

APPENDIX C8:
Comments and Responses Report

KOTULO TSATSI ENERGY PV1, NEAR KENHARDT, NORTHERN CAPE PROVINCE (DEA Ref.no.: 14/12/16/3/3/2/2027)

COMMENTS AND RESPONSES REPORT

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The Kotulo Tsatsi Energy PV1 application for Environmental Authorisation was announced on Friday, 16 October 2020. The Background Information Document, distributed on Friday 16 October 2020, served to invite Interested and Affected Parties (I&APs) to register their interest in the project and to submit any comments/queries regarding the proposed project. All written comments received from the commencement of the Scoping phase to date have been included in this Comments and Responses Report (C&RR).

The Scoping Report was made available for a 30-day review and comment period from **Friday, 23 October 2020** until **Monday, 23 November 2020**. The C&RR has been updated with comments received during the review and comment period and was included in **Appendix C6** of the final Scoping Report.

The commencement of the impact phase was announced on Monday, 15 February 2021, informing registered I&APs that the Department of Environment, Forestry and Fisheries (DEFF) has accepted the Scoping Report and approved the Plan of Study for Environmental Impact Assessment. Comments received during the announcement of the commencement of the impact phase and the availability of the Environmental Impact Assessment (EIA) Report, which was made available for a 30-day review and comment period from **Friday, 12 March 2021** until **Thursday, 15 April 2021**, are captured in this C&RR and comments received on the EIAR are included in **Appendix C6** of the final EIA Report.

The C&RR has been updated with comments received during the review and comment period and included in **Appendix C8** of the final EIA Report.

Comments submitted in Afrikaans have been translated to English to assist the Department of Environment, Forestry and Fisheries (DEFF) to make an informed decision regarding the application for Environmental Authorisation (EA).

All comments captured in this C&RR are verbatim and have not been summarised.

NOTE:
In terms of Regulation 44(1) of the EIA Regulations 2014, as amended, the comments raised and responses provided at the various Focus Group Meetings held during the 30-day review period of the EIAR are attached as **Appendix C7**. The notes from the FGMs are not included in this C&RR.

LIST OF ABBREVIATIONS / ACRONYMS

APM	Archaeology, Palaeontology and Meteorites	EIAR	Environmental Impact Assessment Report
BAA	Brandvlei Agricultural Association	EMC	Electromagnetic Interference
BID	Background Information Document	EMPr	Environmental Management Plan
BLV	Brandvlei Landbouvereniging	HIA	Heritage Impact Assessment
B&GP	Belanghebbende en Geaffekteerde Party	I&APs	Interested and Affected Parties
CBA	Critical Biodiversity Area	NHRA	National Heritage Resources Act
CCTV	Close Circuit Television	ONA	Other Natural Areas
C&RR	Comments and Responses Report	SACAA	South African Civil Aviation Authority
DEFF	Department of Environment, Forestry and Fisheries	SAHRA	South African Heritage Resources Agency
DENC	Department of Environment and Nature Conservation	SAHRIS	South African Heritage Resources Information System

DRDLR	Department of Rural Development and Land Reform	SARAO	South African Radio Astronomy Observatory
DWS	Department of Water and Sanitation	SKA	Square Kilometre Array
EIA	Environmental Impact Assessment	SR	Scoping Report
DSR	Draft Scoping Report		

1. COMMENTS RECEIVED DURING THE ENVIRONMENTAL IMPACT ASSESSMENT REPORT REVIEW AND COMMENT PERIOD

1.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>(a) Listed Activities</p> <p>(i) The application form must be amended to include the specific and correct sub listed activity for each listed activity applied for. The amended signed application form must be submitted with the EIAR.</p>	<p>Herman Alberts Case Officer DFFE</p> <p>Letter: 13 April 2021</p>	<p>All relevant activities applied for in the application for Environmental Authorisation and included in the EIA Report are relevant to the Kotulo Tsatsi Energy PV1 facility and can be linked to the development activity or infrastructure in the project description. An amended application form is not required for final submission of the EIA for Kotulo Tsatsi Energy PV1.</p>
	<p>(ii) Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p>		<p>Noted by the EAP. An amended application form is not required for final submission of the EIA for Kotulo Tsatsi Energy PV1.</p>
	<p>(iii) The listed activities represented in the EIAR and the application form must be the same and correct.</p>		<p>Listed Activities listed in the final EIAR (refer to Chapter 6) are the same as in the application form.</p>
	<p>(iv) The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</p>		<p>An assessment of impacts and recommended mitigation measures are included in Chapter 8 of the EIA Report.</p>
	<p>(b) Public Participation</p> <p>(i) Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform, the provincial Department of Agriculture, the Provincial Department of Transport, the local and district municipalities, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Department of Rural Development and Land Reform (DRDLR), and the Department of Forestry, Fisheries and the Environment: Directorate Biodiversity.</p>		<p>All comments received during the notification of the approval of the Plan of Study by the Department are included in Appendix C6 of the final EIAR and captured in this C&RR of the final EIAR. Comments received from I&AP and key stakeholders during the review and comment period of the EIAR is included in Appendix C6 of the final EIAR and captured within this C&RR (Appendix C8) of the final EIAR.</p> <p>Comments received on the EIAR from the various organs of state, as listed by the Department, is included in Appendix C6 of the final EIAR and captured in this C&RR (Appendix C8) of the final EIAR.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	(ii) Please ensure that all issues raised and comments received during the circulation of the draft EIA from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIA,		All comments received from I&APs and organs of state during the review and comment period of the EIA have been included within this C&RR (Appendix C8 of the final EIA) and have been addressed appropriately.
	(iii) Proof of correspondence with the various stakeholders must be included in the final EIA. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.		<p>Proof of correspondence with the various stakeholders during the EIA scoping phase, the notification of commencement of the impact phase and the availability of the EIA for review and comment are included in Appendices C4 and C5 of the final EIA.</p> <p>Proof of attempts to obtain comments from I&APs, organs of state and key stakeholders is included in Appendices C4 and C5 of the final EIA.</p>
	(iv) A Comments and Response trail report (C&R) must be submitted with the final EIA. The C&R report must incorporate all comments for this development. 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 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&AP's comments.		A C&RR has been drafted and is included as a separate appendix to the final EIA (refer to Appendix C8 of the final EIA). All comments raised and / or submitted are captured verbatim and not summarised. Comments have been responded to as far as possible, and no responses have been provided as 'noted'.
	(v) Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.		It is confirmed that comments from I&APs, organs of state and key stakeholders have not been split and arranged into categories but captured in this C&RR according to date received and have been responded to individually.
	(vi) The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.		The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (included as Appendix C9 of the final EIA).

NO.	COMMENT	RAISED BY	RESPONSE
			<p>Scoping Phase – proofs as reference below are included under the Scoping Phase subdividing</p> <ul style="list-style-type: none"> • I&APs and Organs of State were notified of the commencement of the EIA process as follows: <ul style="list-style-type: none"> » The BID, accompanied by a cover letter was submitted via email to those I&APs identified and the relevant organs of state on 16 October 2020 (refer to Appendices C4 and C5 of the final Scoping Report). • An advertisement was placed in the Gemsbok newspaper on 23 October 2020 (tearsheet included in Appendix C2 of the final Scoping Report). • Live read on RSG (Radio Sonder Grense 100-104 MHz FM) on Sunday, 1 November 2020 (refer to Appendix C2 of the final Scoping Report). <p>The Scoping Report was made available for a 30-day review and comment period from, Friday, 23 October 2020 until Monday, 23 November 2020 and the availability of the report was announced through the means below. Opportunity for consultation was also provided during the 30-day review and comment period.</p> <ul style="list-style-type: none"> • The details of the availability of the report was included in the advertisement placed in the Gemsbok newspaper on 23 October 2020 (tearsheet included in Appendix C2 of the final Scoping Report). • A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the final Scoping Report) informing them of the availability of the Scoping Report for review and comment and the details of where the report could be accessed for review. • Live read on RSG (Radio Sonder Grense 100-104 MHz FM) was done on Sunday, 1 November 2020 (refer to Appendix C2 of the final Scoping Report for proof). • Virtual Focus Group Meetings were held with various key stakeholder groups on 12 November 2020. Notes of the meetings were included in Appendix C7 of the final Scoping Report.

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			<p>The Scoping Report was also made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request.</p> <p>Site notices were placed at the proposed development site and proof of the placement of the site notices are included in Appendix C2 of the final Scoping Report.</p> <p>Impact Assessment Phase I&APs and Organs of State were notified of the acceptance of the Scoping Report and approval of the Plan of Study for the Environmental Impact Assessment on Monday, 15 February 2021 (refer to Appendices C4 and C5 of the EIAr.).</p> <p>The EIAr was made available for a 30-day review and comment period from, <u>Friday, 12 March 2021</u> until <u>Thursday, 15 April 2021</u> and the availability of the report was announced through the means below. Opportunity for consultation was also provided during the 30-day review and comment period.</p> <ul style="list-style-type: none"> • The details of the availability of the EIAr were included in the advertisement placed in the Gemsbok newspaper on 12 March 2021 (tearsheet included in Appendix C2 of the EIAr). • A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the EIAr) on 10 March 2021, informing them of the availability of the EIAr for review and comment and the details of where the report could be accessed for review. Proof of notification is included in Appendices C4 and C5 of the EIAr. • Live read on RSG (Radio Sonder Grense 100-104 MHz FM) on Friday, 12 March 2021 (refer to Appendix C2 of the EIAr)

NO.	COMMENT	RAISED BY	RESPONSE
	<p>(c) Alternatives Please provide a clear description of each of the preferred alternatives and provide a detailed assessment and motivation on why it is preferred. This must include the advantages and disadvantages that the proposed activity or alternatives will have on the environment and on the community,</p> <p>(d) Layout & Sensitivity Maps (i) The EIA must provide coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.</p> <p>(ii) A copy of the final layout map must be submitted with the final EIA and all available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible and the layout map must indicate the following: Positions of the facility and its associated infrastructure; a) Permanent laydown area footprint; b) All supporting onsite infrastructure e.g. roads (existing and proposed); c) Substation(s) and/or transformer(s) sites including their entire footprint; d) Connection routes (including pylon positions) to the distribution/transmission network; and e) All existing infrastructure on the site.</p>		<p>Virtual Focus Group Meetings were held with various key stakeholder groups on 24, 30 and 31 March 2021. Notes of the meetings were included in Appendix C7 of the final EIA.</p> <p>Although no alternatives were identified for the development of Kotulo Tsatsi Energy PV1, Chapter 3 of the EIA contains motivations to why no location, layout, or technology alternatives were considered.</p> <p>Coordinates of the proposed development site is contained in Table 2.2 of the EIA.</p> <p>A layout map of the proposed infrastructure for Kotulo Tsatsi Energy PV1 is included in Chapter 2 and Chapter 10, as well as Appendix O of the EIA.</p> <p>All environmental sensitivities and buffer areas that have been identified by specialists were used to inform the optimised layout for Kotulo Tsatsi Energy PV1, and this facility layout is included in Chapter 10 and Appendix O of the EIA.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>(iii) Please provide an environmental sensitivity map which indicates the following:</p> <ul style="list-style-type: none"> a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; b) Buffer areas; and, c) All "no-go" areas. 		<p>An environmental sensitivity map indicating the sensitivities and associated buffer areas identified by specialists for Kotulo Tsatsi Energy PV1 is included in Chapter 10 and Appendix O of the EIA.</p>
	<p>(iv) The final EIAR must contain a map combining the final layout map superimposed (overlain) on the environmental sensitivity map</p>		<p>A combined layout and sensitivity map for Kotulo Tsatsi Energy PV1 is included in Appendix O of the EIA. The optimised layout based on the identified high sensitivity areas for Kotulo Tsatsi Energy PV1 is also discussed in Chapter 10 of the EIAR.</p>
	<p>(v) The final EIAR must contain a cumulative map which shows neighboring energy developments and existing grid infrastructure should there be any.</p>		<p>A cumulative map of similar renewable energy development within a 30km radius of Kotulo Tsatsi Energy PV1 is included in Chapter 9 and Appendix O of the EIA.</p>
	<p>(e) Specialist assessments (i) The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <ul style="list-style-type: none"> 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 authorisations 		<p>All specialist assessments (Appendix D to I) include the complete project description as well as methodology used to assess the project impacts.</p>
	<ul style="list-style-type: none"> b) Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted. 		<p>Specialist assessments (Appendix D to I) detail any applicable study limitations relevant to the study. Site visits were undertaken in two seasons as part of the Ecology Assessment (Appendix D) limiting the assumptions and limitations of the study. The Freshwater Assessment (Appendix F) detailed that although the assessment was undertaken outside the wet season it is highly unlikely that any significant species or features present that were not recorded. Limitations and assumptions of the EIA are also included in Chapter 6.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>c) Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas.</p>		<p>The Department's consideration of a no-go area is noted in that no development is permitted within all areas demarcated as a 'no-go' area.</p>
	<p>d) Should the specialist definition of 'no-go' area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable.</p>		<p>The Freshwater Assessment (Appendix E) has demarcated the high sensitive wash areas and its associated buffer areas. The report states that these high sensitivity areas are no-go areas for development of the PV panel area or other bulk infrastructure. However, the specialist has clearly states that limited linear infrastructure (including an access road) may be developed across these areas where recommended mitigation measures can be implemented.</p>
	<p>e) All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA.</p>		<p>All specialist studies submitted as part of the EIA are final and provide detailed/practical mitigation measures for implementation.</p>
	<p>(f) Cumulative Assessment (i) Should there be any other similar projects within a 30km radius of the proposed development site, the cumulative impact assessment for all identified and assessed impacts must be refined to indicate the following: a) Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.</p>		<p>A cumulative assessment of similar project in a 30km radius is included in Chapter 9 of the final EIAR. Identified cumulative impacts are clearly defined, described and assessed in the Cumulative Impacts chapter. Where possible, the extent of the identified impacts have been quantified and indicated.</p>
	<p>(b) Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the</p>		<p>By considering similar development, the cumulative impacts of other known solar facilities (PV and CSP) in the surrounding area and Kotulo Tsatsi Energy PV1 were determined by using the same specialists used for the authorised Kotulo Tsatsi Energy CSP projects to ensure continuity in the knowledge of the area, and the nature and extent of the impacts.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	conclusion and mitigation measures were drafted for this project.		
	(c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.		The cumulative impacts significance rating (Chapter 9) has informed the need and desirability of the proposed development (Chapter 5).
	(d) A cumulative impact environmental statement on whether the proposed development must proceed		An impact statement of the proposed development of Kotulo Tsatsi Energy PV1 is included in Chapter 10 of the EIAR.
	<u>(g) The Environmental Management Programme (EMPr) must include the following:</u>		
	(i) The EMPr must comply with Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.		The content of the EMPr (refer to Appendix L of the EIA) complies with Appendix 4 of the Environmental Impact Assessment Regulations, 2014, as amended.
	(ii) All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted.		Chapter 5 to 8 of the EMPr (refer to Appendix L of the final EIAR) contains all specialist recommendations.
	(iii) The final site layout map.		The optimised layout is included. The layout will be finalised based on the outcomes of a pre-construction walk-through survey.
	(iv) Measures as dictated by the final site layout map and micro-siting.		Management measures have been included for the all-project activities. Additional management measures will be included based on finalised layout, if required.
	(v) An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process.		An environmental sensitivity map is contained in Chapter 2 of the EMPr.
	(vi) A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		A combined layout and environmental sensitivity map as well as optimised layout is contained in Chapter 2 of the EMPr.
	(vii) An alien invasive management plan to be implemented during construction and operation. The plan must include mitigation measures to reduce the invasion of alien species and ensure that the continuous monitoring and removal of alien species is undertaken.		An alien invasive management plan is contained in Appendix C of the EMPr.

NO.	COMMENT	RAISED BY	RESPONSE
	(viii) A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase.		A plant rescue plan is contained in Appendix D of the EMPr.
	(ix) 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.		A re-vegetation and rehabilitation plan is contained in Appendix E of the EMPr.
	(x) A traffic management plan to ensure that no hazards would result from the increased traffic and that traffic flow would not be adversely impacted. This plan must include measures to minimize impacts on local commuters.		A traffic management plan is contained in Appendix I of the EMPr.
	(xi) 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.		A stormwater management plan is contained Appendix G of the EMPr.
	(xii) A fire management plan to be implemented during the construction.		An emergency preparedness, response and fire management plan is contained in Appendix J of the EMPr.
	(xiii) An effective monitoring system to detect any leakage or spillage of all hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.		Hazardous substances will be handled and storage in appropriate bunded areas.

