

**APPLICATION FOR AMENDMENT OF ENVIRONMENTAL  
AUTHORISATION  
FOR THE  
ESTABLISHMENT OF A WIND POWER GENERATING FACILITY NEAR  
DE AAR, NORTHERN CAPE PROVINCE**

DEA REF NO.: 12/12/20/1651



JUNE 2014

**aurecon**

**EXECUTIVE SUMMARY: ENVIRONMENTAL AUTHORISATION  
AMENDMENT APPLICATION**

**Background**

Longyuan Mulilo De Aar Wind Power (Pty) Ltd (hereafter referred to as Longyuan Mulilo De Aar Wind Power) applied for environmental authorisation in 2010 to establish a Wind Energy Facility (WEF) and associated infrastructure on farms Smouspoort (remaining extent of Farm 130) and Zwartkoppies (remaining extent of portion 2 of Farm 131).

A positive decision was issued on 15 August 2011. An amendment application was submitted to the Department to change the Special Purpose Vehicle (SPV) name from "Mulilo Renewable Energy (Pty) Ltd" to "Longyuan Mulilo De Aar Wind Power (Pty) Ltd". This amendment was granted on 24/10/2011. Activities for which authorisation was granted includes:

- GN R 386: Items 7, 12 and 16(b)
- GN R 387: Items 1(a), 1(l), and 2

In terms of regulation 39 of GN. R 543, 2010 (as amended), of the National Environmental Management Act (NEMA) (Act 107 of 1998), "the holder of an environmental authorisation may at any time apply to the relevant competent authority for the amendment of the authorisation."

On 26 March 2014, Longyuan Mulilo De Aar Wind Power submitted an application for amendment of environmental authorisation to the Department of Environmental Affairs (DEA). The proposed amendments included:

- Changes to the property descriptions
- An extension of the EA validity period
- Changes to three (3) conditions contained in the EA.

**Purpose of this document**

This document provides a summary of the Amendment Application, as required in terms of the National Environmental Management Act (No. 107 of 1998) (NEMA) Environmental Impact Assessment (EIA) Regulations (2 August 2010, as amended). This document provides a summary of the EA Amendment Application to be submitted to the DEA and the potential environmental impacts associated with the proposed amendments. It further describes the public participation process undertaken to date.

Please review this Summary Document and, preferably, the full EA Amendment Application, and submit your comments on the proposed project by **11 July 2014**. All documents will be available for review and comment at the De Aar Public Library, the Emthanjeni municipal offices and on the Aurecon website ([www.aurecongroup.com](http://www.aurecongroup.com) change "Current Location" to "South Africa" and follow the "public participation" link where you will be asked to register with the above mentioned DEA Ref. no.). To comment, write a letter, call, fax or e-mail Aurecon:

Tamryn Johnson  
P O Box 494, Cape Town, 8000  
Tel: (021) 526 6034/ 5737  
Fax: (021) 526 9500  
Email: [tamryn.johnson@aurecongroup.com](mailto:tamryn.johnson@aurecongroup.com)

More detail pertaining to the proposed amendments is provided in Table 1 below.

