



forestry, fisheries & the environment

Department
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/2/694/1/AM2

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Mr Adriaan Botha
Kotulo Tsatsi Energy (Pty) Ltd
PO Box 423
VANDEBIJLPARK
1900

Telephone Number: (016) 986 0691
Email Address: AttieBotha@KotuloTsatsiEnergy.com

PER EMAIL

Dear Mr Botha

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 FEBRUARY 2017 (AS AMENDED) FOR THE ESTABLISHMENT OF THE GRID CONNECTION AND ASSOCIATED INFRASTRUCTURE FOR THE KOTULO TSATSI ENERGY SOLAR FACILITY ON PORTION 3 OF THE FARM STYNS VLEY 280 NEAR KENHARDT WITHIN THE HANTAM AND KAI !GARIB LOCAL MUNICIPALITIES IN THE NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 28 February 2017, the amendment to the EA dated 15 July 2020, the application for an amendment to the EA received by this Department on 01 July 2021 and the acknowledgement letter dated 05 July 2021, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 28 February 2017, as amended, as follows:

Amendment 1: Amendment to the project title of the EA:

Page 1 of the amendment to the EA dated 15 July 2020 is amended:

From:

"The establishment of the 200MW Kotulo Tsatsi Energy Concentrated Solar Power Facility 1 (CSP 1) and its associated infrastructure on Portion 3 of the Farm Styns Vley 280 near Kenhardt within the Hantam and Kai !Garib Local Municipalities in the Northern Cape Province."

To:

"The establishment of grid connection and associated infrastructure for the Kotulo Tsatsi Energy Solar facility on Portion 3 of the Farm Styns Vley 280 near Kenhardt within the Hantam and Kai !Garib Local Municipalities in the Northern Cape Province"

Page 2 of the amendment to the EA dated 15 July 2020 is amended:

From:

"for the 200MW Kotulo Tsatsi Energy Concentrated Solar Power Facility 1 (CSP 1) and its associated infrastructure on Portion 3 of the Farm Styns Vley 280 near Kenhardt within the Hantam and Kai !Garib Local Municipalities in the Northern Cape Province, hereafter referred to as "the property"

To:

"for the grid connection and associated infrastructure for the Kotulo Tsatsi Energy Solar facility on Portion 3 of the Farm Styns Vley 280 near Kenhardt within the Hantam and Kai !Garib Local Municipalities in the Northern Cape Province, hereafter referred to as "the property"

Page 2 of the amendment to the EA dated 15 July 2020 is amended:

From:

"The 200MW Kotulo Tsatsi Energy Concentrated Solar Power Facility 1 (CSP 1) comprise the following:"

To:

"Grid connection and associated infrastructure for the Kotulo Tsatsi Energy Solar facility comprise the following:"

Page 2 of the amendment to the EA dated 15 July 2020 is amended:

From:

"The 200MW Kotulo Tsatsi Energy Concentrated Solar Power Facility 1 (CSP 1) and its associated infrastructure on Portion 3 of the Farm Styes Vley 280 near Kenhardt within the Hantam and Kai !Garib Local Municipalities in the Namakwa and ZF Mgcawu District Municipalities, Northern Cape Province and hereby approved."

To:

"The grid connection and associated infrastructure for the Kotulo Tsatsi Energy Solar facility on Portion 3 of the Farm Styes Vley 280 near Kenhardt within the Hantam and Kai !Garib Local Municipalities in the Namakwa and ZF Mgcawu District Municipalities, Northern Cape Province are hereby approved."