NO.	COMMENT	RAISED BY	RESPONSE
	<p>(xiv) Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmental sensitive areas from construction impacts including the direct or indirect spillage of pollutants.</p> <p><u>General</u> Please also ensure that the final EIAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 3 of the NEMA EtA Regulations, 2014, as amended.</p> <p>You are further reminded to comply with Regulation 23(1)(a) of the NEMA EIA Regulations, 2014, as amended, which states that: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority -</p> <p>(a) an environmental impact assessment report inclusive of any specialist reports, and an EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority."</p> <p>Should there be significant changes or new information that has been added to the EIAR or EMPr which changes or information was not contained in the reports or plans consulted on during the initial public participation process, you are required to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended, which states: "The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority— (b) a notification in writing that the reports, and an EMPr, will be submitted within 156 days of acceptance of the scoping report by the competent authority, or where regulation 21(2) applies, within 156 days of receipt of application by the</p>		<p>Hazardous substances will be handled and storage in appropriate bunded areas.</p> <p>The recommended validity period for the development of Kotulo Tsatsi Energy PV1 is included in Chapter 10 of the EIAR.</p> <p>The EIA Report has been subjected to a 30-day review period and the final EIA Report is submitted within the prescribed timeframe of the Regulations.</p> <p>No significant changes or new information has been added to the EIAR or EMPr following the initial public participation process.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p><i>competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days".</i></p> <p>Should you fail to meet any of the timeframes stipulated in Regulation 23 of the NEMA EtA Regulations, 2014, as amended, your application will lapse.</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>		<p>The submission of the EIA report complies with the prescribed timeframes of the EIA Regulations.</p> <p>The Applicant acknowledges that no activity may commence prior to receipt of the Environmental Authorisation.</p>
2.	<p>The SAHRA APM unit notes the previous PIA study referenced in the HIA and will accept a letter from the specialist confirming that the results of the previous study are valid for the current activities under application.</p> <p>SAHRA advises the applicant to extend the EA process in terms of section 23(1)b of the NEMA EIA regulations in order to comply with this comment.</p>	<p>Natasha Higgitt SAHRA Case Officer Letter: 31 March 2021</p>	<p>In a confirmation letter (Appendix H.1 of the EIAR) the heritage specialist for Kotulo Tsatsi Energy PV1 has confirmed in writing that the results of the previous study are applicable to this assessment. The PIA by Almond (2015) covered the area proposed for development in this application in its entirety. The Almond PIA (2015) was previously accepted by SAHRA as sufficient in their response to the 2016 submission process for the then proposed project titled "Solar Reserve Kotulo Tsatsi CSP And PV Solar Energy Facilities Near Kenhardt, Northern Cape Province" (SAHRIS Case No. 8681). Furthermore, geology, and its associated palaeosensitivity, does not change in 6 years. The findings, therefore, remain valid for the current activity.</p> <p>This letter of confirmation has been submitted (refer to Appendix H.1) to SAHRA, and no extension to the timeframe is required.</p>
3.	<p>Please provide us with sketches for this project.</p>	<p>Chris Scutte Mvelaphanda Trading</p>	<p>The .kmz file providing further details of the project layout was e-mailed to the stakeholder on 15 March 2021 (refer to Appendix C6 of the final EIAR).</p>

NO.	COMMENT	RAISED BY	RESPONSE
		(Telkom SOC Ltd Service Provider) E-mail: 12 March 2021	
4.	Please follow the SACAA obstacle application process. http://www.caa.co.za/Pages/Obstacles/Urgent-notices.aspx <ul style="list-style-type: none"> • Kindly provide a .kml (Google Earth) file reflecting the footprint of the proposed development site including the proposed overhead electric power line route that will evacuate the generated power to the national grid. • Also indicate the highest structure of the project & the Overhead electric power transmission line. 	Lizell Ströh Obstacle Inspector PANS-OPS Section Air Navigation Services Department SACAA	A SACAA obstacle application will be submitted by the Developer. The application will include all infrastructure relevant to the complete project.
5.	According to the information provided in the DEIAR, the study area lies entirely within the Bushmanland Basin Shrubland vegetation type which is classified as Least Threatened. The site lies entirely outside of any Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) and does not fall within any National or Provincial Protected Area Expansion Strategy Focus Area (PAES) and as such is not currently considered significant for meeting conservation targets, either at the national level or within the province. Therefore, there are no potential impacts associated with the proposed development that are considered to be of high significance and which cannot be mitigated to an acceptable level. Notwithstanding the above, the following recommendations must be taken into consideration in the final report:	Aulicia Maifo & Portia Makitla Case Officer DFFE: Directorate Biodiversity Conservation Letter: 20 April 202	Development of Kotulo Tsatsi Energy PV1 will remain outside the 3km buffer area of the Martial Eagle nest. However the buffer will be retained and has been included in the EMPr (refer to Appendix L of the EIA) as an exclusion zone for development.

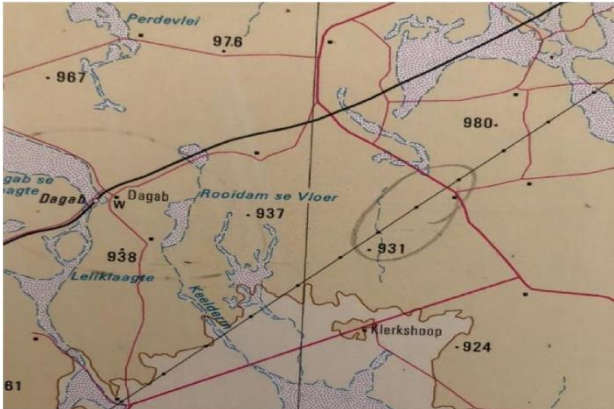
NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> An appropriate buffer stipulated by avifauna specialist must be maintained around the identified Martial Eagle nest; 		
	Erosion management plan and rehabilitation plan must be developed to mitigate on the habitat degradation and consider all phases of the development;		An erosion management plan including measures to mitigate habitat degradation is contained in Appendix F of the EMPr.
	Vegetation clearing must be limited to the footprint of the proposed development;		Vegetation clearing will be limited to the development footprint for Kotulo Tsatsi PV1. Measures regarding limited vegetation clearing is also contained in the EMPr (Appendix L of EIA)
	Rehabilitation plan must include the ongoing monitoring and maintenance of the surrounding natural vegetation;		A re-vegetation and rehabilitation plan including measures for monitoring and maintenance of vegetation is contained in Appendix E of the EMPr
	Alien Invasive Plant (AIP) species Management and Control Plan must be designed and implemented to prevent further loss of floral habitat and diversity as AIPs displace native species and		An alien invasive management plan has been compiled to prevent loss of habitat due to displacement by alien invasives, and is contained in Appendix C of the EMPr
	The final report must comply with the requirements as outlined in the EIA guideline for renewable energy projects and the Revised Best Practice Guideline for Birds & Wind Energy for assessing and monitoring the impact of wind energy facilities on birds in Southern Africa.		<p>The EIA Report complies with all the required Regulations for the EIA Phase.</p> <p>The Revised Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar power generating facilities on birds are complied with in the Avifauna Impact Assessment as well as the EIA Phase reporting.</p>

1.2. Interested and Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>Waarom het hulle PV 3 & PV 4 onttrek?</p> <p>Translation: Why are PV 3 & PV 4 retracted?</p>	<p>Paul Slabbert Representing Mr W Basson (Adjacent Landowner) Farm De Paarden Vleyen</p> <p>E-mail: 15 March 2021</p>	<p>The developer has elected to not consider a technology change to PV for the CSP 2 and CSP 3 project sites at this time.</p>
	<p>Dankie, dus wil hy CSP 2 en CSP 3 ontwikkel soos dit goedgekeur is?</p> <p>Translation: Thankyou. He will, therefore, develop CSP 2 and CSP 3 as authorised?</p>	<p>E-mail: 17 March 2021</p>	<p>The developer has elected to not consider a technology change for the CSP 2 and CSP 3 project locations at this time.</p>
2.	<p>Cell C has reviewed your request and in consideration of the provisions of Section 29(1) (b) of the Electronic Communications Act no. 36 of 2005 ("the Act"). There is no possible impact of the Kotulo Tsatsi Solar PV Facility on the Cell C network and services.</p> <p>From the information provided by yourselves aided the Cell C analysis, Cell C does not have any objection with the construction of the proposed power plant as Cell C does not have any infrastructure at the location of the proposed Kotulo Tsatsi Solar PV Facility.</p>	<p>Marius Claassen Executive Head: Networks Cell C</p> <p>Letter: 16 March 2021</p>	<p>It is noted that there is no possible impact of the Kotulo Tsatsi Solar PV Facility on the Cell C network and services, and that Cell C has no objection to the proposed development.</p>
3.	<p>Ons neem kennis van die kennisgewings, soos gepubliseer in die Gemsbok van 12/3/2021.</p> <p>Ons stel belang in die datum wat beplan word om met die skema te begin.</p> <p>Poort Beton beskik oor mynregte en ons crusher bied verskeie klip en sand produkte.</p>	<p>Karin Sales Poort Beton</p> <p>E-mail: 18 March 2021</p>	<p>The interest of Poort Beton is noted regarding the provision of material to the project during the construction phase. This can be considered by the Developer prior to construction.</p>

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	<p>Poort Beton kan ook Ready Mix Concrete verskaf, en produseer onder andere hul eie stene,plaveistene,randstene en ander concrete produkte. Kontak ons gerus in hierdie verband.</p> <p>Translation: We note the notices, as published in the Gemsbok of 12/3/2021. We are interested in the date planned to start with the development. Poort Beton holds mining rights and our crusher offers various stone and sand products. Poort Beton can also supply Ready Mix Concrete, and produces, among other things, their own bricks, paving stones, edgestones and other concrete products. Please contact us in this regard.</p>		
4.	<p>PHS Consulting act on behalf of Mr Basson of Leopont 340 Properties Proprietary Limited t/a Dagab Boerdery (called Leopont for the purpose of this objection).</p>	<p>Paul Slabbert Representing Leopont - Mr W Basson (Adjacent Landowner) Farm De Paarden Vleyen</p> <p>Letter: 16 April 2021</p>	<p>It is noted that PHS Consulting are providing comment on behalf of Leopont 340 Properties Proprietary Limited</p>
	<p>The Competent Authority (DEFF) and EAP need to take note of a major change in the environmental context of the application site. As per information received from Francois van der Merwe, a large group of vultures of three species is currently in the Brandvlei area of the Northern Cape. The species are the white-backed vulture (WBV) of which there are at least 100 to 120, the lappet-faced vulture (LFV)</p>		<p>Dr Rob Simmons, Birds and Bats Unlimited, has provided the response below:</p> <ul style="list-style-type: none"> The Avifauna Assessment indicated on pg 27 of the report that 3 vulture species were observed during a site visit in February 2021. Therefore, the change in environment in addition to the previously identified vulnerable species was noted in the assessment. Please note that these birds were not present in the original site visit in December 2020 as they are transient birds from Namibia (F van der Merwe, M Boorman pers. comm.). However, the specialist counted 130 birds roosting along the pylons of the

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	<p>(estimated 10 to 15 birds) and Cape vulture (CV) of which single birds only have been seen. The official conservation status of the WBV in South Africa is "critically endangered" and the CV and LFV is "endangered". Vulture populations of all species have plummeted over the past 40 to 50 years, in some cases by as much as 85% (Botha et al 2017).</p> <p>The vultures in the Brandvlei area were first noticed towards the end of 2019. The highest number counted together at a single roosting site was 130 in February 2021 near the application area. Vultures forage over large areas and often in smaller groups so an exact number will be difficult to determine. The Brandvlei area is in the grip of a long drought and as a result high mortality amongst livestock and wildlife were the likely drawcard that brought the vultures to the area (Van der Merwe 2021).</p> <p>Van der Merwe counted 102 vultures at the end of February 2021 on the pylons right in the middle of the Kotulo Tsatsi Solar Reserve, please refer to Figure 1 in this regard. As such the development area proposed for PV1 and the associated infrastructure like transmission lines to the Eskom substation will negatively affect these birds directly.</p>		<p>Aries-Helios line from photographs in February 2021 and these observations of three red data species of vultures were included in the avifauna report (Page 27) for PV1. Up to that point there was nothing published on the presence of vultures in the area.</p> <ul style="list-style-type: none"> • The avifaunal specialist recommends that the Developer implement a 12-month post-construction monitoring programme to assess the mortality of birds in the solar farm, through direct observation and carcass searches, which is in line with the requirements of a Regime 3. This will assist in determining where individual specific mitigation measures are required to be implemented. • The original motivation for a Regime 2 assessment was based on prior knowledge of the site, as the site held few priority birds (bustards and the Martial Eagle). The only change to this is the arrival of the transient three species of vultures, in early 2021. These birds are new to the area as evidenced by the national bird atlas data (SABAP2) and the lack of previous vulture records from anywhere south of Kenhardt. These birds are also considered to be transient birds from Namibia (F van der Merwe, M Boorman pers. comm.). • However, their arrival (noted on page 27 of the avifauna report) does not change the conclusions on the impacts or the significance of the impacts, because PV facilities are not known, or expected to, negatively impact these red data species other than a small reduction in foraging habitat (see more below). • The reference to the 3 vulture species as contained in the Avifauna Assessment has been included in Chapter 7 for completeness. • The avifauna assessment did not assess the impact of grid connection infrastructure as this infrastructure has been previously authorised, and is not part of the scope for the change in generation technology from CSP to PV. • PV installations are among the most benign of all renewable energy sources. They have no moving parts for birds to collide with and have very low reflective surfaces compared with CSP trough and tower technology. Only two minor issues have been associated with avian fatalities at PV sites:

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	 <p data-bbox="226 662 929 726">Figure 1: Van der Merwe vulture count of 102 birds on pylons in February 2021; position in circled area</p> <p data-bbox="226 767 929 1045">As per BirdLife SA the critically endangered WBV has declined severely in parts of its range. Overall, it is suspected to have undergone a very rapid decline owing to habitat loss and conversion to agro-pastoral systems, declines in wild ungulate populations, hunting for trade, persecution, collisions and poisoning. These declines are likely to continue into the future. Recently published data suggests these declines are even more serious than previously thought.</p> <p data-bbox="226 1050 929 1257">As per BirdLife SA the endangered LFV; only a small, very rapidly declining population remains, owing primarily to poisoning and persecution, as well as ecosystem alterations. Recently published data suggests that the population in Africa is declining extremely rapidly, and future population assessments may lead to further uplisting.</p> <p data-bbox="226 1262 929 1361">As per BirdLife SA the endangered CV population is declining rapidly, however, recent increases in parts of its South African range mean declines are not thought to be sufficiently strong</p>		<ul style="list-style-type: none"> <li data-bbox="1245 240 2134 300">• (i) double security fences where birds may be come trapped and unable to take off in South Africa (Visser et al. 2019), and <li data-bbox="1245 304 2134 432">• (ii) possible “Lake Effect” in which panels placed too close together may appear as a continuous shiny surface and mistaken for a water body that birds may try to land on. This has not been encountered in South Africa and is more of a theoretical possibility. <li data-bbox="1245 472 2134 663">• As avian specialists with a long track record of conservation related activities (RES is the first author on the Namibian Red Data book of birds: 2015) are very aware of the dire conservation status of the three species of vultures now present on the Aries- Helios transmission lines, north of Brandvlei. They should be protected from the poisoning (as clearly stated in the report). <li data-bbox="1245 668 2134 924">• The mention of the vulture restaurant by the game farm does, in principle, have merit, as well-managed facilities have many benefits. However, such a restaurant must be well managed, operated throughout the year and ideally be registered with Birdlife South Africa, before it can go ahead. The provision of some meat from game farming at only time of year (e.g. after the hunting season) does not constitute a vulture restaurant. As this is not yet established, it cannot be considered in this assessment. <li data-bbox="1245 928 2134 1222">• We would also need to ascertain exactly where the Leopont game farm is located (no location was given). This becomes important because the Aries-Helios 400 kV line is known to kill large numbers of large birds (own studies over 50 km). If this line and the proposed 765 kV line occur on the flight line to the restaurant then it may kill the vultures through direct impact if they are not mitigated (lines adjacent and pylons staggered, and diverters affixed to the earth wire). The impacts associated with such a facility must be identified and assessed appropriately prior to any implementation to avoid impact to the birds. <p data-bbox="1245 1257 2134 1316">In conclusion the specialist can find no basis for the statement that the study is “critically flawed” because</p> <ul style="list-style-type: none"> <li data-bbox="1245 1321 2134 1350">(i) The specialist is fully aware of the presence of threatened vultures,