**Table 1: Description of the amendments that were applied for:**

Approved condition	Proposed Amendment															
<p><b>Property descriptions:</b> It has been brought to our attention that the property descriptions included in the FEIAR (Table 1.1), dated November 2010, are incorrect. The error in the project description is due to an editorial error. The properties assessed in the EIA were correct. The corrections to the project description included in the EIA have been <u>underlined in the adjacent table</u>.</p>	<table border="1"> <thead> <tr> <th data-bbox="655 421 842 450">Farm</th> <th data-bbox="842 421 963 450">Erf</th> <th data-bbox="963 421 1107 450">Title ref</th> <th data-bbox="1107 421 1251 450">Size</th> <th data-bbox="1251 421 1385 450">Zoning</th> </tr> </thead> <tbody> <tr> <td data-bbox="655 450 842 600">Smouspoort, <u>Remaining Extent</u>, Britstown RD <u>130</u></td> <td data-bbox="842 450 963 600">RE 130</td> <td data-bbox="963 450 1107 600">T4827/1975</td> <td data-bbox="1107 450 1251 600">9 039.2677</td> <td data-bbox="1251 450 1385 600">Agriculture</td> </tr> <tr> <td data-bbox="655 600 842 779">Zwartekoppies, <u>Remaining Extent of Portion 2</u>, Britstown RD <u>131</u></td> <td data-bbox="842 600 963 779">RE 2/131</td> <td data-bbox="963 600 1107 779">T3960/1983</td> <td data-bbox="1107 600 1251 779">2 727.3264</td> <td data-bbox="1251 600 1385 779">Agriculture</td> </tr> </tbody> </table>	Farm	Erf	Title ref	Size	Zoning	Smouspoort, <u>Remaining Extent</u> , Britstown RD <u>130</u>	RE 130	T4827/1975	9 039.2677	Agriculture	Zwartekoppies, <u>Remaining Extent of Portion 2</u> , Britstown RD <u>131</u>	RE 2/131	T3960/1983	2 727.3264	Agriculture
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<p><b>Condition 1.7:</b> In accordance with the Environmental Authorisation (EA) "<i>the activity must commence within a period of three (3) years from the date of issue</i>".</p>	<p>The Environmental Authorisation is dated 15/08/2011 and is therefore only valid until 15/08/2014. Longyuan Mulilo De Aar Wind Power requests that the validity period of the Environmental Authorisation be extended to 15/08/2015.</p>															
<p><b>Condition 6.5:</b> Condition 6.5 of the EA states that "<i>The applicant must appoint a qualified botanical and fauna specialist to ground-truth every turbine footprint and their recommendation must form part of the final layout of the Wind Energy Facility and EMP to be submitted to the department for approval</i>".</p>	<p>Longyuan Mulilo De Aar Wind Power requests that condition 6.5 be amended to "<i>The applicant must appoint a qualified botanical specialist to ground-truth every turbine footprint and their recommendation must form part of the final layout of the Wind Energy Facility and EMP to be submitted to the department for approval. The ECO shall be responsible to ground-truth each turbine footprint prior to construction to ensure that no fauna will be endangered</i>".</p>															
<p><b>Condition 10.3.1:</b> Condition 10.3.1 states that "<i>Access to the Swartkoppies section must be gained through the Smauspoort Road and not the R348. The Smauspoort Road must be surfaced as per the recommendation of the Traffic Impact Assessment Report in the EIR dated November 2010</i>".</p>	<p>Longyuan Mulilo De Aar Wind Power requests that this condition be amended to "<i>Access to the Swartkoppies section must be gained through the Smauspoort Road and not the R348. The Smauspoort Road must be maintained on a regular basis to a satisfactory condition</i>".</p>															
<p><b>Condition 10.13.4:</b> Condition 10.13.4 of the EA states that "<i>The substation site must be located at 30°43'37.37"S and 23°54'32.15"E and the proposed control building right next to it</i>".</p>	<p>Longyuan Mulilo De Aar Wind Power requests that the location of the substation site and control building be amended to "<i>The substation site and control building must be located within a 200m radius of central point 30°43'18.84"S 23°55'0.57"E</i>".</p>															

In a letter received from the DEA dated 26 May 2014, DEA requested additional information (in support of the amendment application) to be submitted to the Department. The Department also requested that Longyuan Mulilo De Aar Wind Power conduct Public Participation as per regulation no. 41(3)(a) of GN R.543 in order to notify all registered Interested and Affected Parties (I&APs) of the amendment application.

Aurecon South Africa (Pty) Ltd (Aurecon) has been appointed by Longyuan Mulilo De Aar Wind Power to undertake the public participation process for this amendment application.

### **Proposed project**

Longyuan Mulilo De Aar Wind Power has recently received preferred bidder status from the Department of Energy (DoE) under the third round of the Renewable Energy Independent Power Producers Programme (REIPPP) for the WEF located near De Aar, Northern Cape.

The site is approximately 11 767 ha in extent with the project footprint equating to less than 0.01 % (67 ha) of the total area. The WEF comprises of 67 turbines each with a generation capacity of 1.5 MW. The turbines will have a hub height of 80 m and a rotor blade diameter of up to 86 m.

Associated infrastructure would include:

- Access roads and temporary turning circles.
- Hard standing adjacent to each turbine which will be utilised by the crane.
- Three temporary construction yards.
- Substation / control building.
- Overhead electrical reticulation lines which will follow the route of the proposed access roads where possible.

The final site layout (Figure 1) has been updated since the Environmental Authorisation was granted in 2011. We would like to draw your attention to the following changes. The substation was originally located on the western side of the Elandsfontein River. This original location was identified as a flood risk and therefore a revised location has been proposed. The revised location of the substation, as indicated in the map below, is located outside the 1 in 100 year floodplain of the Elandsfontein River. The recommendations from the 12 month pre-construction bird and bat monitoring have informed the final site layout plan. All specialists are in support of the new layout and their letters of agreement has been included in an Appendix in the EA Amendment Application. Refer to Figure 1 below for the final site layout plan subject to DEA approval.