The coordinates of the development area on Page 12 of the EA are amended:

From:

Development Area	Latitude	Longitude
Northern Corner	29° 47' 17.929" S	20° 36' 16.304" E
Eastern Corner	29° 49' 21.616" S	20° 37' 49.702" E
Southern Corner	29° 50' 16.811" S	20° 35' 44.978" E
Western Corner	29° 49' 10.951" S	20° 34' 25.019" E
Substation (Centre co-ordinate)	29° 47' 54.243" S	20° 36' 26.938" E

DFFE Reference: 14/12/16/3/3/2/694/1/AM2

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 FEBRUARY 2017 (AS AMENDED) FOR THE ESTABLISHMENT OF THE GRID CONNECTION AND ASSOCIATED INFRASTRUCTURE FOR THE KOTULO TSATSI ENERGY SOLAR FACILITY ON PORTION 3 OF THE FARM STYNS VLEY 280 NEAR KENHARDT WITHIN THE HANTAM AND KAI !GARIB LOCAL MUNICIPALITIES IN THE NORTHERN CAPE PROVINCE

Powerline (Alternative Connection 1)		
Start point (Project Substation)	29° 47' 40.590" S	20° 36' 26.804" E
Middle Point	29° 39' 14.210" S	20° 42' 21.269" E
End Point (Aries Substation)	29° 29' 41.348" S	20° 47' 38.419" E

To:

Substation (Centre co-ordinate)	29° 47' 54.243" S	20° 36' 26.938" E
Powerline (Alternative Connection 1)		
Start point (Project Substation)	29° 47' 40.590" S	20° 36' 26.804" E
Middle Point	29° 39' 14.210" S	20° 42' 21.269" E
End Point (Aries Substation)	29° 29' 41.348" S	20° 47' 38.419" E

The details that the facility will comprise of on Page 12 and 13 of the EA is amended:

From:

- *Solar collector field/Heliostat field – consists of all systems and infrastructure related to the control and operation of the heliostats;*
- *Molten salt circuit – includes the thermal storage tanks for storing low and high temperature liquid salt, a central solar-thermal tower receiver, pipelines and molten salt to steam heat exchangers;*
- *Power block – consists of the steam turbine and generator, as well as the air-cooled condenser and associated feedwater system;*
- *Auxiliary facilities - consists of the switch yard, step-up transformers, facility start-up generators (gas or diesel-fired – dependent on detailed design);*
- *On-site IPP/Project Substation and Eskom Substation;*
- *Grid connection infrastructure up to 400kV between the IPP/Project Substation and the Eskom Substation infrastructure to Aries MTS;*
- *Access roads (roads up to 8m wide);*
- *Water supply pipeline within existing road reserves (up to 95km in length);*
- *Water storage reservoir and tanks (20 000m³ and 5 000m³);*
- *Water treatment facility;*
- *Wastewater treatment facility;*
- *Plant assembly facility;*
- *Evaporation ponds (approximately 8ha in extent);*
- *Workshop and office buildings; and,*
- *Man camp.*

To:

- *Molten salt circuit – includes the thermal storage tanks for storing low and high temperature liquid salt, pipelines and molten salt to steam heat exchangers;*
- *Power block – consists of the steam turbine and generator, as well as the air-cooled condenser and associated feedwater system;*
- *Auxiliary facilities - consists of the switch yard, step-up transformers;*
- *On-site IPP/Project Substation and Eskom Substation;*

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- Grid connection infrastructure up to 400kV between the IPP/Project Substation and the Eskom Substation infrastructure to Aries MTS;
- Access roads (roads up to 8m wide);
- Water supply pipeline within existing road reserves (up to 95km in length);
- Water storage reservoir and tanks (20 000m³ and 5 000m³);
- Water treatment facility;
- Wastewater treatment facility;
- Workshop and office buildings; and,
- Man camp.

The technical details for the facility on Page 13 and 14 of the EA is amended:

From:

Component	Description/ Dimensions
Location of the site	Portion 3 of the Farm Styns Vley 280 Hantam Local Municipality Kai !Garib Local Municipality Namakwa District Municipality ZF Mgcawu District Municipality 75km south west of the town of Kenhardt and 70 km north of the town of Brandvlei.
Heliostat field and tower area	1000 Ha
SG Codes	C03600000000002800003
Preferred Site access	Access to the site will be from via an existing gravel access road branching off of the R27 between Kenhardt and Brandvlei.
Export capacity	200MW
Proposed technology	CSP Tower Technology
Height of the receiver tower	Up to 250m in height.
Width and length of the facility access roads	Width: 8m, length: approximately 2.5km.
Width of the powerline corridor	1km

To:

Component	Description/ Dimensions
Location of the site	Portion 3 of the Farm Styns Vley 280 Hantam Local Municipality Kai !Garib Local Municipality Namakwa District Municipality ZF Mgcawu District Municipality 75km south west of the town of Kenhardt and 70 km north of the town of Brandvlei.
SG Codes	C03600000000002800003
Preferred Site access	Access will be via an existing gravel access road branching off of the R27 between Kenhardt and Brandvlei.