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	<p>to warrant listing as Critically Endangered. Its small population is likely to continue declining unless ongoing conservation efforts, including public awareness programmes and supplementary feeding, as well as efforts to reduce the threat from powerlines, are successful (Collar and Stuart 1985).</p> <p>Leopont the owners of a game farm with a hunting lodge have been involved in eco-tourism and conservation in the area for many years. The owners regard the conservation of these vultures of utmost importance and the existence of a Solar Reserve with new transmission infrastructure and approved CSP components will be lethal to these critically endangered and endangered species. These species require protection at all costs.</p> <p>As such Leopont is in the process of establishing a vulture restaurant. A vulture restaurant is a stationary regularly supplied feeding station for vultures. Instead of vultures having to search for food over a very large area and thus visiting many farms and be subject to many threats including being persecuted, poisoned, colliding with man-made structures such as fences and power lines and drowning in farm reservoirs, a vulture restaurant could keep them relatively safe in a smaller area. All over the world in farming areas vulture restaurants are deemed good for the safety and conservation of vultures (Brink et al 2020). They may also help to mitigate farmer and vulture conflict.</p> <p>The Leopond farms northwest of Brandvlei in an area where large numbers of vultures have been observed to roost on power line pylons. These pylons are of a design that provide relatively safe roosting sites to vultures. Establishing a vulture</p>		<p>(ii) A regime 2 avian assessment was not triggered because the arrival of the vultures was not known at the time of the assessment report. However, this was noted on p27 of our avian report, and does not alter the findings.</p> <p>(iii) This would not change the conclusions of our report given that PV technology is so benign to large bird species that we do not predict any impacts other than a loss of foraging habitat.</p>

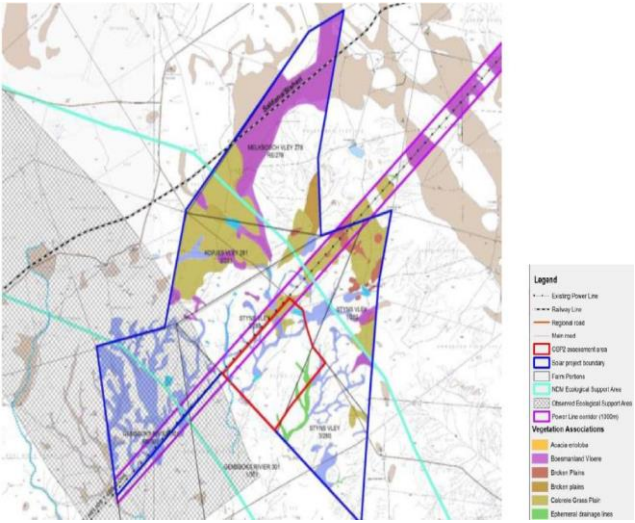
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	<p>restaurant in this area may be an excellent eco-tourism development to keep the vultures safe, well provided and away from other farms where their presence may not be welcome or where they may face various threats.</p> <p>If this were to be done, it would be important that landowners over a wider surrounding area also be encouraged to keep the area safe for vultures so that a "vulture safe zone" (VSZ) is in effect brought about. At the vulture restaurant, clean and safe drinking water could also be provided for the vultures. This would help further to keep them safe. No man-made infrastructures that create threats to the vultures should then be placed in the general area of the vulture restaurant. A vulture restaurant with an observation hide may attract visitors (birdwatchers, photographers etc) and thus add to the tourism potential of the area. Such facilities are popular amongst visitors elsewhere. (Van der Merwe 2021).</p> <p>Only the Avi-Faunal Report made some mention of the vultures in the "last minute" but it has not been carried forward into the EIA report. The EIA Report state that no environmental flaws were identified in the various specialist studies but considering the clear late inclusion of the vultures in the Avi-Faunal study without a Regime 3 study attached and clear omission in the EIA report relate to a critical flaw.</p> <p>Vultures are of particular concern in this case because they have assembled on the overhead power lines directly in line with PV 1 and between CSP 2 & 3 that was previously approved. The Best Practice Guidelines Birds & Solar Energy (2017) are mentioned in the EIA Report and considering that the vultures are critically endangered and endangered</p>		

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	<p>species, the scale of the development and the natural area that they have frequented a Regime 3 scenario exist that require data collection, distribution and movement studies over a 12-month period at least.</p> <p>However the EIA Report confirmed that a Regime 2 classification exist at this site but as per table 6.6 of the EIA Report the development size is larger than 150 ha and considering the critically endangered and endangered vultures that is regarded as highly sensitive a Regime 3 classification is required. The reference under *** state that an area would be considered to be of high avifaunal sensitivity if the following is found in the broader impact zone:</p> <ul style="list-style-type: none"> - A population of a priority species that is of regional and national significance (all three species are listed as Globally and National Threatened Species. This category refers to species classified as globally threatened with extinction according to the IUCN criteria for threatened status. See www.iucnredlist.org and www.birdlife.org/datazone/ home for a complete and updated list of threatened species. The regular presence of a Critically Endangered or Endangered bird species at a site, irrespective of population size, is regarded as sufficient to propose the site as an Important Bird and Biodiversity Area (IBA). The regular presence of a Vulnerable or Near-Threatened bird species at a site, subject to population size, is also sufficient to propose the site as an IBA) <p>A bird movement corridor of regional and national significance (this area has always been identified as an ecological corridor in the Namaqua District Municipal EMF that was later conveniently changed in the past)</p>		

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	<p>Some vultures will go back north to the Kgalagadi and Namibia for the winter to bread other might stay considering the current food source but considering the current drought status and new pattern they will most likely return in the spring of 2021 . As such an extended study period is essential for the protection of these species considering that the proposed development and associated infrastructure will be deadly if developed. The Avian specialist confirms on pg that the receiving environment has now changed.</p> <p>We evaluated the Avian Assessment revised 24 July 2016, 20 January 2021 and 8 March 2021. The vultures arrived end of 2019 and the specialist visited the site in December 2020 whereby it was noticed that the Martial Eagle was found dead poisoned. During his site visit and in his reports executive summary he does not even refer to the presence of the vultures. This explains why the EIA Report does not refer to the vultures either. It's a major omission to say the least and a confirmation of the flaw in the EIA Report because it does not deal with the vultures at all, but rather generic aspects of birds previously observed.</p> <p>Poisoning on its own is a shocking revelation made in the Avian Assessment and a confirmation that some landowners disregard the importance of eagles in this ecosystem. It happened once and it will happen again especially now with vultures in the area that could easily be misunderstood for their role in the ecosystem considering that droughts will occur more and more due to climate change. It's widely known that landowners are uncomfortable with the presence of the vultures especially farmers who become aware of vultures when they are seen feeding on sheep carcasses even though the vultures are highly unlikely to have caused the death in the first place. If the vultures are</p>		

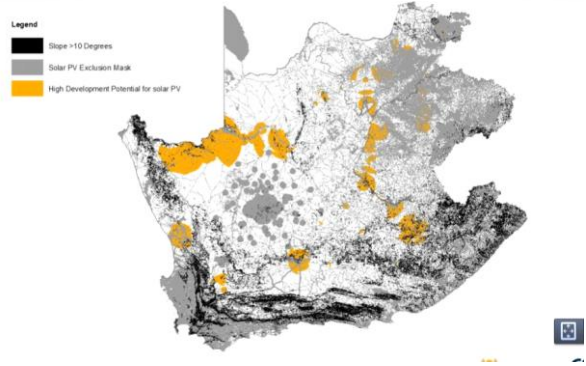
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	<p>not protected in this area poisoning is highly likely. A solution to this is the vulture restaurant at the Leopont game farm to curb poisoning and the rejection of a solar reserve with distribution powerlines of more than 50 km to the Aries substation in the area where the vultures occur. The current large 400 kv OHL as per above does not pose a treat due to design that provide relatively safe roosting sites to vultures, but the private distribution lines from the solar reserve to the Eskom substation is extremely lethal to large birds and vultures alike as underlined in the sections above.</p> <p>Even though the Avian Assessment indicate that many days and hours were spend on the site in the past the current occurrence of important birds require more study and attention. Their occurrence is due to climate change and the occurrence of artificial habitat in the form of pylons and water. The author on pg 11 of his report does not even mention the vultures or map the location they were recorded on pg 12. Under point 3 of the Avian Assessment the vultures are still not recognised or mentioned, but a young martial eagle is referred to that was observed in March 2021. Its an indication that birds of prey frequent this area because it's regarded as an avian movement corridor. Under point 4 impact assessment the vultures are not mentioned or assessed. In this impact assessment section, the impact of the private distribution lines are not clearly assessed and we assume it form part of the cumulative impacts. Its clear that the mortality rate is high and if birds of national and international importance occur in an area where new man-made infrastructure are proposed it can only be detrimental to the species, considering the small amount of energy the project will generate.</p>		

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	<p>Only at the end of pg 27 under point 4 vultures are mentioned for the first time briefly, presumably a very late inclusion before the release of the EIA Report to the public and authorities. The different font types and repeat of words and the fact that the vultures were not included throughout the report confirms that it was included at the "last minute". The study is not complete and it does not adhere to the requirement as per NEMA, further study is required within the context of a Regime 3 to resolve the current critical flaw. In the table 7 the author admits that the mortality rate could be higher for vultures but no clarity is provided.</p> <p>The Avian Assessment point 5 conclusion and reconditions does not even include the vultures as such no vulture information are carried over to the EIA Report. Considering the presence of the vultures in the area since late 2019 and the intent of the development of a vulture restaurant in the study area the Avian specialist report needs to be revised to focus and incl the vultures throughout the study that needs to be bumped up to a Regime 3 as per required. This will mean the EIA Report need to be revised and recirculated to the I&AP's in order to review the findings of the Avian Assessment</p>		
	<p>The EIA Report on Pg 139 state that there are no conservation areas or major tourism attractions or resorts present within the study area. The Leopont property is a private conservation concern and eco-tourism farm with potential not recognised in the EIA Report. The fact that the occurrence of the vultures in the area and the intent to establish a vulture restaurant on Leopont property in the study area point towards the strong possibility of declaring an IBA. Such a development has the</p>		<p>The EIA Report (refer to page 131) states that there are no formal conservation areas or major tourism attractions or resorts present surrounding the project site. Conservation and/or protected areas were included in the EIAR (refer to Chapter 7 of the EIAR). An unprotected important bird area (IBA) is located approximately 105km north-west of the project site. The Meerkat National Park is located approximately 100km south-east of the project site.</p>

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	<p>potential to unlock further conservation and eco-tourism development not assessed or considered in the EIA Report or specialist reports.</p> <p>The above strengthens the previous Leopont objections and appeals since the initial CSP application regarding the proposed development, construction and operation of a Solar Reserve in this preselected sensitive location. The current DEFF case officer should take note and investigate the application history of this Solar Reserve (larger site) and the previous rejection of the studies by DEA at the time due to a lack of site alternative investigations and the location of to the Namaqua District Municipal ESA (find the previous DEA letter attached under Appendix 1).</p> 		<p>The consideration of ecotourism and conservation/protected areas in relations to the proposed Kotulo Tstatsi Energy PV1 is therefore based on formally recognised conservation areas and available information for the area.</p> <p>The Namakwa Bioregional Plan Draft 1 was published in 2010 by the Namakwa District Municipality however, updated CBA data has been subsequently published by the Northern Cape DARD&LD which provides objectives for Critical Biodiversity Areas, Ecological Support Areas (ESA) and Other Natural Areas. Based on this latest data for the Northern Cape it has been determined in the Ecology Assessment (Appendix D of the EIA) development envelope of Kotulo Tsatsi PV1 is located within Other Natural Areas.</p> <p>The study area lies entirely within the Bushmanland Basin Shrubland vegetation type which is classified as Least Threatened. The site lies entirely outside of any Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) and does not fall within any National or Provincial Protected Area Expansion Strategy Focus Area (PAES) and as such is not currently considered significant for meeting conservation targets, either at the national level or within the province. Therefore, there are no potential impacts associated with the proposed development that are considered to be of high significance and which cannot be mitigated to an acceptable level. These findings are confirmed/supported by DFFE: Directorate Biodiversity Conservation.</p> <p>The proposed Kotulo Tsatsi Energy PV1 development will be located on a site that has been previously authorised for CSP infrastructure, with a much larger footprint. This assessment undertaken for a change in the generation technology, which will also result in a reduced footprint for that which has been previously authorised. Site-specific studies and assessments have delineated areas of sensitivity, and the optimised layout for Kotulo Tsatsi Energy PV1 avoids these sensitivities.</p>

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	<p>Figure 1: Savannah Source Map ; NDM ESA (macro regional corridor) between turquoise lines and “observed” during the previous EIA as hashed grey</p> <p>DEFF should take note how this regional corridor that runs through the middle of the site was initially ignored when the 55 000 ha site was selected for the development of a Solar reserve only to be changed as an observed corridor. Again it emphasis our reasoning that the natural environment did not receive priority in site selection, and the EIA is just an administrative process that the applicant is going through. The consultants at a very late stage became creative through micro analysis and “moved” the ESA south, to conveniently exclude the preferred development footprint from the corridor and to unlocking the potential for further solar farm develop in the Solar reserve area. Now the vultures have been observed right in the middle of this corridor isn't it ironic?</p>		<p>For the previously authorised projects on the project site, the ESA was ultimately modelled and defined by field work conducted by recognised specialists, and that this was accepted by DEA, DEA's biodiversity directorate as well as DENC. Current data for the Northern Cape CBAs excludes this ESA corridor all together, but the applicant and landowner have for the purpose of this PV application chosen to adhere to the exclusion of this defined area from the development footprint. Queries that were previously raised by DEA have been systematically evaluated and resolved, and ultimately the DEA was confident in the findings of the previous EIAs and authorised a large scale project on this site.</p>
	<p>The EIA for the development of PV 3 and PV 4 in place of CSP 2 and CSP 3 respectively was withdrawn for business reasons. We requested more clarity but none was provided as such we can only speculate why it was withdrawn. With CSP no longer part of the energy mix of the country as indicated in the IRP it can't be developed unless converted to PV. It would appear as if ad-hoc conversions are taking place in the area most likely to be approved (PV1 area) to see if it's worth investing in PV in this location. This site is approx. 50 km from the Aries substation therefore it needs to tap into new overhead lines compared to approved solar development right next to Arries. Notwithstanding that its is stated in table 2.4 that water supply need to be provided via pipelines of 95</p>		<p>The applications for Authorisation for PV3 and PV4 have been withdrawn, The developer has elected to not consider a technology change for the CSP 2 and CSP 3 project locations at this time.</p> <p>The proposed Kotulo Tsatsi Energy PV1 development will be located on a site that has been previously authorised for CSP infrastructure. This assessment undertaken for a change in the technology, which will also result in a reduced footprint for that which has been previously authorised. Site-specific studies and assessments have delineated areas of sensitivity, and the optimised layout for Kotulo Tsatsi Energy PV1 avoids these sensitivities.</p> <p>A CSP facility plus associated infrastructure, including a complete grid connection to Aries Substation was previously authorised on the site. This</p>

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	<p>km (we thought it was 70 km). We are of the opinion that due to the location of PV 1 and the rest of the development as per Figure 9.1 its not sustainable due to the high cost compared to other solar development 50 km north. Transmission loss over the distance to Arries substation is not assessed in detail begging the question if this development is feasible from a REIPPP point of view.</p> <p>We have stated numerous times that development of this nature should take place on a less sensitive site. It needs to be in a low sensitivity index area which will be more sustainable. It is a virgin site, with high sensitivity area, next to watercourses (washes), critically endangered birds and it is outside the REDZ zone</p>		<p>assessment is for a technology change from the previously authorised CSP project infrastructure to PV project infrastructure. This PV1 facility infrastructure replaces the CSP facility infrastructure and will retain the authorised grid connection solution (including all substations and power lines).</p> <p>Water supply for the Kotulo Tsatsi Energy PV1 project will via tankers. Confirmation of this water supply is included in Appendix Q of the final EIAR.</p> <p>As part of the assessment of Kotulo Tsatsi Energy PV1, the development is not located in any CBAs, and an optimised layout has been determined which avoids high sensitivity ecological and freshwater wash areas (refer to Chapter 10 of the EIAR). In addition, the avifauna assessment recognised the critical endangered species in the development area however determined that the technology associated PV development has a low avifaunal impact.</p> <p>The PV facility is a change in technology (and also reduced footprint) from previously authorised CSP technology . Overall, the environmental sensitivity of Kotulo Tsatsi Energy PV1 is considered to be acceptable , and has potential to further minimise the impacts to acceptable levels through mitigation.</p>
	<p>With the previous EIA's for CSP it was noted that the REDZ only apply to PV and not CSP and therefore it was justified to develop CSP outside the REDZ. The CSP approvals were granted for the solar reserve that paved the way for the conversion to PV. Below is a map extracted from the CSRI & DEA SEA, the red star is the approximate location of the proposed PV1. It is clearly outside of high development potential areas and within an exclusion area</p>		<p>The Kotulo Tsatsi Energy PV1 project falls outside of the identified REDZ. However, it is not Government's intention for all other areas to be excluded from development of renewable energy projects. The purpose of the REDZ is to streamline applications falling within them, allowing a project to be assessed through a Basic assessment process (not a full Scoping/EIA).</p> <p>In terms of the documentation released by the CSIR, 2015, the following should be noted regarding the DFFE's position is concerning the REDZ, and that the need for detailed assessment at a project level, even within a Focus Area, would still be required. The following is a direct quote:</p> <p>CSIR, 2015:</p>

