curb the significant cumulative impacts on bats. It is noted that the operational monitoring and mitigation measures have been included in the Environmental Management Programme ("EMPr") for the WEF.
 - 1.3. Based on the Visual Impact Assessment Report compiled by SiVEST SA (Pty) Ltd dated 22 April 2022, the proposed development is deemed acceptable, and the impacts associated with the construction, operation and decommissioning phases can be mitigated to acceptable levels provided that the recommended mitigation measures are implemented. It is noted that the mitigation measures have been included in the WEF EMPr.
 - 1.4. This Directorate notes that rehabilitation will be undertaken after the WEF infrastructure has been decommissioned. Please note the following comments regarding rehabilitation:
 - 1.4.1. Indigenous vegetation seeds that occur naturally in the area should be reintroduced during the rehabilitation process.
 - 1.4.2. It is strongly advised that a rehabilitation fund must first be secured, prior to approving the proposed development, instead of only ensuring that suitable planning for future restoration costs has been undertaken.
 - 1.4.3. Further take note of the following aspects that should also be included in the environmental cost estimates for rehabilitation:
 - 1.4.3.1. Where re-vegetation work will be done on the disturbed areas, only locally indigenous vegetation must be used that occurs naturally in the immediate area and no "alien plant" species is to be introduced into the area.

- 1.4.3.2. Roles and responsibilities of parties that will be responsible for the implementation of the proposed rehabilitation measures should be clearly articulated in the WEF EMPr.
 - 1.4.3.3. Specific and detailed storm water management measures that will be implemented to mitigate potential erosion of loose soil.
 - 1.4.3.4. Remediation and management of latent or residual environmental impacts, which may become known in the future.
 - 1.4.3.5. Final rehabilitation, decommissioning and closure at the end of the life.
- 1.5. The WEF EMPr must contain all the relevant information stipulated in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended) and comply with section 24N of the NEMA, 1998.
2. Directorate: Development Facilitation – Ms Adri La Meyer (Email: Adri.Lameyer@westerncape.gov.za; Tel.: (021) 483 2887):
 - 2.1. It is noted that Activity 31 of Listing Notice 1 of the NEMA EIA Regulations, 2014 (as amended) is being applied for the future decommissioning of the WEF and associated infrastructure. Please be advised that Activity 31 was substituted in Government Notice ("GN") No. 517 of 11 June 2021 and now refers to the closure of existing facilities, structures of infrastructure. The EAP is advised to consider the wording of the amended Activity 31 and indicate in the Final EIA Report whether said activity is still applicable to the application.
 - 2.2. Please amend section 11.2.2 of the Draft EIA Report dealing with the relevance of Beaufort West Local Municipality's Integrated Development Plan ("IDP") to the project proposal. Reference is made to the IDP (2013 – 2016), but then also to the Beaufort West IDP 2018/19 review. Please note that the most recent and approved IDP that must be consulted, is the 4th Generation IDP (2017 – 2022).
 - 2.3. Section 12.4 of the Draft EIA Report states that the area has a suitable potential for solar energy with a suitable global tilted irradiation, but the applicant has chosen to develop a WEF (no reasons provided). It is further noted that no other activity alternatives (such as solar developments) have been considered. Please provide the annual mean wind speed (m/s) above ground level for the site (either confirmed via the existing wind measuring lattice mast; or per the Wind Atlas for South Africa ("WASA")). The WASA is a tool for identifying areas suitable for large-scale wind power generation and to provide more accurate wind resource data to identify potential off-grid wind generation location opportunities.
 - 2.4. It is not evident from the Draft EIA Report, the Avifauna Specialist Assessment compiled by Chris van Rooyen Consulting dated 03 July 2021, or the Koup 1 WEF Draft EMPr dated 29 April 2022 that a recommendation was presented that all turbines have one blade painted either red or black from the outset, which should be applied to all wind turbines on-site. International best practice has shown that this recommendation can greatly reduce bird and bat mortalities. The avifaunal and bat specialists, in consultation with the visual specialist, should be consulted whether this proposed recommendation is feasible. If supported by the specialists, the recommendation should be included in the Final EIA Report and WEF EMPr.