DFFE Reference: 14/12/16/3/3/2/694/1/AM2

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 28 FEBRUARY 2017 (AS AMENDED) FOR THE ESTABLISHMENT OF THE GRID CONNECTION AND ASSOCIATED INFRASTRUCTURE FOR THE KOTULO TSATS! ENERGY SOLAR FACILITY ON PORTION 3 OF THE FARM STYNS VLEY 280 NEAR KENHARDT WITHIN THE HANTAM AND KAI !GARIB LOCAL MUNICIPALITIES IN THE NORTHERN CAPE PROVINCE

Width and length of the facility access roads	Width: 8m, length: approximately 2.5km.
Width of the powerline corridor	1km

Amendment 2: Amendment to the email address of the contact person of the Holder of the EA:

The email address of the contact person of the Holder of the EA is amended:

From:

"attie@exheredo.com"

To:

"attiebotha@kotulotsatsienergy.com"

Amendment 3: Amendment to the activities authorised:

The table of activities authorised on page 03 – 12 of the EA is amended:

From:

Listed Activities	Activity/Project Description
<p><u>GN R. 544 Activity 9:</u> "The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water with an internal diameter of 0.36 metres or more..."</p>	<p>The facility will include the construction of a pipeline with an internal diameter of 0.36 metres or more for the bulk transportation of water.</p>
<p><u>GN R. 544 Activity 10:</u> "The construction of facilities or infrastructure for the transmission and distribution of electricity - outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</p>	<p>The facility will be required to evacuate electricity into the national grid and include the construction of a powerline of up to 275kV connecting to an onsite substation and Eskom switching station.</p>
<p><u>GN R. 544 Activity 12:</u> "The construction of facilities or infrastructure for the off stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 19 of Notice 545 of 2010"</p>	<p>Ancillary infrastructure includes the construction of a raw water storage reservoir/s on the site and evaporation ponds.</p>
<p><u>GN R. 544 Activity 13:</u> "The construction 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 but not exceeding 500 cubic metres</p>	<p>The auxiliary steam boiler will be used to provide process steam to the facility (i.e. to supplement generation). The fuel (i.e. diesel or liquid petroleum gas (LPG)) for the boiler will be required to be stored at the facility and will have a storage capacity of more than 80 cubic metres, but less than 500 cubic metre.</p>

<p><u>GN R. 545 Activity 1:</u> "The construction of facilities or infrastructure for the generation of electricity where the electricity output is 20 megawatts or more."</p>	<p>The proposed CSP facility will have a generation capacity of 200MW</p>
<p><u>GN R. 545 Activity 15:</u> "Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more."</p>	<p>The total development footprint for the CSP facility, including associated infrastructure is 1000ha in extent</p>
<p><u>GN R, 546 Activity 10:</u> "The construction 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 Northern Cape: (ii) Outside urban arrears (cc) sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority</p>	<p>The auxiliary steam boiler will be used to provide process steam to the facility (i.e. to supplement generation). The fuel (i.e. diesel or liquid petroleum gas (LPG)) for the boiler will be required to be stored at the facility in a sensitive area as identified in the EMF for the Namakwa District Municipality.</p>
<p><u>GN R.546 Activity 12:</u> "The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation (a) Within critical biodiversity areas identified in bioregional plans"</p>	<p>The development is situated in an ESA, the construction may result in the clearance of 300m² or more of indigenous vegetation where 75% of which constitutes indigenous vegetation.</p>
<p><u>GN R. 546 Activity 13:</u> "The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation (a) Critical biodiversity areas and ecological support areas a identified in systematic biodiversity plans adopted by the competent authority. (a) Northern Cape: (ii) outside urban areas (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority"</p>	<p>The proposed facility occurs within an ESA and will require the clearance of vegetative cover which will be more than 75% indigenous vegetation</p>
<p><u>GN R. 546 Activity 14:</u> "The clearance of an area of 5 Ha or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. (a) In Northern Cape: (i) All areas outside urban areas."</p>	<p>The establishment of the proposed CSP facility will require the clearance of 75% or more indigenous vegetation within the site with an area of more than 5ha</p>
<p><u>GN R. 983 Activity 9:</u> "The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water (i) with an internal diameter of 0.36 metres or more"</p>	<p>The facility will include the construction of a pipeline with an internal diameter of 0.36 metres or more for the bulk transportation of water</p>