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	<p>High Development Potential with Exclusion Mask</p> 		<p>"Scoping level pre-assessments of the biophysical and social environments have been undertaken as part of the SEA to produce sensitivity maps for the proposed REDZs. The sensitivity maps are based on the best available data, but are not sufficiently detailed to support project level decision making in terms of the National Environmental Management Act (NEMA) (Act 107 of 1998). The maps instead identify potential sensitivities to inform environmental assessment at a project level. Environmental Authorisation in terms of NEMA will be based on the outcomes of a project level environmental assessment and not the outputs of this SEA study."</p> <p>This study area has been considered to be technically feasible for the development of a solar energy facility, and is therefore being assessed for such development from an environmental perspective. A full Scoping/EIA process has been undertaken in compliance with the DFFE requirements.</p>
	<p>With reference to safety and security in the area many landowners and organisations commented on these potential risks and impacts. The Socio-Economic Specialist recommended a very wide range of mitigating measures. Its good on paper but it essential that it is funded by the developer and implemented in cohesion with a safety forum if the development gets off the ground at all.</p>		<p>The comments relating to safety and security in the area, as well as the assessment in the SIA are noted. Mitigation measures for security are included in the EMPr (refer to Appendix L of the EIAR). These measures will be required to be implemented by the Developer during construction and operation.</p>
	<p>The EIA Report contradicts itself ito clarity regarding service infrastructure. One moment it states that due to the location of the site it is proposed that the project will utilise and develop its own water provision services based on the fact that these services do not reach the project site and the next it refers to a water pipeline of 95 km from Kenhardt. This after we raised a concern that water is a scarce resource it does not seem like it's clear cut where water will come from even after approval of all the CSP components in the past. Without a valid or approved water supply the project is not sustainable and it can't be implemented. Developed areas</p>		<p>The water pipeline forms part of the authorised infrastructure of Kotulo Tsatsi CSP 1. For the Kotulo Tsatsi Energy PV1 project, water will be supplied from the local municipality via water tankers as significantly lower volumes are required for a PV facility than a CSP facility. Agreement of this supply from the Municipality is included in Appendix Q of the final EIAR.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>closer to water, major roads, airstrip and infrastructure seems more suitable for this type of development. The SEA for solar development shows that nodes closer to town centres is preferred, therefore reducing the distance that water needs to be piped and infrastructure like transmission lines be constructed. The water pipeline route was not assessed adequately during previous EIA's. We would like to see written confirmation of the fact that the Municipality will provide water along a very long pipeline (70 or 95 km?)</p>		
	<p>We've noticed that the DEFF case officer also pointed out the process issues wrt to the National Water Act (No. 36 of 1998) (NWA) and that General Authorisation and Water use licence application proof of application. The EAP keeps on referring that this aspect will be addressed once a positive EA has been received and the project selected as Preferred Bidder and that his is line with the requirements of the Department of Human Settlements, Water and Sanitation.</p>		<p>Requirements of the Department of Human Settlements, Water and Sanitation is for a water use authorisation for energy projects to obtained once a positive EA is obtained and the project selected as preferred bidder since, development of energy projects is dependent on preferred bidder status. The DWS have been fully consulted as part of the EIA process, a meeting was held with the Department (refer to Appendix C7). No specific additional requirements have been requested by the DWS for this project at this time.</p>
	<p>Considering that the report as per point 4 above will develop its own supply ie. groundwater abstraction it is irrational to only address the requirements of the Water Act after the EA. The EA will be flawed if there is no guaranteed or authorised water supply on the site and if the GA or WULA is not feasible or sustainable ito the risk involved</p>		<p>Groundwater abstraction is not envisaged for the development of Kotulo Tsatsi Energy PV1. Water will be supplied from the local municipality via water tankers. Agreement regarding the availability of this supply is included in Appendix Q of the final EIAR.</p>
	<p>DEFF (reason for the case officer to also request this) has introduced the One Environmental System to address the issue of a GA or WULA being applied for after an EA is issued because without the certainty that such authorisation is possible an EA can't be executed otherwise a vacuum or expectation is created. We are of the opinion that the GA or WULA process must run concurrent to the EA process as per the norm in the EIA industry. If water supply can't be guaranteed from the Municipality and groundwater</p>		<p>Agreement regarding the availability of water supply has been obtained from the local municipality (refer to Appendix Q of final EIA). For other water uses (e.g. 21 (c)&(i)) the water use authorisation process for Kotulo Tsatsi Energy PV1 will only be completed once a positive EA has been received, a final layout is approved and the project selected as Preferred Bidder. This is line with the requirements of the Department of Human Settlements, Water and Sanitation. This is the standard process for all REIPPP projects.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>abstraction in this water scarce region is not feasible or comprehensively tested and if the risk for the watercourse and wetland network is high and the WULA process takes years to complete then the project can't go ahead.</p>		
	<p>DEFF during the pre-application meeting in September 2020 stated that a new application should be lodged for the conversion of CSP to PV because the scope will change. However, throughout this EIA Report a case is made out that all service infrastructure will remain as per CSP approval like transmission lines, other infrastructure etc, as such it does not need to be assessed. We are of the opinion that PV will require different supporting infrastructure than that of CSP and that the associated infrastructure required assessment as part of the new EIA process especially now with new variables like vultures and the impact of private transmission lines.</p>		<p>Although a change in the generation technology from CSP to PV is planned, the grid connection infrastructure will remain applicable to both technology types, and no changes to grid infrastructure is required. Given that the grid connection and supporting infrastructure has been previously authorised and where the location of the infrastructure is not required to change, it is not reassessed through this application for authorisation. This is explained in detail in section 2.5 of the EIAR. The following infrastructure is assessed in this EIA report:</p> <p>Solar PV array footprint comprising of:</p> <ul style="list-style-type: none"> • PV modules and mounting structures • Inverters and transformers • Integrated Energy Storage System (IESS) • Cabling between the project components • Internal access roads • Access roads, internal distribution roads and fencing around the development footprint <p>Admin block comprising of:</p> <ul style="list-style-type: none"> • Site offices and maintenance buildings, including workshop areas for maintenance and storage. • Assembly plant • Laydown areas
	<p>In conclusion the EIA Report refer to the 8 key energy planning objectives, and it's clear that the objective of minimising environmental impacts and minimise water consumption is required. Without knowing the impact that the development and the greater Solar Reserve will have on the vultures that has now changed the "playing field" a</p>		<p>The responses provide confirm that there are no shortcomings in the EIA report, and that the comments raised have been addressed through the EIA report. There has, therefore, been no need for significant changes or new information to be added to the EIAR or EMPr, and, therefore, the information contained in the reports and plans consulted on during the initial public participation process remains significantly unchanged. The EAP confirms that</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>decision can't be reached because the impacts are not addressed in the Avian Assessment and EIA Report and therefore its unknown at this stage. The occurrence of the vultures and the return of a new martial eagle is no coincidence, the site its clearly part of a larger functional ecological corridor as per initial identification of the site as part of the NDM regional ecological corridor. The EIA Report is flawed without the vultures being studied and one will not know what the impact will be and if it can be mitigated. Further without knowing the facts around water supply and the risk to watercourses without following a process ito the NWA its not possible to guage how the development and solar reserve will minimise water consumption and the risk to water resources. These shortcomings will mean the EIA Report needs to be rejected, revised and recirculated to the I&AP's in order to review the findings of the Avian Assessment and clear detail regarding the service infrastructure and associated infrastructure.</p>		<p>there is no requirement to comply with Regulation 23(1)(b) of the NEMA EIA Regulations, 2014, as amended.</p> <p>Avifauna: The specialist can find no basis for the statement that the study is "critically flawed" because (i) The specialist is fully aware of the presence of threatened vultures, (ii) A regime 2 avian assessment was not triggered because the arrival of the vultures was not known at the time of the assessment report. However, this was noted on p27 of our avian report, and does not alter the findings. (iii) This would not change the conclusions of our report given that PV technology is so benign to large bird species that we do not predict any impacts other than a loss of foraging habitat.</p> <p>As part of the cumulative assessment in the Avifauna Assessment (refer to Appendix F of the EIA) the impact of energy developments in the greater region was assessed. This assessment determined that the cumulative contribution from PV developments to avian mortality is likely to remain low.</p> <p>Ecology: The study area lies entirely within the Bushmanland Basin Shrubland vegetation type which is classified as Least Threatened. The site lies entirely outside of any Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) and does not fall within any National or Provincial Protected Area Expansion Strategy Focus Area (PAES) and as such is not currently considered significant for meeting conservation targets, either at the national level or within the province. Therefore, there are no potential impacts associated with the proposed development that are considered to be of high significance and which cannot be mitigated to an acceptable level. These findings are confirmed/supported by DFFE: Directorate Biodiversity Conservation.</p> <p>The Namakwa Bioregional Plan Draft 1 was published in 2010 by the Namakwa District Municipality. For the previously authorised projects on the project site, the ESA was ultimately modelled and defined by field work</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<p>conducted by recognised specialists, and that this was accepted by DEA, DEA's biodiversity directorate as well as DENC. However, updated CBA data has been subsequently published by the Northern Cape DARD&LD which provides objectives for Critical Biodiversity Areas, Ecological Support Areas (ESA) and Other Natural Areas. Based on this latest data for the Northern Cape it has been determined in the Ecology Assessment (Appendix D of the EIA) development envelope of Kotulo Tsatsi PV1 is located within Other Natural Areas. Impacts to freshwater features have been assessed (refer to Appendix E), and an optimised layout has been developed to avoid high sensitivity wash areas.</p> <p>Water supply: Water supply for the project will be sourced from municipal supply by water tankers. Agreement regarding the availability of water supply has been obtained from the local municipality (refer to Appendix Q of EIA).</p> <p>The assessment of the development of the Kotulo Tsatsi Energy PV1 concluded that the development of the facility is environmentally acceptable. The EIAR does not include significant new information or changes which has not been available during the public review period.</p>
	It needs to be monitored by DEFF if all the conditions of the various EA's (off-sets etc.) were adhered to up to date for the greater Solar Reserve in order to gauge if the applicant is compliant in general and if it warrants further approvals.		There has been no commencement of any activities relating to the EAs already issued for projects in this larger study area.

2. COMMENTS RECEIVED DURING COMMENCEMENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT PHASE

2.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
5.	The following amendments and additional information are required for the EIAR:	Herman Alberts Case Officer	All relevant activities applied for in the application for Environmental Authorisation and included in the EIA Report are relevant to the Kotulo Tsatsi

NO.	COMMENT	RAISED BY	RESPONSE
	<p>a) Listed Activities</p> <p>i. Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.</p> <p>ii. If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted.</p> <p>iii. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p> <p>iv. The EIAR must provide an assessment of the impacts and mitigation measures for each of the listed activities applied for.</p> <p>b) Public Participation</p> <p>i. Please ensure that comments from all relevant stakeholders are submitted to the Department with the EIAR. This includes but is not limited to the Northern Cape Department of Environment & Nature Conservation (DENC), the provincial Department of Agriculture, the Provincial Department of Transport, the Hantam Local Municipality, the Namakwa District Municipality, the Department of Water and Sanitation (DWS), the South African Heritage Resources Agency (SAHRA), the Department of Rural Development and Land Reform (DRDLR), and the Department of Environment, Forestry and Fisheries: Directorate Biodiversity.</p>	<p>DEFF</p> <p>Letter: 06 January 2021</p>	<p>Energy PV1 facility and can be linked to the development activity or infrastructure in the project description.</p> <p>An amended application form has been compiled for Kotulo Tsatsi Energy PV1 and has been submitted as part of this EIA report.</p> <p>Noted by the EAP</p> <p>An assessment of impacts and recommended mitigation measures are included in Chapter 8 of the EIA Report</p> <p>Proof of notification of the availability of the EIAR for review and comments to the:</p> <ul style="list-style-type: none"> • Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (previously known as the Northern Cape Department of Environment and Nature Conservation); • Provincial Department of Agriculture; • Provincial Department of Transport; • DWS • Namakwa District Municipality; • Hantam Local Municipality • SARAH; • DRDLR; and • DEFF: Biodiversity Conservation Directorate <p>are included in Appendix C4 of the EIAR as proof of opportunity to comment has been provided.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>ii. Please ensure that all issues raised and comments received during the circulation of the draft SR and draft EIAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAR.</p>		<p>All comments received during the:</p> <ul style="list-style-type: none"> • commencement of the environmental authorisation process; • 30-day review and comment period of the Scoping Report; and • announcement of the acceptance of the Scoping Report and the approval of the Plan of Study for the Environmental Impact Assessment have been included within this C&RR, and have been responded to, as required. <p>Copies of all written comments received from registered I&APs and Organs of State are included in Appendix C6 of the EIAR.</p> <p>All comments received during the 30-day review and comment period of the EIAR will be captured in the C&RR which will be included as a separate document (Appendix C8) to the final EIAR.</p>
	<p>iii. Proof of correspondence with the various stakeholders must be included in the final EIAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.</p>		<p>Proof of correspondence with the various stakeholders on the project database are included in Appendix C5 and those with the various Organs of State in Appendix C4 of the EIAR and proof of attempts to obtain comments from the stakeholders on the project database will be included in Appendix C5 and the attempts to obtain comments from the various Organs of State in Appendix C4 of the final EIAR.</p>
	<p>iv. A Comments and Response trail report (C&R) must be submitted with the final EIAR. The C&R report must incorporate all comments for this development. 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 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>All written comments received during the scoping and impact phase of the EIA process are captured in this C&RR and those to be submitted during the 30-day review and comment period of the EIAR from I&APs and Organs of State will be captured in this C&RR which will be included as a separate report to the final EIAR as Appendix C8.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>v. Comments from I&APs must not be split and arranged into categories. Comments from each submission must be responded to individually.</p>		<p>All comments received from I&APs and those from Organs of State have not been split or arranged into categories but captured according to date received.</p> <p>Each submission received has been responded to individually</p>
	<p>vi. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014, as amended.</p>		<p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C9).</p> <p>Scoping Phase</p> <ul style="list-style-type: none"> • I&APs and Organs of State were notified of the commencement of the EIA process as follows: » The BID, accompanied by a cover letter was submitted via email to those I&APs identified and the relevant organs of state on 16 October 2020 (refer to Appendices C4 & C5 of the final Scoping Report.) • An advertisement was placed in the Gemsbok newspaper on 23 October 2020 (tearsheet included in Appendix C2 of the final Scoping Report) • Live read on RSG (Radio Sonder Grense 100-104 MHz FM) on Sunday, 1 November 2020 (refer to Appendix C2 of the final Scoping Report for proof) <p>The Scoping Report was made available for a 30-day review and comment period from, Friday, 23 October 2020 until Monday, 23 November 2020 and the availability of the report was announced through the means below. Opportunity for consultation was also provided during the 30-day review and comment period.</p> <ul style="list-style-type: none"> • The details of the availability of the report was included in the advertisement placed in the Gemsbok newspaper on 23 October 2020 (tearsheet included in Appendix C2 of the final Scoping Report).

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> • A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the final Scoping Report) informing them of the availability of the Scoping Report for review and comment and the details of where the report could be accessed for review. • Live read on RSG (Radio Sonder Grense 100-104 MHz FM) was done on Sunday, 1 November 2020 (refer to Appendix C2 of the final Scoping Report for proof) • Virtual Focus Group Meetings were held with various key stakeholder groups on 12 November 2020. Notes of the meetings were included in Appendix C7 of the final Scoping Report <p>The Scoping Report was also made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request.</p> <p>Site notices were placed at the proposed development site and proof of the placement of the site notices are included in Appendix C2 of the final Scoping Report.</p> <p>Impact Assessment Phase I&APs and Organs of State were notified of the acceptance of the Scoping Report and approval of the Plan of Study for the Environmental Impact Assessment on Monday, 15 February 2021 (refer to Appendices C4 & C5 of the EIAr.)</p> <p>The EIAr was made available for a 30-day review and comment period from, <u>Friday, 12 March 2021</u> until <u>Thursday, 15 April 2021</u> and the availability of the report was announced through the means below. Opportunity for consultation was also provided during the 30-day review and comment period.</p>

NO.	COMMENT	RAISED BY	RESPONSE
			<ul style="list-style-type: none"> • The details of the availability of the EIAR was included in the advertisement placed in the Gemsbok newspaper on 12 March 2021 (tearsheet included in Appendix C2 of the EIAR). • A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the EIAR) on 10 March 2021, informing them of the availability of the EIAR for review and comment and the details of where the report could be accessed for review. Proof of notification is included in Appendices C4 and C5 of the EIAR. • Live read on RSG (Radio Sonder Grense 100-104 MHz FM) on Friday, 12 March 2021 (refer to Appendix C2 of the EIAR) • Virtual Focus Group Meetings is scheduled to take place the week of 23 March 2021. Notes of the meetings will be included in Appendix C8 of the final EIAR).
	<p>c) Layout & Sensitivity Maps</p> <p>i. The EIAR must provide coordinate points for the proposed development site (note that if the site has numerous bend points, at each bend point coordinates must be provided) as well as the start, middle and end point of all linear activities.</p>		<p>A detailed Layout Map indicating coordinates of proposed infrastructure is included in Appendix O Coordinate points of the development site is provided in Chapter 2 of this EIA Report.</p>
	<p>ii. A copy of the final layout map must be submitted with the final EIAR and all available biodiversity information must be used in the finalisation of the layout map.</p>		<p>A detailed Layout Map of proposed infrastructure is included in Appendix O</p>
	<p>iii. Existing infrastructure must be used as far as possible and the layout map must indicate the following:</p> <ul style="list-style-type: none"> - All supporting onsite infrastructure; - The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected; - Buffer areas; and - All 'no-go' areas. 		