- 2.5. The Draft EIA Report indicates that *"All turbines (except for turbine 11) are place [sic] outside of the no-go areas identified by specialists."* It is however not apparent from the Draft EIA Report whether turbine 11 will be relocated. The Cultural Landscapes Assessment compiled by Hearth Heritage dated 21 April 2022 recommended that *"Turbine 11 must be relocated outside of the historic farmstead buffer"*. This recommendation was carried through to the WEF EMP, but it is not apparent whether this recommendation was incorporated in the preliminary layout with sensitivity overlay.
3. Directorate: Pollution and Chemicals Management – Ms Shehaam Brinkhuis (Email: Shehaam.Brinkhuis@westerncape.gov.za; Tel.: (021) 483 8309):
- 3.1. This Directorate supports the recommendations contained within the Aquatic Impact Assessment. The proposed buffers are to be maintained throughout the pre-construction, construction and operational phases of the project to protect the identified aquatic ecosystems.
- 3.2. It is noted that pages vii, 85 and 126 of the Draft EIA Report refer to a fuel storage facility with a capacity of 30 000 litres, despite the Comments and Response Report (Appendix 5G) advising that the inclusion of this component in the DSR was an error. As this fuel storage facility component has remained in the Draft EIA Report, please clarify if a fuel storage facility is proposed, and if so, the proposed location, fuel type(s) to be stored and total capacity thereof.
- 3.3. The following general recommendations are provided to prevent and manage potential contamination of water resources, including groundwater, emanating from the site through the inclusion of the battery energy storage system, during the construction, operational and decommissioning phases:
- 3.3.1. Compilation and adherence to a procedure for the safe handling of battery cells.
 - 3.3.2. Lithium-ion batteries must have battery management systems (containment, automatic alarms, and shut-off systems) to monitor and protect cells from overcharging or damaging conditions, such as temperature extremes.
 - 3.3.3. Compilation of an Emergency Response Plan for implementation in the event of a spill or leakage.
 - 3.3.4. Recording and reporting of all significant fuel, oil, hydraulic fluid, or electrolyte spills or leaks so that appropriate clean-up measures can be implemented. A copy of these records must be made available to authorities on request throughout the project lifecycle.
 - 3.3.5. Frequent and appropriate disposal of both general and hazardous waste to prevent pollution of soil and groundwater.
 - 3.3.6. Installation of leak detection monitoring systems where possible.
 - 3.3.7. On-site battery maintenance should only be undertaken on impermeable surfaces with secondary containment measures. Any resulting hazardous substances must be disposed of appropriately.
 - 3.3.8. Provision of suitable emergency and safety signage on site, and demarcation of any areas which may pose a safety risk (including hazardous substances). Emergency numbers for the local police, fire department, Eskom, and the Beaufort West and Prince Albert Local Municipalities must be placed in a prominent clearly visible area on-site.

- 3.4. The temporary concrete batching areas and construction camp/s must be located outside of the buffer areas. This is particularly important given that a higher likelihood of pollution and risk of contamination exists during the construction phase for such a development, with an increased risk of pollution emanating from the construction camp and laydown areas.
- 3.5. No discharge of effluents or wash water from cement batching areas should be allowed to enter nearby watercourses. Runoff must be strictly controlled in the vicinity of any cement batching areas.
- 3.6. All storm water runoff must be controlled to ensure that on-site activities do not culminate in possible off-site pollution. Any stormwater infrastructure installed to mitigate possible hydrological impacts should be regularly maintained throughout the lifespan of the infrastructure to ensure its optimum functionality. The development of a stormwater management plan during the preconstruction phase of the development, in conjunction with an aquatic specialist, is supported.
- 3.7. The refuelling and/or repair of heavy earthmoving vehicles should not take place within any sensitive areas and should be conducted over a dedicated impervious area within the construction camp with buffer areas strictly protected, as indicated on page 85 of the Draft EIA Report. Machinery and equipment must be regularly inspected for any damage which could lead to contamination of watercourses and the receiving environment.
- 3.8. The Directorate: Pollution and Chemicals Management are to be duly notified immediately of any incident in terms of section 30 of the NEMA, 1998. The Koup 1 WEF EMPr and the Generic EMPr for substation infrastructure should be amended to specifically include reference to section 30 of the NEMA, 1998 pertaining to the control of incidents.
- 3.9. In response to a query from the Breede – Gouritz Catchment Management Agency in the Comments and Response Report, reference is made to the proposed inclusion of septic tanks, which are to be “periodically” emptied by the local municipality or a private company. It is requested that additional detail be provided on the proposed sewage disposal system for the development, including the location and holding capacity of the proposed septic tank(s) to be installed. Written confirmation must be obtained from the Beaufort West/ Prince Albert Local Municipality indicating that sufficient treatment capacity exists at the wastewater treatment works to treat the anticipated wastewater volumes from the proposed development.
4. Directorate: Waste Management – Mr Thorsten Aab (Email: Thorsten.Aab@westerncape.gov.za; Tel.: (021) 483 3009):
- 4.1. Because the environmental, technical and economical restraints of this specific location have determined that the best renewable energy alternative is a WEF, no activity alternatives such as solar energy generation were considered or discussed any further in the Draft EIA Report. All specific impact assessments have thus been focussed on a WEF and its potential impacts to that specific environment. This has led to defining exclusion zones within this area and the Draft EIA Report has proposed preferred specific positioning of individual wind turbines and associated infrastructure. This has also reduced the potential impact of the project on various recipients to acceptable levels.