<p><u>GN R. 983 Activity 11:</u> "The development of facilities or infrastructure for the transmission and distribution of electricity- (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV...."</p>	<p>The proposed facility will be required to evacuate electricity into the national grid and include the construction of a distribution line of less than 275kV</p>
<p><u>GN R. 983 Activity 13:</u> "The development of facilities or infrastructure for the off stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 16 of Listing Notice 2 of 2014."</p>	<p>Ancillary infrastructure includes water storage reservoir/s on the site and evaporation ponds (for clean water storage, wastewater from the generation process and water treatment plant). The combined capacity of these exceeds 50 000m³.</p>
<p><u>GN R. 983 Activity 14:</u> "The development of facilities or infrastructure, for the storage, or for the storage and handling, of 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>	<p>The auxiliary steam boiler will be used to provide process steam to the facility (i.e. to supplement generation). The fuel (i.e. diesel or liquid petroleum gas (LPG)) for the boiler will be required to be stored at the facility and will have a storage capacity of more than 80 cubic metres, but less than 500 cubic meters.</p>
<p><u>GN R. 984 Activity 1:</u> "The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20MW or more..."</p>	<p>The facility will consist of a power tower and heliostats with a generation capacity of up to 200MW.</p>
<p><u>GN R. 984 Activity 6:</u> "The development of facilities or infrastructure for any process or activity which requires a permit or license in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent..."</p>	<p>The evaporation ponds require a Water Use Licence for the release of pollution and effluents in a lined lagoon.</p>
<p><u>GN R. 984 Activity 9:</u> "The development or construction of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kV or more, outside an urban area or industrial complex"</p>	<p>The proposed facility will be required to evacuate electricity into the national grid and include the construction of a powerline of up to 275kV, an onsite substation and Eskom switching station</p>
<p><u>GN R. 985 Activity 10:</u> The construction 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 (a) in the Northern Cape (ii) Outside urban areas (cc) sensitive areas as identified in an environmental management</p>	<p>The auxiliary steam boiler will be used to provide process steam to the facility (i.e. to supplement generation). The fuel ((i.e. diesel or liquid petroleum gas (LPG)) for the boiler will be required to be stored at the facility in a sensitive area as identified in the EMF for the Namakwa District Municipality</p>

To:

Listed Activities	Activity/Project Description
<p>GN R. 544 Activity 9: "The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water with an internal diameter of 0.36 metres or more..."</p>	<p>The construction of a pipeline with an internal diameter of 0.36 metres or more for the bulk transportation of water.</p>
<p>GN R. 544 Activity 10: "The construction of facilities or infrastructure for the transmission and distribution of electricity - outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts."</p>	<p>The construction of a powerline of up to 275kV connecting to an onsite substation and Eskom switching station, and Aries Substation.</p>
<p>GN R. 544 Activity 12: "The construction of facilities or infrastructure for the off stream storage of water, including dams and reservoirs, with a combined capacity of 50000 cubic metres or more, unless such storage falls within the ambit of activity 19 of Notice 545 of 2010"</p>	<p>Ancillary infrastructure includes the construction of a raw water storage reservoir/s on the site.</p>
<p>GN R. 544 Activity 13: "The construction 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 but not exceeding 500 cubic metres</p>	<p>Facilities for storage capacity of more than 80 cubic metres, but less than 500 cubic metres.</p>
<p>GN R. 545 Activity 15: "Physical alteration of undeveloped, vacant or derelict land for residential, retail, commercial, recreational, industrial or institutional use where the total area to be transformed is 20 hectares or more."</p>	<p>The total development footprint is >20ha.</p>
<p>GN R. 546 Activity 10: "The construction 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 Northern Cape: (ii) Outside urban arrears (cc) sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority</p>	<p>Facilities for the storage and handling of dangerous goods in a sensitive area as identified in the EMF for the Namakwa District Municipality.</p>
<p>GN R.546 Activity 12: "The clearance of an area of 300 square metres or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation (a) Within critical biodiversity areas identified in bioregional plans"</p>	<p>The construction may result in the clearance of 300m² or more of indigenous vegetation where 75% of which constitutes indigenous vegetation, within an ESA.</p>