NO.	COMMENT	RAISED BY	RESPONSE
	iv. The final EIAR must include an environmental sensitivity map indicating environmental sensitive areas, buffer areas and features identified during the assessment process.		An Environmental Sensitivity Map indicating all environmentally sensitive features is included in Appendix O
	v. A map combining the final layout map superimposed (overlain) on the environmental sensitivity map.		A combined Layout and Environmental Sensitivity Map indicating all environmentally sensitive features and proposed infrastructure is included in Appendix O
	<p>d) Specialist assessments</p> <p>i. The EAP must ensure that the terms of reference for all the identified specialist studies must include the following:</p> <ul style="list-style-type: none"> - 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 authorisations. 		The methodologies and assessments undertaken by specialist are detailed in the relevant specialist studies (Appendix D to Appendix J)
	<ul style="list-style-type: none"> - Provide a detailed description of all limitations to the studies. All specialist studies must be conducted in the right season and providing that as a limitation will not be allowed. 		The limitations and assumptions of specialist are detailed in the relevant specialist studies (Appendix D to Appendix J)
	<ul style="list-style-type: none"> - Please note that the Department considers a 'no-go' area, as an area where no development of any infrastructure is allowed; therefore, no development of associated infrastructure including access roads is allowed in the 'no-go' areas. 		No-go areas have been identified for major washes within the development footprint for Kotulo Tsatsi PV1. An optimised layout map avoiding these No-Go areas is included in Appendix O
	<ul style="list-style-type: none"> - Should the specialist definition of 'no-go' area differ from the Departments definition; this must be clearly indicated. The specialist must also indicate the 'no-go' area's buffer if applicable. 		The definition of 'no-go' used in the specialist reports as well as the EIAR does not differ from the Department's definition

NO.	COMMENT	RAISED BY	RESPONSE
	<ul style="list-style-type: none"> - All specialist studies must be final, and provide detailed/practical mitigation measures for the preferred alternative and recommendations, and must not recommend further studies to be completed post EA. 		All specialist studies are final and provide detailed/practical mitigation measures for the preferred alternative and recommendations. No additional studies are recommended.
	<ul style="list-style-type: none"> 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 expert advice. 		Chapter 10 of the EIA Report contains a summary of recommendations and conclusions made by specialists. No contradicting recommendations have been made.
	<p>e) General</p> <ul style="list-style-type: none"> i. Should a Water Use License be required, proof of application for a license needs to be submitted. 		The water use authorisation process for Kotulo Tsatsi Energy PV1 will only be completed once a positive EA has been received and the project selected as Preferred Bidder. This is in line with the requirements of the Department of Human Settlements, Water and Sanitation.
	The applicant is hereby reminded to comply with the requirements of Regulation 45 of GN R982 of 04 December 2014, as amended, with regard to the time period allowed for complying with the requirements of the Regulations.		The EAP acknowledges the comment from DEFF.
	You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.		The EAP acknowledges the comment from DEFF. The applicant has been advised that no activities may commence prior to receipt of an Environmental Authorisation.

1.1. Key Stakeholders and Interested & Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	Die oprigting van die sonkragontwikkeling sal beslis heelwat werksgeleenthede skep, en sal 'n groot aanwinst vir ons omgewing wees. Dit kan egter ook 'n toename in misdaad in ons area te weeg bring.	Michael van Niekerk Chairman Kenhard Agricultural Union	The concern relating to crime is noted. This impact has been assessed within the EIA Phase as part of the Social Impact Assessment (refer to Appendix J of EIA Report).

NO.	COMMENT	RAISED BY	RESPONSE
	<p><u>Translation:</u> The establishment of the solar power development will certainly create a lot of job opportunities and will be a great asset to our area. However, it can also increase in crime in our area.</p>	<p>Letter: 19 November 2020</p>	
	<p>Met verwysing na die sonkragontwikkeling te Kenhardt, rig ons hiermee 'n vriendelike versoek tot u maatskappy vir die installing/oprigting van sekureitskameras in ons area omdat ons bekommerd is oor die toename van die volgende:</p> <p><u>Translation:</u> With reference to the solar power development at Kenhardt, we hereby submit a friendly request to your company for the installation / erection of security cameras in our area as we are concerned about the increase of the following:</p> <ol style="list-style-type: none"> 1. Plaasaanvalle / <i>Attacks on farms</i> 2. Werkers & hul gesinne wat nie meer op die plase wil woon a.g.v. plaasaanvalle / <i>Workers and their families do not want to live on farms anymore due to farm attacks</i> 3. Vergiffiging van honde – sodat kriminele vrylik kan beweeg / <i>Poisoning of dogs – giving criminals free roaming</i> 4. Diefstal van sonkrag toerusting (pompe, panele, krag drade, batterye, omsetters, ens.) / <i>Theft of solar infrastructure (pumps, panels, power lines, batteries, converters, etc)</i> 5. Veediefstal / <i>stock theft</i> 6. Diefstal van voertuie / <i>vehicle theft</i> 7. Beweging van vreemdelinge in ons area / <i>movement of strangers in the area</i> 		<p>Request relating to security noted. Measures regarding implementation of security are included in the EMPr for implementation by the developer (refer to Appendix L of the EIA Report)</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>Met die huidige voortslepende knellende droogte in ons gebied is dit egter onmoontlik vir ons boere om sodanige sekuriteitskamas op te rig.</p> <p>Translation: As a result of the current ongoing crippling drought in our area, is it impossible for farmers to erect security cameras.</p> <p>Graag wil ons dus 'n vriendelike dog dringende versoek doen tot u goedgeunstige oorweging om sodanige sekuriteitskamerastelsel in ons omgewing op te rig, wat terselfdertyd beslis ook u belegging van die sonkrug toerusting en personeel sal beskerm.</p> <p>Translation: We would therefore like to make a friendly but urgent request to your benevolent consideration to erect security camera system in our area, which will, at the same time, also protect your investment of the solar equipment and your personnel.</p> <p>Beste wense vir voorspoed & sukses met hierdie groot sonkragontwikkeling in ons omgewing.</p> <p>Translation: Best wishes for prosperity and success with the development of the solar farm in our area.</p>		<p>Request relating to security noted. Measures regarding implementation of security are included in the EMPr for implementation by the developer (refer to Appendix L of the EIA Report)</p> <p>Statement for development of the project noted.</p>
2.	<p>SARAO has completed the preliminary risk assessment with regard to the electromagnetic emissions of the for the above mentioned solar PV facilities and its possible impact on the SKA radio telescope.</p> <p>The proposed project is located about 52km from the nearest SKA Infrastructure Territory and also located inside the Karoo Central Astronomy Advantage Areas 1. As a result, the project represents a medium to high risk of interference to the SKA</p>	<p>Selaelo Mathhane Spectrum & Telecommunication Manager SARAO</p> <p>Letter: 09 December 2020</p>	<p>It is noted that SARAO does not object to the development of Kotulo Tsatsi Energy PV1.</p> <p>The specific commitment of the developer to implement the EMC Control Plan and mitigation measures is included in the EMPr (refer to Appendix L of the EIA Report)</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>radio telescope. This level of risk, will require that the developer of the facility to determine the anticipated level of radiated electromagnetic emissions in order for SRAO to undertake a compliance assessment.</p> <p>In the case where the determined radiated emissions exceed the compliance limits and interferes with the SKA radio telescopes, the developer will be required to develop an EMC control plan and implement mitigation measures prior to construction, to ensure that the levels do not produce harmful interference to the SKA radio telescopes.</p> <p>SRAO does not object to the development of Kotulo Tsatsi Energy PV1, however, commitment to determine radiated emissions, develop EMC control plan and implement mitigation measures must be included in the EMPr.</p> <p>We apologise for late submission and our office remains open to discuss any matter relating to the above.</p>		
3.	<p>As discussed telephonically, I was in discussion with the DEA and the developers during 2015 when the first application for the project took place. I subsequently reached a settlement with the developers reflected in a letter and offer they made to me dated 27 November 2015.</p> <p>In terms of a confidentiality clause in the agreement, I cannot share it with third parties.</p> <p>13. The parties further agree that the terms and conditions of this letter and the settlement herein recorded are confidential and shall not be disclosed to any other third parties other than the parties' legal representatives, save where such disclosure is required by law or to enforce the provisions of this letter.</p> <p>In essence, the offer is based on the cost of putting certain measures in place to mitigate the risk to my property during</p>	<p>Japie du Toit Landowner</p> <p>E-mail: 29 January 2021</p>	<p>The Applicant address the matter with the landowner and confirmed that it has been resolved (refer to Appendix C6 of the EIAR).</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>construction of the project. I was comfortable with the offer at that stage (2015). My concern at this point is that the offer from the developers, does not make provision for inflation over time. If the project is now postponed beyond the initial period, the amount of the offer will not be adequate to fund the measures described in the offer, due to inflation over a period of more than 5 years.</p> <p>I therefore request that the offer from the developers be adjusted for inflation from the time when the cost calculations were done to the point when the project starts. Alternatively, new quotations for the same measures agreed should be obtained at that point to adjust the relevant funding.</p> <p>I am looking forward to a response from the developers.</p>		
	<p>Thank you for your mail. I have agreement with Mr Botha on the revised document but we just need the quotes that was the basis of the current agreement. I am trying to source it from him and then we can sign the agreement accordingly.</p>	E-mail: 10 March 2021	<p>The information provided by the landowner is acknowledged.</p> <p>This matter falls outside Savannah Environmental's scope of work.</p>
	<p>The adjustment to the agreement with the developers has now been concluded to my satisfaction and the concerns raised in my mail dated 29 January 2021 further down on this mail, has been addressed as requested</p>	E-mail: 12 March 2021	

3. COMMENTS RECEIVED DURING THE SCOPING REPORT 30-DAY REVIEW PERIOD

2.1. Organs of State

NO.	COMMENT	RAISED BY	RESPONSE
4.	<p>This letter serves to inform you that the following information must be included in the final SR:</p> <p>a) <u>Listed Activities</u></p>	<p>Herman Alberts Case Officer DEFF</p>	<p>All listed activities applied for in the final Scoping Report and included in the Application for Environmental Authorisation are specific to the project being</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>i. Please ensure that all relevant listed activities are applied for, are specific and that it can be linked to the development activity or infrastructure as described in the project description.</p>	<p>Letter: 11 November 2020</p>	<p>proposed and is linked to the specific activities that need to be undertaken and the infrastructure that need to be developed.</p>
	<p>ii. If the activities applied for in the application form differ from those mentioned in the final SR, an amended application form must be submitted.</p>		<p>All listed activities listed in the final Scoping Report and included in the Application for Environmental Authorisation are the same, and therefore the submission of an amended Application for Environmental Authorisation is not required.</p>
	<p>iii. Please note that the Department's application form template has been amended and can be downloaded from the following link https://www.environment.gov.za/documents/forms.</p>		<p>It is acknowledged that the Application for Environmental Authorisation has been updated. No further response required.</p>
	<p>b) <u>Alternatives</u></p> <p>i. Please provide a description of any identified alternatives for the proposed activity that are feasible and reasonable, including the advantages and disadvantages that the proposed activity or alternatives will have on the environment and on the community that may be affected by the activity as per Appendix 2 of GN R.982 of 2014 (as amended).</p>		<p>Chapter 3 of the final Scoping Report includes all alternatives considered for the Kotulo Tsatsi Energy PV1 project, which includes location alternatives, design and layout alternatives, technology alternatives and the 'Do-Nothing' alternative. All alternatives being considered are reasonable and feasible. Where no alternatives are being considered a motivation has been included.</p>
	<p>ii. Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist in terms of Appendix 2.</p>		<p>Where no alternatives are being considered a motivation has been included in Chapter 3 of the final Scoping Report.</p>
	<p>c) <u>Public Participation Process</u></p> <p>i. Please ensure that all issues raised and comments received during the circulation of the draft SR from registered I&APs and organs of state (including this Department's Biodiversity Section), which have jurisdiction in respect of the proposed activity are adequately addressed in the final SR.</p>	<p>All comments received during the commencement of the EIA process and those received on the Scoping Report that was made available for a 30-day review and comment period have been included within this Comments and Responses Report, and have been responded to, as required.</p>	

NO.	COMMENT	RAISED BY	RESPONSE
	<p>ii. Proof of correspondence with the various stakeholders must be included in the final SR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments.</p> <p>iii. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 & 44 of the EIA Regulations 2014, as amended.</p>		<p>Copies of all written comments received from registered I&APs and Organs of State are included in Appendix C6 of the final Scoping Report.</p> <p>Proof of correspondence with the various stakeholders and proof of attempts to obtain comments from the stakeholders on the project database are included in Appendix C5 of the final Scoping Report.</p> <p>Proof of correspondence with organs of state and proof of attempts to obtain comments are included in Appendix C4 of the final Scoping Report.</p> <p>The Public Participation Process has been conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended (GNR 326), as well as in accordance with the approved Public Participation Plan (Appendix C9).</p> <p>I&APs and organs of state were notified of the commencement of the EIA process as follows:</p> <ul style="list-style-type: none"> » The BID, accompanied by a cover letter was submitted via email to those I&APs identified and the relevant organs of state on 16 October 2020 (refer to Appendices C4 & C5 of the final Scoping Report.) » An advertisement was placed in the Gemsbok newspaper on 23 October 2020 (tearsheet included in Appendix C2 of the final Scoping Report) » Live read on RSG (Radio Sonder Grense 100-104 MHz FM) on Sunday, 1 November 2020 (refer to Appendix C2 of the final Scoping Report for proof) <p>The Scoping Report was made available for a 30-day review and comment period from, Friday, 23 October 2020 until Monday, 23 November 2020 and the availability of the report was announced through the means below. Opportunity for consultation was also provided during the 30-day review and comment period.</p> <ul style="list-style-type: none"> » The details of the availability of the report was included in the advertisement placed in the Gemsbok newspaper on 23 October 2020 (tearsheet included in Appendix C2 of the final Scoping Report).