- 4.2. Most of this Directorate's comments on the DSR were addressed to this Directorate's satisfaction. The Draft EIA Report determined that the habitat of avifauna is not particularly sensitive to wind turbines and associated infrastructure, as specified in the proposal, at the specific locations proposed. Therefore, issues of shadow flicker and blade glint during the daylight hours, and noise impacts are apparently not of great concern regarding the breeding habits of especially avifauna.
- 4.3. A significant mitigating factor is that the potential impacts during the construction and operational phases are almost completely reversible after the decommissioning phase, depending on the rehabilitation and removal of the WEF structures.
- 4.4. The following comments are made regarding the Draft WEF EMPr:
- 4.4.1. Any putrescible waste must be stored in containers that can keep out scavengers such as baboons and birds to prevent the spread of litter.
 - 4.4.2. To minimise the impacts of the WEF after construction and operation, not only to the natural environment, but also to any anthropogenic users such as ploughing for agricultural purposes or construction of other infrastructure on the affected area, the EMPr should recommend the removal of all WEF infrastructure, including subterranean structures such as concrete pedestals and foundations, and any cabling as well as paved or hardened areas. Such rehabilitation should enable the recovery of natural vegetation after the decommissioning by loosening compacted soils and covering any excavations with natural local topsoil or surface-soil. All rubble, fences or other manmade construction materials should be removed. The costs of this rehabilitation should be ensured by the applicant before decommissioning is scheduled.
 - 4.4.3. The EMPr should also suggest any agreements or contracts between the landowner and the applicant that will ensure that the rehabilitation does not leave any liability to future landowners. The feasibility of the project should include any rehabilitation costs.
5. Directorate: Air Quality Management – Ms Nokulunga Goqo (Email: Nokulunga.Goqo@westerncape.gov.za; Tel.: (021) 483 2966):
- 5.1. Dust may be created from cleared areas as well as from large vehicles and equipment traversing and operating on-site during the construction phase. It is recommended that the clearance of vegetation should be done in stages and be timed, according to the construction schedule, as it is not ideal to have a site cleared and lying fallow for a long period.
- 5.2. Pollutants such as sulphur dioxide, carbon monoxide, and particulate matter from vehicle exhaust fumes and machinery may be released into the atmosphere during the construction phase. All potential air pollutants on-site need to be monitored and if causing significant emissions, must be mitigated. Measures to monitor and prevent fugitive dust emissions as per the EMPr's must be strictly implemented.
- 5.3. Dust generated during the proposed development must comply with the National Dust Control Regulations (GN No. R. 827 of 1 November 2013) promulgated in terms of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004). These regulations prohibit a person from conducting any activity in such a way as to give rise to dust in such quantities and concentrations that the dust, or dust fallout, has a detrimental effect on the environment, including human health.

- 5.4. Noise generated from all the proposed activities must comply with the Western Cape Noise Control Regulations promulgated in Provincial Notice 200/2013 ("WCNCR").
- 5.5. This Directorate notes the noise specialist's comments on the methodology employed in the Environmental Noise Impact Assessment ("ENIA") compiled by Enviro-Acoustic Research dated April 2022. The report is based on various pieces of legislation, including the WCNCR, 2013.
- 5.6. Please be advised that in terms of assessing potential impacts from new developments, EIAs and related applications in the Western Cape Province, the WCNCR, 2013 is to be used as the benchmark for a noise impact assessment. It is noted that the WCNCR was used as the benchmark for the ENIA.
- 5.7. In terms of the required regulation 4 criteria that must be used, the following is applicable:
- 5.7.1. The appropriate rating level for a particular district as indicated in South African National Standards ("SANS") 10103 should not be exceeded; and
 - 5.7.2. The noise impact from the proposed activity should not exceed the existing residual noise levels by 5 dBA.
- 5.8. Please note that it is a requirement that the equipment must be calibrated, and that the SANS measurement methodology must be adhered to. In addition, the calibration certificates are mandatory for the assessments and proof must be included in the ENIA. Although the calibration dates of the equipment used were indicated in the ENIA, the calibration certificated were not included in the ENIA.
- 5.9. It is noted from the Draft EIA Report and the ENIA that:
- 5.9.1. Large vehicles and machinery may cause significant noise on-site during the construction phase; these activities may become a noise nuisance/or disturbance to the surrounding communities.
 - 5.9.2. Wind turbines will have noise impacts during the operational phase.
 - 5.9.3. The distances between the conceptual noise sources and the noise-sensitive receptors were not provided. It is thus difficult for one to review the findings on the total projected noise levels and the cumulative impacts.
- 5.10. Following paragraph 5.9. above, this Directorate recommends that noise monitoring be undertaken during the construction phase and measures be put in place to minimise disturbing noise emissions. Furthermore, construction activities should ideally be conducted during the day-time hours only.
- 5.11. Please note that the abovementioned comments and recommendations do not pre-empt the outcome of the application. No information provided, views expressed and/or comments made by this Directorate should in any way be regarded as an indication or confirmation that additional information or documents will not be requested; or of the outcome of any application submitted to the competent authority.

6. The applicant is reminded of its "general duty of care towards the environment" as prescribed in section 28 of the NEMA, 1998 which states that "Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment."

Please direct all enquiries to the commenting officials should you require any clarity on any of the comments provided.

The Department reserves the right to revise initial comments and request further information based on any or new information received.

Yours sincerely

pp **HEAD OF DEPARTMENT**
DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

Letter signed by:

Thea Jordan

Director: Development Facilitation

Date: 31 May 2022