DFFE Reference: 14/12/16/3/3/2/694/1/AM2

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<p><u>GN R. 546 Activity 13:</u> <i>"The clearance of an area of 1 hectare or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation (a) Critical biodiversity areas and ecological support areas as identified in systematic biodiversity plans adopted by the competent authority. (a) Northern Cape: (ii) outside urban areas (cc) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority"</i></p>	<p><i>Clearance of >1ha of vegetation which 75% or more constitute vegetation within an ESA.</i></p>
<p><u>GN R. 546 Activity 14:</u> <i>"The clearance of an area of 5 Ha or more of vegetation where 75% or more of the vegetative cover constitutes indigenous vegetation. (a) In Northern Cape: (i) All areas outside urban areas."</i></p>	<p><i>The clearance of 75% or more indigenous vegetation within the site with an area of more than 5ha., outside urban areas.</i></p>
<p><u>GN R. 983 Activity 9:</u> <i>"The construction of facilities or infrastructure exceeding 1000 metres in length for the bulk transportation of water, sewage or storm water (i) with an internal diameter of 0.36 metres or more"</i></p>	<p><i>The construction of a pipeline with an internal diameter of 0.36 metres or more for the bulk transportation of water.</i></p>
<p><u>GN R. 983 Activity 11:</u> <i>"The development of facilities or infrastructure for the transmission and distribution of electricity- (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kV..."</i></p>	<p><i>The construction of infrastructure for the evacuation of electricity into the national grid and include the construction of a distribution line of less than 275kV.</i></p>
<p><u>GN R. 983 Activity 14:</u> <i>"The development of facilities or infrastructure, for the storage, or for the storage and handling, of dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres]</i></p>	<p><i>Facilities for the storage and handling of dangerous goods with a capacity of more than 80 cubic meters but less than 500 cubic meters.</i></p>
<p><u>GN R. 984 Activity 9:</u> <i>"The development or construction of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kV or more, outside an urban area or industrial complex"</i></p>	<p><i>The construction of a powerline of up to 275kV, an onsite substation and Eskom switching station.</i></p>
<p><u>GN R. 985 Activity 10:</u> <i>The construction 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 (b) in the Northern Cape (ii) Outside urban areas (cc) sensitive areas as identified in an environmental management</i></p>	<p><i>Facilities for the storage and handling of dangerous goods in a sensitive area as identified in the EMF for the Namakwa District Municipality.</i></p>

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Amendment 4: Amendment to extend the validity period of the EA:

The activity must commence within a period of five (05) years from the date of expiry of the EA issued on 28 February 2017 as amended (i.e. the EA lapses on 28 February 2027). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for environmental authorisation must be made in order for the activity to be undertaken.

Further to the above, the Department is aware that the environment changes constantly, as a result it might be significantly different from the one that existed at the time of the issuing of this EA, hence the validity of the EA cannot exceed a maximum period of 10 years. Failure to commence with construction activities within the maximum 10 year period, your EA will be deemed to have lapsed and a new application for EA will have to be lodged.