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			<p>» A notification letter was sent to all registered I&APs and Organs of State on the project database (Appendix C1 of the final Scoping Report) informing them of the availability of the Scoping Report for review and comment and the details of where the report could be accessed for review.</p> <p>» Live read on RSG (Radio Sonder Grense 100-104 MHz FM) on Sunday, 1 November 2020 (refer to Appendix C2 of the final Scoping Report for proof)</p> <p>» Virtual Focus Group Meetings were held with various key stakeholder groups on 12 November 2020. Notes of the meetings is included in Appendix C7 of the final Scoping Report</p> <p>The Scoping Report was also made available for download from Savannah Environmental's website and could also be sent via other file transfer services i.e. We Transfer, Dropbox, etc. or on CD, on request.</p> <p>Site notices were placed at the proposed development site and proof of the placement of the site notices are included in Appendix C2 of the final Scoping Report.</p>
	<p>iv. A comments and response trail report (C&R) must be submitted with the final SR. The C&R report must incorporate all historical comments for this development. 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 Annexure 1 of this comments letter.</p>		<p>All written comments received during the commencement of the EIA process and the 30-day review and comment period of the Scoping Report from I&APs and organs of state are captured in this C&RR which is included as a separate report to the final Scoping Report (Appendix C8).</p> <p>The Kotulo Tsatsi Energy PV1 facility is a new Application for Environmental Authorisation. No historical comments are applicable to this Application.</p>
	<p>v. 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&AP's comments.</p>		<p>Comments submitted have been captured verbatim, as received, and have not been summarised. Appropriate responses have been included for all comments.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>vi. The final SR must provide evidence that all identified and relevant competent authorities have been given an opportunity to comment on the proposed development particularly the Northern Cape Department of Environment and Nature Conservation, and the District and Local Municipalities.</p>		<p>Proof of notification to the Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (previously known as the Northern Cape Department of Environment and Nature Conservation), the Namakwa District Municipality and the Hantam Local Municipality regarding the EIA process and the availability of the Scoping Report for review and comment are included in Appendix C4 of the final Scoping Report. It is confirmed that opportunity to comment has been provided to the relevant authorities.</p>
	<p>d) <u>Layout & Sensitivity Map</u></p> <p>i. A copy of the final layout map must be submitted with the final report and all available biodiversity information must be used in the finalisation of the layout map</p> <p>ii. The layout map must indicate the following:</p> <p>a) Position of all infrastructure e.g. panels, BESS, substations, grid connection etc.;</p> <p>b) Permanent laydown area footprint;</p> <p>c) All supporting onsite infrastructure e.g. roads (existing and proposed);</p> <p>d) Substation(s) and/or transformer(s) sites including their entire footprint;</p> <p>e) Connection routes (including pylon positions) to the distribution/transmission network; and</p> <p>f) All existing infrastructure on the site.</p>		<p>The project is in Scoping Phase and therefore a layout map of the facility is not available as yet. The facility layout will be within the development envelope as identified in the final Scoping Report and assessed within the EIA phase.</p> <p>Figure 9.1 of the final Scoping Report illustrates the desktop level environmental sensitivities identified in the development area and illustrates the location of the development envelope in relation to the sensitivities identified. The sensitivity map includes the most recent CBA data of the Northern Cape Province, the wetlands present within the area, as well as other sensitive environmental features identified as part of the EIA processes undertaken for the authorised CSP projects.</p> <p>A cumulative map is included as Figure 8.2 of the final Scoping Report, showing other renewable energy facilities within the surrounding area of the Kotulo Tsatsi Energy PV1 project. Due to the scale of the cumulative map including facilities</p>

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	<p>iii. Please provide an environmental sensitivity map which indicates the following:</p> <p>a) The location of sensitive environmental features on site e.g. CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</p> <p>b) Buffer areas; and,</p> <p>c) All "no-go" areas.</p> <p>iv. The above layout map must be overlain with the sensitivity map and a cumulative map which shows neighbouring energy developments and existing grid infrastructure.</p>		<p>up to 30km from the site, two separate maps (i.e. Figure 8.2 and Figure 9.1) are included which covers the sensitivities (from a desktop level) and the cumulative aspects. Once the layout is available for assessment in the EIA phase the relevant maps, including layout and sensitivity and cumulative, will be provided to the Department for decision-making.</p>
	<p>e) <u>Specialist Assessments</u></p> <p>i. The SR makes mention that the proposed development falls with CBA areas. As such, an assessment of the impact of the proposed development on the CBA areas must be addressed in the final SR.</p>		<p>An assessment of the impact on CBAs is included in Chapter 8, section 8.3 of the final Scoping Report.</p>
	<p>ii. If the proposed development has an impact on the CBA's, this Department requires that a biodiversity offset plan detailing all necessary information which will include inter alia the total loss of biodiversity versus the net gain, where the loss will occur and where it will be replaced, be provided in order to able to make an informed decision on the application.</p> <p>iii. Furthermore, this Department requires that legal agreements between the applicant and the management authority that will manage the offset area be signed before a decision can be made on the application.</p>		<p>The development envelope identified for further assessment in the EIA phase avoids all CBAs located within the development area, and does not impact these CBA areas. The avoidance of these CBAs negates the need for a biodiversity offset plan.</p> <p>Comments received from the DEFF Biodiversity Directorate dated 25 November 2020 (Comment 3 below) state that overall there are no potential impacts associated with the proposed development that are of a high sensitivity and which cannot be mitigated to the acceptable level. These comments make specific reference to the presence of CBA areas in relation to the proposed project, and do not stipulate the need for a biodiversity offset plan. Therefore, the Directorate Biodiversity & Conservation is of the opinion that the information provided is adequate to proceed with the next stage of the EIA.</p>

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	<p>iv. This Department will be guided by colleagues from this Departments Protected Area Management and Biodiversity & Conservation units, as well as the DENC on the offset process. As such, the EAP must ensure that all documents related to this project are also submitted to these commenting authorities.</p>		<p>All documents relevant to the Scoping Phase of the Kotulo Tsatsi Energy PV1 project has been made available to the relevant authorities as required by DEFF and comments have been received and included in the final Scoping Report where received.</p>
	<p>v. Specialist studies to be conducted must provide a detailed description of their methodology, as well as all other associated infrastructures that they have assessed and are recommending for the authorisation.</p>		<p>The specialist studies to be undertaken within the EIA Phase of the project will include the study methodology as well as a full description of the infrastructure assessed for the project. The Plan of Study for EIA, which lists the specialist studies to be undertaken as part of the EIA phase, is included as Chapter 10 of the final Scoping Report.</p>
	<p>vi. The specialist studies must also provide a detailed description of all limitations to their studies. All specialist studies must be conducted in the right season and providing that as a limitation, will not be accepted.</p>		<p>The specialist studies to be undertaken within the EIA Phase of the project will include the limitations of the studies as well as the details of site verification. The Plan of Study for EIA, which lists the specialist studies to be undertaken as part of the EIA phase and the specific tasks to be undertaken, is included as Chapter 10 of the final Scoping Report.</p>
	<p>vii. Should the appointed specialists specify contradicting recommendations, the EAP must clearly indicate the most reasonable recommendation and substantiate this with defensible reasons; and were necessary, include further expertise advice.</p>		<p>The EAP will indicate the most reasonable recommendations with defensible reasons in the EIA report where contradicting recommendations are made by specialists.</p>
	<p>viii. Specialist Declaration of Interest forms must be attached to the final SR. The forms are available on Department's website (please use the Department's template).</p>		<p>No specialist input was included in the Scoping Report and information provided in the Scoping Report was based on available desktop information and information available for the site. Therefore, no specialist declarations can be provided in the final Scoping Report.</p> <p>Specialist declarations will be included in the EIA Report as specialist studies will be undertaken as part of the EIA Phase.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	ix. The EAP must ensure that all applicable guidelines are taken into consideration in the preparation of the final SR.		The final Scoping Report is in-line with all applicable guidelines.
	x. The final SR must include specialist input, as well as a risk assessment for the battery energy storage system.		<p>The Department advised in the Pre-application Meeting, undertaken on 29 September 2020, that the Scoping Report must be in line with the requirements of Appendix 2 of the EIA Regulations, 2014. It was agreed in the meeting that specialist reports are not needed at the Scoping Phase. Specialist reports will be included in the EIA Report.</p> <p>A risk assessment for the BESS will be included in the EIA Phase of the project.</p>
	<p>f) <u>Cumulative Assessment</u></p> <p>i. If there are other similar facilities proposed within a 30km radius of the proposed development site, a cumulative impact assessment must be conducted for all identified and assessed impacts which must be refined to indicate the following:</p>		<p>Cumulative impacts have been assessed in Chapter 8 of the Final Scoping Report. The cumulative impact assessment included in the final Scoping Report is based on the information available at the time of the Scoping Phase.</p>
	a) Identified cumulative impacts must be clearly defined, and where possible the size of the identified impact must be quantified and indicated, i.e. hectares of cumulatively transformed land.		<p>A detailed cumulative impact assessment will be undertaken in the EIA phase and will include the relevant specialist input. The assessment will include the impact significance, the specialist recommendations and inform the need and desirability of the development. A cumulative impact environmental statement on whether the proposed development must proceed will also be included in the EIA Report.</p>
	b) Detailed process flow and proof must be provided, to indicate how the specialist's recommendations, mitigation measures and conclusions from the various similar developments in the area were taken into consideration in the assessment of cumulative impacts and when the conclusion and mitigation measures were drafted for this project.		

NO.	COMMENT	RAISED BY	RESPONSE
	<p>c) The cumulative impacts significance rating must also inform the need and desirability of the proposed development.</p>		
	<p>d) A cumulative impact environmental statement on whether the proposed development must proceed.</p>		
	<p>You are further reminded to comply with Regulation 21(1) of the NEMA EIA Regulations 2014, as amended, which states that: <i>S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority'</i></p>		<p>The Scoping Report has been subjected to a 30-day review period and the final Scoping Report is submitted within the prescribed timeframe of the Regulations.</p>
	<p>You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping Reports in accordance with Appendix 2 and Regulation 21(1) of the EIA Regulations 2014, as amended.</p>		<p>The Final Scoping Report complies with the requirements of Appendix 2 and Regulation 21(1) of the EIA Regulations 2014.</p>
	<p>Further note that in terms of Regulation 45 of the EIA Regulations 2014, as amended, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3(7).</p>		<p>The submission of the final Scoping Report complies with the prescribed timeframes of the EIA Regulations.</p>
	<p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>		<p>The Applicant acknowledges that no activity may commence prior to receipt of the Environmental Authorisation.</p>

NO.	COMMENT	RAISED BY	RESPONSE
5.	<p>Interim Comment</p> <p>The SAHRA Archaeology, Palaeontology and Meteorites (APM) unit requests that an assessment of the impact to heritage resources be conducted as part of the EIA phase of the EA application. The assessment of heritage resources must comply with section 38(3) of the National Heritage Resources Act, Act 25 of 1999 (NHRA). A field-based assessment of the impact to archaeological resources must be conducted by a qualified archaeologist and the report comply with the SAHRA 2007 Minimum Standards: Archaeological and Palaeontological Components of Impact Assessment Reports (see www.asapa.co.za or www.aphp.org.za for a list of qualified archaeologists).</p> <p>A desktop Palaeontological Impact Assessment is required to be completed as part of the HIA as the proposed development footprint is located within an area of moderate and high sensitivity for palaeontological resources as per the SAHRIS PalaeoSensitivity map. The desktop PIA must be completed by a qualified palaeontologist and the report must comply with the 2012 SAHRA Minimum Standards: Palaeontological Components of Heritage Impact Assessment Reports. For a list of qualified palaeontologists, please see the following link https://www.palaeosa.org/heritage-practitioners.html.</p> <p>Any other heritage resources as defined in section 3 of the NHRA that may be impacted, such as built structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims</p>	<p>Natasha Higgitt Heritage Officer and Phillip Hine Manager: Archaeology, Palaeontology and Meteorites Unit SAHRA</p> <p>Letter: 20 November 2020</p>	<p>A Heritage Impact Assessment, including fieldwork, will be undertaken as part of the EIA Phase and will be made available to SAHRA for review and comment.</p> <p>A desktop palaeontological impact assessment will be undertaken as part of the Heritage Impact Assessment during the EIA Phase and will be made available to SAHRA for review and comment.</p> <p>The Heritage Impact Assessment will consider all other structures included in section 3 of the NHRA which will be assessed accordingly in the EIA Phase.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>of conflict, and cultural landscapes or viewsapes must also be assessed.</p> <p>Further comments will be issued upon receipt of the requested heritage reports and the draft EIA documents inclusive of appendices.</p>		<p>The final Scoping Report has been uploaded onto SAHRIS under CaseID 15671.</p>
6.	<p>Based on the information provided the majority of the development area of Kotulo Tsatsi PV1 is located within Other Natural Areas (ONA) with the southern portion of the development area, demarcated as Critical Biodiversity Area 1 (CBA1) and Critical Biodiversity Area 2 (CBA2).</p> <p>In overall there are no potential impacts associated with the proposed development that are of high sensitive and which cannot be mitigated to the acceptable level. Therefore, the Directorate Biodiversity & Conservation is of the opinion that the information provided is adequate to proceed with the next stage of the EIA. However, the cumulative impacts is of concern considering the number of renewable energy development proposed in the surrounding area.</p> <p>The final report must comply with all the requirements as outlined in the Environmental Impact Assessment (EIA) guideline for renewable energy projects and the Revised Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar power generating facilities on birds in Southern Africa.</p>	<p>Portia Makitla Case Officer DEFF: Biodiversity Conservation</p> <p>Letter: 25 November 2020</p>	<p>The comments from and position of the Department that there are no potential impacts associated with the proposed development that are of high sensitivity and which cannot be mitigated to the acceptable level is acknowledged.</p> <p>A full cumulative impact assessment will be undertaken in the EIA phase which will be informed by specialist input. The EIA report will therefore comply with the requirement from the Department.</p> <p>The final Scoping Report complies with all the required Regulations for the Scoping Phase.</p> <p>The Revised Best Practice Guideline for Birds & Solar Energy for assessing and monitoring the impact of solar power generating facilities on birds will be complied with in the Avifauna Impact Assessment as well as the EIA Phase reporting.</p>

2.2. Interested and Affected Parties

NO.	COMMENT	RAISED BY	RESPONSE
1.	<p>Ons wil net graag vra u moet vir ons stipuleer watter dele van Koppiesvlei word geraak, want hoewel Koppiesvlei 281 is, is daar verskillende verdelings bv 281/1 Of 281/2, ens. Ons sal dit hoog op prys stel.</p> <p>Translation: Please stipulate which portion of Koppiesvlei is affected as there are various portions of Koppiesvlei 281. Your response will be appreciated.</p>	<p>Frans van Niekerk Landowner Kopjes Vley</p> <p>E-mail: 23 October 2020</p>	<p>The proposed development site for Kotulo Tsatsi PV1 is not located within the farm Koppiesvlei. The affected property of the Kotulo Tsatsi PV1 facility is Portion 3 of the Farm Styns Vley 280. This comment is therefore not relevant to the proposed project.</p>
2.	<p>Wie gaan verantwoordelik wees vir die opgradering en instandhouding van die toegangspad?</p> <p>Tranlation: Who will be responsible for the upgrading and maintenance of the access road?</p> <p>Gaan die water wat benodig word vir die konstruksie en daarna vir die operasionele tyd met 'n waterpyplyn aangelê word?</p> <p>Translation: For the water that will be required during the construction and thereafter for the operational time, will a water pipeline be constructed?</p> <p>Kan krag direk van die ontwikkeling aan omliggende grondeienaars voorsien word?</p> <p>Translation: Would it be possible to provide power directly from the development to surrounding landowners?</p>	<p>Telephonically: 02 November 2020</p>	<p>The repair to degradation of access roads as a direct result of the development would be the responsibility of the developer. This will be considered further in the EIA Phase and appropriate recommendations included in the Environmental Management Programme (EMPr) of the EIA Report.</p> <p>The option of building a water pipeline for the supply of water for the project is possible, as the pipeline is authorised and remains valid.</p> <p>The applicant will not be able to provide electricity to the surrounding landowners as the Application will be entering into a power purchase agreement with Eskom, following receipt of preferred bidder status, who will purchase the power and distribute it to the relevant areas.</p>

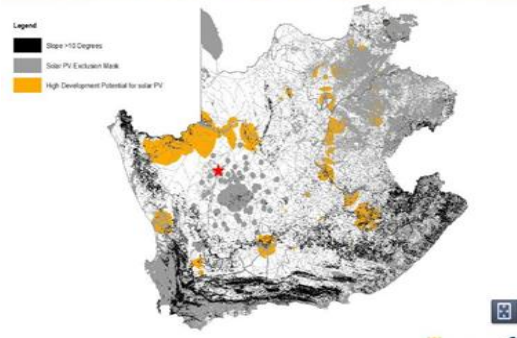
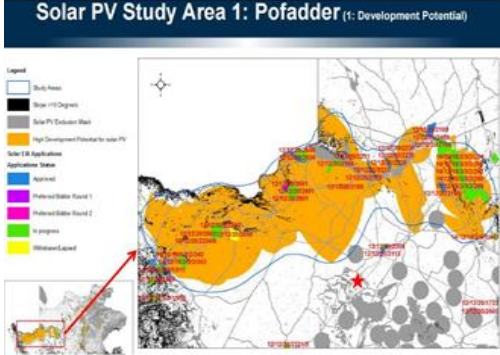
NO.	COMMENT	RAISED BY	RESPONSE
	Gaan daar permanente werkers tydens die operationele tyd op die terrain wees? Translation: During the operation phase, will staff be permanently housed on the site?		Staff will mainly be transported by bus to the site from Brandvlei and Kenhardt, however there is a possibility that staff could be accommodated on site. This will however only be confirmed in the EIA phase.
	Gaan die CSP projekte voort? Translation: Will the CSP projects be constructed?		The Applicant is no longer considering the construction of the CSP technology on the site, due to CSP technology no longer forming part of the Integrated Resource Plan (IRP) and energy-mix of the country.
	As aangrensende grondeienaar is daar geen voordeel uit die beoogde ontwikkeling nie. Translation: The proposed development holds no advantage for surrounding landowners.		The benefits of the development at a broader scale will be assessed as part of the EIA Phase.
	Hoe gaan die impak van stof bestuur word? Translation: How will the dust impact be managed?		The impact of dust during construction will be assessed as part of the EIA Phase and appropriate mitigation measures for the management of dust will be included in the EMP.
3.	Safety We are worried about our safety in this area, especially during a time where so many farmers are murdered and the theft of stock is very high.	Letter: 23 November 2020	The concern relating to safety and security is noted. This impact will be further assessed within the EIA Phase as part of the Social Impact Assessment.
	Access roads The access roads to our farm are already a problem because it is not suitable for high volume of traffic.		The concern relating to traffic is noted. This impact will be further assessed within the EIA Phase as part of the Social Impact Assessment.
	Water supply The provision of water is another complaint. We are worried about enough water especially during drought situations as at this stage.		The Applicant has an agreement in place with the Kenhardt Municipality for the provision of water for the development.
	Housing We are worried about the place where these people are going to stay permanently.		Staff will mainly be transported by bus to the site from Brandvlei and Kenhardt, however there is a possibility that staff could be accommodated on site. This will however only be confirmed in the EIA phase.