Amendment 5: Amendment to remove conditions of the EA:

The following conditions related to the CSP facility are removed from the EA:

Condition 12.2 on page 15 of the EA:

"Cable routes (where they are not along internal roads);"

Condition 14.1 on page 16 of the EA:

"An EMC Control Plan, which identifies potential risk, mitigation measures and appropriate test and acceptable procedures during the design and construction of this facility. The EMC Control Plan must be made available by the holder of this environmental authorisation developer Square Kilometre Array South Africa (SKA-SA) for acceptance and must be submitted to this Department for approval prior to construction."

Condition 14.2 on page 16 of the EA:

"All mitigation measure arising from compliance with condition 36 of this EA."

Condition 14.3 on page 16 of the EA:

"All mitigation measure arising from compliance with condition 39 of this EA."

Condition 14.12 on page 17 of the EA:

"The post construction avifaunal monitoring plan that is in line with Birdlife's most recent avifauna' guideline."

Condition 34 on page 21 of the EA:

"An EMC Control Plan, which identifies potential risk, mitigation measures and appropriate test and acceptable procedures during the design and construction of this facility must be developed. The EMC Control Plan must be made available by the holder of the EA to the Square Kilometre Array South Africa (SKA-SA) for acceptance and must be submitted to this Department for approval prior to construction."

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Condition 35 on page 21 of the EA:

"Should the project be awarded preferred bidder status, a specialist must be appointed to verify and characterize the ecological features of the offset area and refine the boundaries of such an area if necessary. The final extent and location of the offset would need to be negotiated and settled with the Northern Cape Department of Environment and Nature Conservation (DENC-NC) before being submitted to the DEA for approval."

Condition 36 on page 22 of the EA:

"A management plan for the offset area, which is aligned with the open space management plan for the facility must be developed with specialist input. The draft management plan must be submitted to and endorsed by the DENC-NC prior to approval by this Department."

Condition 37 on page 22 of the EA:

"The following conditions must be included as part of the management plan:

- *The offset area should be declared as a Protected Environment or a Special Nature Reserve, to be implemented through a stewardship agreement with DENC-NC.*
- *A ratio of at least 2:1 must be used.*
- *The site must be made available for research at a cost to Kotulo Tsatsi Energy (Pty) Ltd. The terms of which must be agreed to by DENC-NC."*

Condition 38 on page 22 of the EA:

"Conditions 36 and 37 of this EA must be in place before construction of the facility commences."

Condition 39 on page 22 of the EA:

"An avifaunal monitoring programme, stipulating the duration and frequency of monitoring should be prepared by an independent avifaunal specialist appointed by the holder of the EA. The avifaunal monitoring programme is to be submitted by the holder of the EA to the Department for approval prior to construction and must include the following:

- *The impacts on bird communities and bird movements; and,*
- *The estimated fatality rates during construction and operational phases."*

Condition 40 on page 22 of the EA:

"Should the need for additional mitigation be identified through the results of the monitoring, an adaptive management approach must be adopted to ensure impacts on birds are reduced to acceptable levels."

Condition 41 on page 22 of the EA:

"Monitoring reports and mitigation plans must be made available to the Department and Bird Life SA on a bi-annual basis."

Amendment 6: Amendment to amend conditions of the EA:

The following conditions related to the CSP facility are amended in the EA:

Condition 12.3 on page 16 of the EA:

From:

"Positions of power tower, heliostats and all associated infrastructure;"

To:

"Positions of all associated infrastructure;"

Condition 14.5 on page 16 of the EA:

From:

"All recommendations and mitigation measures recorded in the EIAr."

To:

"All recommendations and mitigation measures recorded in the EIAr as applicable to associated infrastructure."

Condition 14.6 on page 16 of the EA:

From:

"All mitigation measures as listed in the specialist reports must be included in the EMPr and implemented."

To:

"All mitigation measures as listed in the specialist reports as applicable to associated infrastructure must be included in the EMPr and implemented."

Condition 14.10 on page 17 of the EA:

From:

"A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats."

To:

"A re-vegetation and habitat rehabilitation plan to be implemented during construction and operation. Restoration must be undertaken as soon as possible after completion of construction activities to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats."