NO.	COMMENT	RAISED BY	RESPONSE
4.	<p>Soos per e-pos vanag van Anita sal ek Mr. Basson verteenwoordig. Ek gaan nie die vorm invul nie, jy kan my kontak detail op die signature hieronder invoer in die register vir I&AP's.</p> <p>Ek het kennis gekry vd DSR wat beskikbaar is vir 30 dae vir PV1, 3 & 4.</p> <p>Ek sal fokus op al drie.</p> <p>Wat ek asb benodig is die volgende:</p> <ol style="list-style-type: none"> 1. Google earth file (kmz) vd plase waarop die PV 1, 3 &4 voorgestel word. 2. Opsomming en status vd goedkeurings vir die ontwikkelings komponente soos op plan hieronder (daar word net verwys na PV 2 wat goedgekeur is, wat van die SCP komponeente? 3. 'n kaart en plaas grense en posisies vd SCP komponente as dit nog goedgekeur is. <p>Translation:</p> <p>I will be representing Mr Basson as per the e-mail received from Anita last night. I will not be completing the form as my contact details are obtainable from my signature below for registering as an I&AP.</p> <p>I received notification that the DSR is available for 30-days for PV1, 3 & 4.</p> <p>I will be focusing on all three.</p>	<p>Paul Slabbert Representing Mr W Basson (Adjacent Landowner) Farm De Paarden Vleyen</p> <p>E-mail: 27 October 2020</p>	<p>Acknowledgment of receipt was provided and it was acknowledged that Mr. Basson will be represented by Mr Paul Slabbert and that Mr. Basson is an adjacent landowner. Registration on the project database was confirmed.</p> <p>The I&AP was advised that the project is planned to be located adjacent to the Kotulo Tsatsi PV2 and within an area previously authorised for the development of a CSP development. The KMZ (Google Earth file) was submitted to the I&AP via email.</p> <p>It was confirmed that all comments received during the 30-day review and comment period will be included in the C&RR and considered in the final Scoping Report submitted to DEFF.</p>


NO.	COMMENT	RAISED BY	RESPONSE
	<p>The Scoping Report needs to include a dedicated section on how the previous approvals fit in with the new applications. As per the information received during the interest group meeting it was explained that some components of the previous Environmental Authorisations (EA's) will remain and that others will fall away. We also need to understand the validity term of the current EA's and at what stage will amendment applications take place to remove certain infrastructure. Currently there is a clash of approved CSP development components with the proposed PV. We are of the opinion that the amendments of previous EA's need to take place simultaneously to the PV1, PV2 and PV3 applications in order for I&AP's to understand the full extent of the proposed Solar Park.</p> <p>Please include as part of this section a combine illustrative plan of how the larger Solar Park will look like in future in order to understand the full extent of the proposal.</p> <p>The approval status of the Eskom corridor that was previously subjected to an EIA process needs to be clarified and if it will impact on this proposal in detail.</p>		<p>the EIA process of the project. Registered I&APs will be informed of the amendment application , which will provide the required details requested.</p> <p>Details pertaining to infrastructure to be removed and retained from the CSP authorisations is included in Chapter 1 , section 1.1 of the final Scoping Report.</p>
	<p>Development of this nature should take place on a less sensitive site, within a low sensitivity index area, not inside an ecological corridor and not outside the REDZ zone</p> <p>Please clarify if the required land-use rights for the Solar Park were obtained?</p> <p>Components of the project was approved in the past, as such the Scoping Report makes the following statement "As a result of the affected property being previously authorised for a development of a similar nature, the</p>		<p>The broader study area (i.e. the greater Kenhardt area) was identified by the applicant as having the potential for the installation of PV panels on the basis of key technical criteria being met, including the solar resource, accessibility of the site, accessibility to the Eskom grid, and local site topography. The development area was also previously authorised for the development of Concentrated Solar Power (CSP) technology (DEFF Ref.: 14/12/16/3/3/2/694/1) which contributes to the selection of the development area for the development of a solar PV energy facility. The development of the CSP project (known as Kotulo Tsatsi Concentrated Solar Plant 1) is no longer being</p>

NO.	COMMENT	RAISED BY	RESPONSE
	<p>suitability of the land for the development of solar PV facilities has, therefore, been confirmed."</p> <p>We are of the opinion that the project was authorised in the past as part of the South African Governments "solar rush" drive to develop renewable energy projects at all costs even if the location is in a sensitive area opposed to locating intrusive large scale development in less sensitive areas as per the Namakwa District Municipal Environmental Management Framework (NEMF).</p> <p>There is a lack in the scope where less sensitive alternative sites are addressed. Site selection is the most important aspect when considering long term large scale developments. Within the vast landscape of the Northern Cape certain areas should be regarded as no-go areas for solar farm developments. Various criteria should be used to eliminate areas and this approach should form part of the assessment to determine possible sites.</p> <p>We need a clear section in this EIA that addresses the objectives of the Strategic Environmental Assessment (SEA) for Wind and Solar Photovoltaic Energy in South Africa (CSIR, 2015). The SEA has identified Priority Areas for wind and solar PV energy development. This SEA process was initiated by the Department of Environmental Affairs. A product of the SEA was the identification of Renewable Energy Development Zones (REDZ) for PV and Wind Energy development.</p> <p>Therefore site selection should have taken place in line with the SEA. The SEA process considered both negative and positive mapping to identify RE development areas. This site is outside of the proposed areas.</p> <p>Positive key factors including transmission loss, local municipalities with high social need and high potential</p>		<p>considered for the site as the development of CSP no longer forms part of the energy mix of the country, as indicated in the IRP.</p> <p>Considering that the development area was previously authorised for the development of CSP technology, the selection of the site for development of a PV facility is linked to the previous process. The 'funnel down' approach was followed during site selection and the impact assessment process in order to allow the environmental sensitivity investigation to inform the siting and preliminary layout design. The EIA report for the Kotulo Tsatsi Concentrated Solar Plant 1 considered alternative sites within a larger 55 000ha area following a reasonable methodology, and due consideration of the sensitivity of the site. Ultimately, the site selection was based on the application of a mitigation hierarchy which considered:</p> <ol style="list-style-type: none"> 1. First, avoidance of adverse impacts as far as possible by use of preventative measures (in this instance a sensitivity analysis assisted in the identification of a Project site and the avoidance of identified ecologically sensitive areas). 2. Second, minimisation or reduction of adverse impacts to 'as low as practicable' (in this instance minimisation of impact on identified ecologically sensitive areas through facility micro-siting and implementing mitigation) 3. Third, remedy or compensation for adverse residual impacts, which are unavoidable and cannot be reduced further (in this instance, the implementation of mitigation, or consideration of acceptable loss). <p>Considering the above, the project site was identified and considered acceptable in terms of the investigations which have come before. The development area has been identified by the developer as a suitable area within which the solar PV facility can be placed from a technical perspective. A development envelope has been sited within the development area through consideration and avoidance of the environmental sensitivities identified</p>

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	<p>for development, priority areas for renewable energy manufacturing and import activities, and existing transmission infrastructure were considered.</p> <p>We could not find a reference to transmission loss in the scoping report. How do the sites for PV1, PV3 and PV4 relate to this aspect?</p> <p>Negative mapping entail environmental and technical constraints to eliminate areas with highly sensitive features consisting of environmental features (e.g. protected areas and areas of known bird and bat sensitivity), existing and future planned land uses (e.g. agriculture), existing infrastructure (e.g. electricity grid), existing national plans (e.g. Square Kilometre Array electromagnetic telescope project).</p> <p>The idea was to identify large clusters of land with the lowest environmental sensitivity, overlaid with the highest development potential areas per province. The priority development areas were then identified. Specialist scoping level pre-assessments were then undertaken in the REDZ for agriculture, landscape, heritage, terrestrial and aquatic biodiversity, birds, bats, and socioeconomic sensitivities.</p> <p>Below is a map extracted from the CSRI & DEA SEA, the red star is the approximate location of the proposed PV1, PV2 & PV3. It is clearly outside of high development potential areas and within an exclusion area. The grey exclusions in this case relate to SKA reserve area, sensitive wetland drainage patterns and ecological corridors.</p>		<p>during the EIA process of the Kotulo Tsatsi Concentrated Solar Plant 1, as well as the most recent Northern Cape Provincial conservation data (including conservation targets), such as Critical Biodiversity Areas and Wetlands.</p> <p>The Regulations and policies pertaining to development of renewable energy within the country do not dictate that no renewable energy developments are to be undertaken outside of REDZ areas. The area has been considered to be technically feasible for the development of a solar energy facility and is therefore being assessed for such development from an environmental perspective.</p> <p>The need and desirability of the development has been considered in Chapter 5 of the final Scoping Report from an international, national, regional and site-specific level.</p> <p>The I&AP makes reference to the need to consider the Ecological Support Area (ESA) included in the NEMF, however the most recent CBA data of the province does not indicate the presence of the ESA corridor, with the updated ESAs being related to the non-perennial rivers located within the area. The most recent CBA dataset was also used to identify the development envelope to be assessed within the EIA Phase, with the development envelope avoiding the CBA areas not considered to be appropriate for development.</p> <p>It must be noted that the three EIA processes for the PV facilities are being undertaken concurrently as to ensure that the I&APs are able to review and consider the three projects simultaneously. Also, the cumulative impacts to be fully assessed in each of the respective EIA reports will consider the cumulative impacts of the two other proposed PV facilities so as to provide a complete consideration of the cumulative impacts for the area directly surrounding the proposed project, as well as projects located further away.</p>

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	<p data-bbox="264 248 779 272">High Development Potential with Exclusion Mask</p>  <p data-bbox="271 320 300 336">Legend</p> <ul data-bbox="271 341 427 400" style="list-style-type: none"> Black 110 Degrees Grey Solar PV Exclusion Mask Yellow High Development Potential for solar PV <p data-bbox="215 663 730 687">Figure 1: Source - SEA www.csir.co.za & DEA</p> <p data-bbox="215 735 875 871">Figure 2 below is extracted from the CSRI & DEA SEA. It illustrates the Pofadder potential development area in relation to the approved site (red star). Clearly the site is outside of the area amongst exclusion mask criteria.</p>  <p data-bbox="277 919 741 943">Solar PV Study Area 1: Pofadder (1: Development Potential)</p> <p data-bbox="277 983 306 999">Legend</p> <ul data-bbox="277 1003 405 1179" style="list-style-type: none"> Black Area Black 110 Degrees Grey Solar PV Exclusion Mask Yellow High Development Potential for solar PV Blue Solar ITR Applications Application Status Purple Approved Green Proposed Status Round 1 Red Proposed Status Round 2 Light Green In progress Dark Green Withdrawn/Expired <p data-bbox="215 1302 730 1326">Figure 2: Source - SEA www.csir.co.za & DEA</p>		

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	<p>Further to the above the NEMF identify the site as an Ecological Support Area with a high sensitivity index and states that energy generation projects must be located outside areas of very high and high sensitivity. The site is surrounded by other private conservation areas and SKA Astronomy Reserve area (Figure 3 below) that should be regarded as a no-go zone for these types of developments.</p> <p>Please indicate the position of the NDM Ecological Support Area corridor on the constraint maps.</p> <p>We are of the opinion that the applicant should consider sites that is not inside no-go development areas. But the EAP opted to justify the area based on previous approvals. This is the wrong way around and not in the interest of the environment. We urge you to include the assessment of other alternative sites considered against this "preferred" area.</p> <p>What the public and authorities need to see is a comprehensive overlay of all the constraints in the greater Namaqua District area. Areas not included in sensitive areas should then be regarded as potential sites and therefore included in the EIA. The application can't only be justified through highlighting the pro alternative energy policies in SA. The NEMF and the REDZ SEA is not clearly referred to the Scoping Report and not taken into consideration, probably because it does not support the development on this particular site.</p>		

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	 <p>Figure 3: SKA Astronomy Reserve</p> <p>We are very concerned that the approach of three separate EIA's is not presenting the full impact of the entire scheme and that the separate EIA's downplay the actual extent. As far as we understand the applications have been split in order for the developer to bid the projects as "stand-alone" projects each with their own EA under the Department of Energy's Renewable Energy Independent Power Producers Procurement (REIPPP) programme.</p> <p>Due to REIPPP requirements the NEMA principles are jeopardized and bended in the interest of the "Solar Rush" and meeting RE development targets. By splitting it, the extent of the real impacts is avoided. All impacts will multiply and the I&AP especially the community in the area does not realize this. Please ensure that the scale of the Solar Farm is communicated in all the EIA reports under the cumulative impact section.</p>		

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	<p>Please stipulate the findings of the NEMF, SEA, REDZ and NDM Ecological Support Area in the EIA documentation and how does this proposal fit into the long term vision of these documents.</p> <p>Safety and security of farm communities Currently the farming community in South Africa is vulnerable to increased crime that relates to murder and violence towards farmers and their workers. Stock theft is an ever increasing issue in rural areas especially on large farming units. The South African Police Service has confirmed that they don't have the resources to conduct pro-active visible policing in rural areas where the farming communities are the most vulnerable. As soon as rural areas are in the process of development an influx of migrant workers take place with the hope of finding work. This exposes an area to any form of unlawful actions especially if it is regarded as soft targets. Considering that this large scale development will unlock many jobs during the construction period opposed to the operational phase it is highly likely that migrant workers and their families and friend will remain behind with inside knowledge of the countryside and its inhabitants. From when the construction process starts and during the operation the developer will have to take responsibility for this increase in security risks and stock theft. In order to mitigate the impact the developer should establish a private security force to deal with this aspect over the short medium and long term. The socio-economic impact assessment needs to address safety and security and also procurement of labour and management of migratory labour to the area. With the road network being upgrade for the development it will allow easier</p>		<p>The Scoping Report identified social impacts which relate to safety and security impacts and impacts associated with an in-migration of people into the area. These impacts will be further assessed, and the significance rating thereof will be considered within the Social Impact Assessment to be undertaken within the EIA Phase.</p>

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	<p>access into rural areas opening up the opportunity for criminal elements to thrive.</p> <p>Adequacy of service infrastructure, especially water and access</p> <p>The Scoping Report confirm that the development will need Approximately 10 000m³ of water per year over a 12 to 18-month period during construction, and approximately 50 000m³ of water per year may be required per year over the 25- year operational lifespan of the project.</p> <p>It is further stated that "Due to the location of the site it is proposed that the project will utilise and develop its own water provision services based on the fact that these services do not reach the project site. Accordingly, construction water may need to be sourced from municipal supply (by truck or via pipeline) or groundwater abstraction."</p> <p>As per interest group meeting it was confirmed that there is no need to abstract groundwater and that water will be supplied from Kenhardt more than 70 km from the development. This contradicts the Scoping Report statement. Please clarify this by confirming the water supply and if the pipeline that is proposed has a valid Environmental Authorisation in place and also provide the I&AP's with an updated written confirmation from the Municipality that there is capacity to supply this water.</p> <p>Without a valid or approved water supply the project is not sustainable and it can't be implemented. Developed areas closer to water, major roads, airstrip and infrastructure seems more suitable for this type of development. The SEA for solar development shows that nodes closer to town centres is preferred, therefore</p>		<p>Studies considering water supply and use were conducted as part of the CSP EIA applications. The 200MW PV facility is significantly less water-intensive than a 200MW CSP facility, and this is considered a positive benefit to the environment. For a PV facility, water may be required for panel cleaning, and not as process water (as required by a CSP facility). The decision, after consultation held with Kenhardt Municipality, is that water will be supplied to the development site from the Municipal allocation. This could be piped to the site, or alternatively brought in by tankers due to the small volumes required on an intermittent basis. The water requirements/volumes for the development will be confirmed in the EIA phase once the facility layout is available for assessment.</p>