Mr.

Condition 14.13 on page 17 of the EA:

From:

"A storm water management plan to be implemented during the construction and operation of the facility. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off."

To:

"A storm water management plan to be implemented during construction and operation. The plan must ensure compliance with applicable regulations and prevent off-site migration of contaminated storm water or increased soil erosion. The plan must include the construction of appropriate design measures that allow surface and subsurface movement of water along drainage lines so as not to impede natural surface and subsurface flows. Drainage measures must promote the dissipation of storm water run-off."

Condition 14.19 on page 18 of the EA:

From:

"A map combining the final layout map superimposed (overlain) on the environmental sensitivity map. This map must reflect the proposed location of the turbine as stated in the EIAr and this authorisation."

To:

"A map combining the final layout map superimposed (overlain) on the environmental sensitivity map."

Condition 72 on page 24 of the EA:

From:

"The recommendations of the EAP in the amended EIAr dated September 2016 and the specialist studies attached must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference."

To:

"The recommendations of the EAP in the amended EIAr dated September 2016 and the specialist studies attached relating to grid connection infrastructure and other associated infrastructure/footprints must be adhered to. In the event of any conflicting mitigation measures and conditions of the Environmental Authorisation, the specific condition of this Environmental Authorisation will take preference."

Reason for amendments:

The Applicant indicated a need to change the authorised generation technology for the facility. That entail a technology change from the previously authorised CSP project infrastructure to PV project infrastructure. As a result, some of the previously authorised infrastructure, and the associated footprint areas, as part of the Kotulo

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Tsatsi CSP 1 project will be retained for use for the planned PV facility. Further to the abovementioned, the email address of the contact person for the applicant changed and needs to reflect in the Environmental Authorisation. This amendment letter must be read in conjunction with the EA dated 28 February 2017 as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000), you are entitled to the right to fair, lawful and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act No. 4 of 2013) which stipulates that the Department should conduct itself in a responsible manner when collecting, processing, storing and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuses or compromises your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the decision, of the Department's decision as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribe the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@environment.gov.za;

By hand: Environment House
473 Steve Biko,
Arcadia,
Pretoria,
0083; or

By post: Private Bag X447,
Pretoria,
0001;

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@environment.gov.za.

Yours faithfully

MJ Solomons

Ms Millicent Solomons

Acting Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Date: 21/07/2021.

cc:	Bryan Fisher	NC DENC	Email: Bfisher@ncpg.gov.za
	Jl Swartz	Hantam Local Municipality	Email: iswartz@hantam.gov.za
	Karen Jodas	Savannah Environmental (Pty) Ltd	Email: karen@savannahsa.com



**forestry, fisheries
& the environment**

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA · 0001· Environment House · Cnr Soutpansberg & Steve Biko Roads · Pretoria Tel (+27 12) 399 9000

Enquiries: Devinagle Bendeman Tel: 012 399 9337

Email: vbendeman@environment.gov.za

Ms. Solomons
Director: Strategic Infrastructure Development

Dear Mrs. Solomons

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORISATIONS FOR THE PERIOD 12 JULY 2021 UNTIL 23 JULY 2021.

This serves to confirm your appointment as Acting Chief Director: integrated environmental authorisations, from 12 July 2021 until 23 July 2021, whilst Mr Sabelo Malaza is on Annual Leave.

You will act in this capacity with the full responsibilities and duties attached to the post, including the activities entrusted to the Acting Chief Director: integrated environmental authorisations by or in terms of the Acts administered by the Department.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1998), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standards, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of the legislations and policies and the amendments thereof. (Copies of departmental policies can be obtained from the Human Resource Office).

Yours Sincerely

~~Devinagle Bendeman~~

Acting Deputy Director-General: RCSM (Regulatory Compliance and Sector Monitoring)

Date: 9/07/2021



ACKNOWLEDGEMENT
I ACCEPT / DO NOT ACCEPT
appointment as Acting Chief
Director: Integrated environmental
authorizations

Signed:

Date: 12/07/2021