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	<p>reducing the distance that water needs to be piped and infrastructure like roads to be upgraded. The pipeline route was not assessed adequately during previous EIA's. Now the Scoping Report is silent on this matter. If water can't be sourced from Kenhardt then groundwater needs to be abstracted.</p> <p>The water supply needs to be addressed as part of this EIA process and not afterwards. See procedural comments under point 5 below.</p> <p>This scoping report does not clarify the scope for site access, road conditions and the proposed changes to road surface and access to the site.</p>		
	<p>Process issues</p> <p>The scoping report refers to the requirement for certain activities to be subjected to the National Water Act (No. 36 of 1998) (NWA) and that General Authorisation and Water use licence applications will be required. The scoping report further states that "The water use authorisation process for Kotulo Tsatsi PV1 will only be completed once a positive EA has been received and the project selected as Preferred Bidder. This is line with the requirements of the Department of Human Settlements, Water and Sanitation."</p> <p>Considering that the report as per point 4 above will develop its own supply ie. groundwater abstraction it is irrational to only address the requirements of the Water Act after the EA. The EA will be flawed if there is no guaranteed or authorised water supply on the site and if the GA or WULA is not feasible or sustainable.</p> <p>DEFF has introduced the One Environmental System to address the issue of a GA or WULA being applied for after an EA is issued because without the certainty that such</p>		<p>The need for a WUL or GA can only be confirmed once the final facility layout is available for assessment in terms of the risks as per GNR 509. The water use licensing can only be undertaken after preferred bidder status is received by a project planned for the REIPPP programme.</p>

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	<p>authorisation is possible an EA can't be executed otherwise a vacuum or expectation is created. We are of the opinion that the GA or WULA process must run concurrent to the EA process as per the norm in the EIA industry. If water supply can't be guaranteed from the Municipality and groundwater abstraction in this water scares region is not feasible or comprehensively tested then the project can't go ahead. Groundwater abstraction relates to a comprehensive application that require specialist input and studies that is not currently part of the scope.</p> <p>If DEFF allows the three EIA's to proceed without an Water Act application running concurrent it needs to be confirmed in writing by DEFF and included in the scope in order for us to have clarity in this matter.</p>		
	<p>Shortcomings in Terms of Reference for Specialist</p> <p>Some studies conducted in the previous EIA's were omitted from the PV1, PV3 and PV3 EIA scope. These include a geo-hydrological assessment to inform the impact on water supply, freshwater resources, drainage lines and wetlands and it's connectivity with the larger sensitive environment. The change in the traffic impact scope and the change in the socio-economic landscape especially wrt safety and security needs to be assessed. These studies need to be refreshed to address the revised application even if it means that the development will not change the impacts previously assessed. The I&AP's are looking at the application afresh and needs to understand the entire scope in order to provide comment.</p> <p>All the ecological specialists need to interpret the forward planning documents (NEMF, SEA, REDZ and NDM</p>		<p>It must be noted that the EIA process being undertaken for the Kotulo Tsatsi Energy PV1 project is a completely new application for Environmental Authorisation process to consider and assess the impacts associated with the development of a PV facility within the site. Consideration was given in terms of the specialist studies required for the development of a PV facility as well as the results of the DEFF Screening Report, which was extracted using the DEFF Screening Tool (Appendix F of the final Scoping Report).</p> <p>The Ecological Impact Assessment undertaken will consider the most recent environmental provincial data in the assessment to be undertaken in the EIA phase.</p>

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	<p>Ecological Support Area) and ecological corridors in their scope of study.</p> <p>It is interesting how the ESA corridor that runs through the middle of the site was initially ignored when the site was selected for the development of a Solar Park only to be changed as an observed corridor during the previous EIA's. Again it emphasis our reasoning, that the natural environment did not receive priority in site selection, but rather economic reasons.</p> <p>When DEA highlighted in their previous rejection letter during the CSP 3 application that the development of energy generation projects must be located outside of these area, the consultants at a very late stage became creative through micro analysis and "moved" the ESA south, to conveniently exclude the preferred development footprint from the corridor and to unlocking the potential for further solar farm develop in the Solar Park. Why this "move" was not identified early in the assessments is concerning. Basically DEA (now DEFF) accepted this move and also opened the door for approval of the other applications. This action shows total disregard for the NEMF and NEMA Duty of Care.</p>		
	<p>We would appreciate it if our comments are adopted and addressed in the three EIA process for PV1, PV3 and PV4. Please acknowledge receipt of this letter.</p>		<p>It is confirmed that the written comments submitted with this submission have been included in all three the EIA applications i.e. Kotulo Tsatsi Energy PV1, Kotulo Tsatsi Energy PV2 and Kotulo Tsatsi Energy PV3, C&RRs included in Appendices C8 of the respective final Scoping Reports. The written comments are also included in Appendix C6 of the final Scoping Reports.</p> <p>The letter was acknowledged per e-mail on 20 November 2020. Proof of acknowledgement is included in Appendix C5 of the final Scoping Report.</p>

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4.	<p>Ek rig hierdie skrywe namens Brandvlei se Gemeenskapsveiligheidsforum (geaffilieerd aan Brandvlei Landbouvereniging - BLV).</p> <p>Translation: I am writing this on behalf of Brandvlei's Community Safety Forum (affiliated to the Brandvlei Agricultural Association BAA)</p> <hr/> <p>Ons as BLV het op Woensdag 18 November tydens 'n vergadering oor Gemeenskapsveiligheid, hierdie kwessie onder die gemeenskap se aandag gebring.</p> <p>Alhoewel daar GEEN besware is oor die Sonkragontwikkeling self, en dat ons positief voel oor die investering in die gemeenskap en omgewing, het meeste grondeienaars, wie direk (aangrensende eienaar) of indirek (geaffekteer deur beoogde projek) geraak word, die knelpunt wel gerig oor die algemene veiligheid tydens konstruksie ens.</p> <p>Translation: The application was brought under the BAA members attention at the meeting held on Wednesday 18 November where community safety was discussed.</p> <p>Although there are NO objections to the Solar Power Development itself, and that we feel positive about investing in the community and environment, most landowners, who are directly (adjacent owner) or indirectly (affected by proposed project), have</p>	<p>Catherine Visagie Brandvlei- Gemeenskapsveiligheids- forum (Brandvlei Community Security Forum)</p> <p>E-mail: 20 November 2020</p>	<p>It is acknowledged that the comments provided are submitted from the Brandvlei Community Safety Forum.</p> <hr/> <p>It is noted that the community do not object to the project or new development but are concerned that development in area may introduce additional safety and security risks to the area. Safety and security impacts will be assessed within the Social Impact Assessment and appropriate mitigation measures recommended to be included in the EMP of the EIA Report.</p>

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	<p>addressed the general security issue during construction etc.</p> <p>Graag wil ons weer benadruk dat ons as gemeenskap nie die projek wil teenstaan op enige vlak, maar dat ons sterk voel oor die risiko's rondom die projek itv ons veiligheid, veral in hierdie tye waar plaasaanvalle en veediefstal 'n daaglikse rede tot kommer geword het.</p> <p>Translation: Again, we would like to emphasize that we, as a community, do not want to oppose the project at any level, but we feel strongly about the risks associated with the project in terms of our safety, especially in these times where farm attacks and stock theft have become a daily cause for concern.</p>		
	<p>Laastens, wil ons as die Brandvlei-Gemeenskaps-veiligheidsforum, dan die vrymoedigheid neem om te vra of daar enige finansiële hulp tov beveiliging van die gemeenskap geraak (kamas/radio-verbinding ens) moontlik oorweeg sal word?</p> <p>Translation: Lastly, we as the Brandvlei Community Safety Forum, wants to take the liberty of enquiring if any financial assistance regarding securing the safety of the community can be considered (cameras / radio connection etc).</p>		<p>A discussion regarding the requests from the Brandvlei Community Safety Forum would be taken forward should the project be awarded preferred bidder status and prior to the development phase commencing.</p>
5.	<p>Ons as Brandvlei-Gemeenskapsveiligheidsforum, geaffilieer met die BLV, rig die volgende insette en bekommernisse rakende die voorgestelde projek:</p>	<p>Francis Burden Chairman Brandvlei Community Security Forum</p>	<p>Social impacts have been identified within the Scoping Report which will be further assessed during the EIA Phase. These include positive and negative impacts from a social perspective. No fatal flaws have been identified during the Scoping Phase.</p>

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	<ul style="list-style-type: none"> die voorgestelde facilliteit moet nie ten nadeel van die gemeenskap ontwikkel word nie; <p>Translation: We as Brandvlei Community Safety Forum, affiliated with the BAA, submit the following inputs and concerns regarding the proposed project:</p> <ul style="list-style-type: none"> the proposed facility should not be developed to the detriment of the community; 	<p>Telephonically: 20 November 2020</p>	
	<ul style="list-style-type: none"> voertuie wat na n van die terrain beweeg tydens konstruksie en wanneer die ontwikkeling operasioneel is, moet identifiseerbaar wees deur die maatskappy se logo op die voertuie aan te bring; <p>Translation: Vehicles travelling to and from the construction site, and during the operational phase must be identified by ensuring that the company's logo is visible on these vehicles.</p>		<p>The comment is noted. Appropriate mitigation measures regarding the identification of site staff will be considered within the EIA Phase and appropriate mitigation measures will be included.</p>
	<ul style="list-style-type: none"> Ek wil graag beklemtoon dat ons as gemeenskap nie die projek wil stop as gevolg van veiligheid nie, maar veiligheid is van kardinale belang vir die plaaswerkers, hul familie en opkomende boere in die omgewing. Die rede hoekom veiligheid so beklemtoon word is dat daar 'n klein polisie stasie op Brandvlei is en daar is nie voldoende bemanningslede asook polisie voertuie nie. Soms kan hulle nie uitkom om noodgevallle te hanteer nie. <p>Translation: I would like to emphasize that we, as a community, do not want to stop the project as a result of our safety concern, but safety is crucial for the farm workers, their family and emerging farmers in the area.</p>		<p>It is noted that the community do not object to the project or new development, but are concerned that development in area may introduce additional safety and security risks to the area. Safety and security impacts will be assessed within the Social Impact Assessment and appropriate mitigation measures recommended to be included in the EMP of the EIA Report.</p>

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	<p>The reason why safety is emphasized is that there is a small police station on Brandvlei and does not have sufficient manpower and police vehicles. There were instances where they could not attend to emergency situations.</p> <ul style="list-style-type: none"> • Graag stel ek voor dat die ontwikkelaar die gemeenskap met die volgende ondersteun as deel van hulle sosiale verantwoordelikheid: <ul style="list-style-type: none"> • 'n ops kamer • Twee-rioting radios • opsit van CCTV kameras – die toerusting kan deur die ontwikkelaar voorsien word want daar is kundiges by die landbouvereniging wat dit kan installer <p>Translation: I would like to recommend that the developer support the community, as part of their social responsibility, with the following:</p> <ul style="list-style-type: none"> • an operational room • two-way radios (repeater 2-way radio comms) • installation of CCTV cameras – the developer to provide the equipment as the installation can be done by members of the agricultural association as there are members that are qualified to do such installations <ul style="list-style-type: none"> • die Gemeenskapsveiligheidsforum kan genader word vir enige plaaslike inligting wat die projekspan verlang. <p>Translation: The Community Security Forum have vast local knowledge and will gladly assist the project team with any information they may require.</p>		<p>A discussion regarding the requests for community support would be taken forward should the project be awarded preferred bidder status and prior to the development phase commencing.</p> <p>A discussion regarding the offer of assistance from the Brandvlei Community Safety Forum would be taken forward should the project be awarded preferred bidder status and prior to the development phase commencing.</p>

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6.	Please find attached Eskom requirements for works at or near Eskom infrastructure. Please also find attached a setbacks guideline to be considered by the applicant.	John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division E-mail: 28 October 020	The information received from Eskom is noted and will be considered in the layout design of the PV facility for the EIA phase and included as part of the EMPr which will form part of the EIA report.

4. COMMENTS RECEIVED AT THE COMMENCEMENT OF THE SCOPING ASSESSMENT PROCESS

NO.	COMMENT	RAISED BY	RESPONSE
1.	Please send me KMZ files of the proposed development area, affected properties, proposed grid connection and other relevant information. Please find attached the Eskom setbacks guideline as well as Eskom general comments for developments at or near Eskom infrastructure. Renewable Energy Generation Plant Setbacks to Eskom Infrastructure document was submitted and is included in Appendix C6. The requirements listed below forms part of the document.	John Geeringh Senior Consultant Environmental Management Land and Rights Eskom Transmission Division E-mail: 19 October 2020	The previously authorised grid connection infrastructure, including the Eskom collector substation, switching station and grid connection to Aries Substation will provide the grid connection solution for the facility, and therefore not required to be reassessed through this EIA process. The EIA will assess the on-site facility substation and internal connections only. The requested .KMZ file for Kotulo Tsatsi PV1 was e-mailed on 22 October 2020 (refer to Appendix C5).
	<ul style="list-style-type: none"> » Eskom's rights and services must be acknowledged and respected at all times. » Eskom shall at all times retain unobstructed access to and egress from its servitudes. » Eskom shall at all times retain unobstructed access to and egress from its servitudes. » Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals. 		The requirements for development at or near Eskom infrastructure servitudes are noted. These requirements have been submitted to the developer for their attention and consideration for the development of Kotulo Tsatsi PV1.

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	<ul style="list-style-type: none"> » Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer. » If Eskom has to incur any expenditure in order to comply with statutory clearances or other regulations as a result of the developer's activities or because of the presence of his equipment or installation within the servitude restriction area, the developer shall pay such costs to Eskom on demand. » The use of explosives of any type within 500 metres of Eskom's services shall only occur with Eskom's previous written permission. If such permission is granted the developer must give at least fourteen working days prior notice of the commencement of blasting. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued in terms of the blasting process. It is advisable to make application separately in this regard. » Changes in ground level may not infringe statutory ground to conductor clearances or statutory visibility clearances. After any changes in ground level, the surface shall be rehabilitated and stabilised so as to prevent erosion. The measures taken shall be to Eskom's satisfaction. » Eskom shall not be liable for the death of or injury to any person or for the loss of or damage to any property whether as a result of the encroachment or of the use of the servitude area by the developer, his/her agent, contractors, employees, successors in title, and assignees. The developer 		

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	<p>indemnifies Eskom against loss, claims or damages including claims pertaining to consequential damages by third parties and whether as a result of damage to or interruption of or interference with Eskom's services or apparatus or otherwise. Eskom will not be held responsible for damage to the developer's equipment.</p> <ul style="list-style-type: none"> » No mechanical equipment, including mechanical excavators or high lifting machinery, shall be used in the vicinity of Eskom's apparatus and/or services, without prior written permission having been granted by Eskom. If such permission is granted the developer must give at least seven working days' notice prior to the commencement of work. This allows time for arrangements to be made for supervision and/or precautionary instructions to be issued by the relevant Eskom Manager » Note: Where and electrical outage is required, at least fourteen work days are required to arrange it. » Eskom's rights and duties in the servitude shall be accepted as having prior right at all times and shall not be obstructed or interfered with. » Under no circumstances shall rubble, earth or other material be dumped within the servitude restriction area. The developer shall maintain the area concerned to Eskom's satisfaction. The developer shall be liable to Eskom for the cost of any remedial action which has to be carried out by Eskom. » The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by <i>Regulation 15</i> of the <i>Electrical Machinery Regulations of the</i> 		

NO.	COMMENT	RAISED BY	RESPONSE
	<p><i>Occupational Health and Safety Act, 1993 (Act 85 of 1993).</i></p> <ul style="list-style-type: none"> » Equipment shall be regarded electrically live and therefore dangerous at all times. » In spite of the restrictions stipulated by Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993), as an additional safety precaution, Eskom will not approve the erection of houses, or structures occupied or frequented by human beings, under the power lines or within the servitude restriction area. » Eskom may stipulate any additional requirements to highlight any possible exposure to Customers or Public to coming into contact or be exposed to any dangers of Eskom plant. » It is required of the developer to familiarise himself with all safety hazards related to Electrical plant. » Any third party servitudes encroaching on Eskom servitudes shall be registered against Eskom's title deed at the developer's own cost. If such a servitude is brought into being, its existence should be endorsed on the Eskom servitude deed concerned, while the third party's servitude deed must also include the rights of the affected Eskom servitude. 		
2.	<p>'n Windmas is tans opgerig op Kopjes Vley 281, Gedeelte 7 vir 'n lewensvatbaarheidstudie vir die moontlike ontwikkeling van 'n windplaas.</p> <p><u>Translation:</u></p>	<p>Ronelle Müller Landowner Farm Jact Kolk 244, Ptn 7</p>	<p>It is noted that a wind farm to be located to the south of the PV project is in the planning stages. There is no conflicting land use, and no action is required at this time.</p>

NO.	COMMENT	RAISED BY	RESPONSE
	A wind mast has been erected on Kopjes Vley 281, Portion 7, as part of the feasibility study for the proposed development of a wind farm.	Telephonically: 21 October-2020	
3.	<p>Stuur asb vir my 'n pin sodat ek die inligting op julle webwerf kan aflaai.</p> <p>Translation: Please provide me with the pin to download the information from your website.</p>	<p>Paul Slabbert Representing Mr W Basson (Adjacent Landowner) Farm De Paarden Vleyen</p> <p>E-mail: 22 October 2020</p>	<p>Mr Slabbert's interest in the project is noted. The release code was provided on 22 October 2020. The project BID and the registration and comment form was also emailed for convenience.</p>