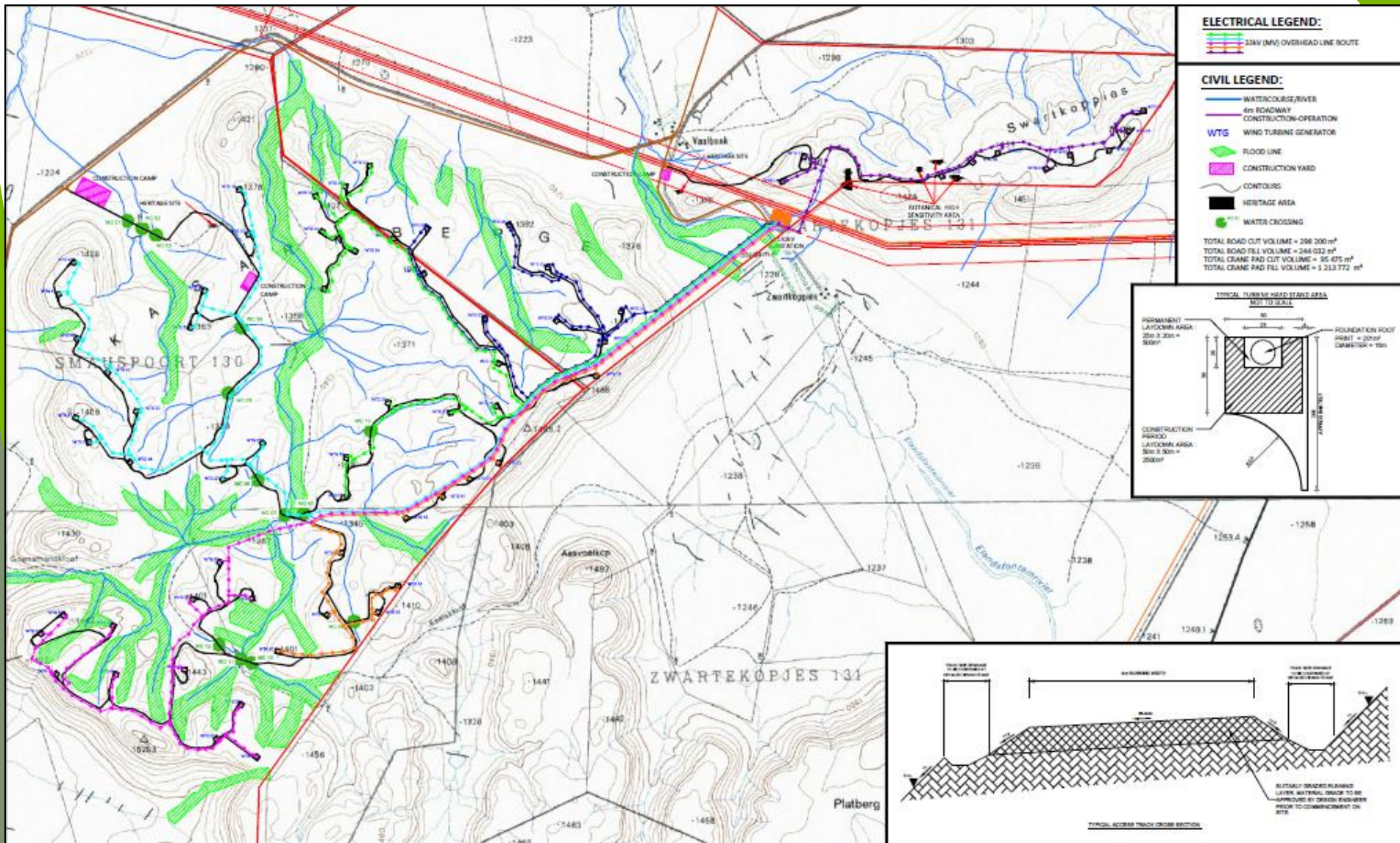


Figure 1: Final WEF layout (subject to DEA approval) including environmental sensitivity map (AECOM, 2014)

## Identified impacts

Table 2 below identifies potential positive and negative impacts associated with the proposed amendments to the EA.

**Table 2: Identified potential impacts associated with the EA amendments**

Proposed Amendment	Motivation for the amendment	Potential negative impacts that may occur if the application for amendment <u>is</u> granted	Potential negative environmental impacts that may occur if the application for amendment is <u>not</u> granted	Potential positive environmental impacts that may occur if the application for amendment is granted
<b>Property descriptions</b>	This is an editorial error that does not affect the development footprint. However, as the EA is a legal document, it is essential that this error is corrected	No negative environmental impacts are anticipated as this is an editorial error that has no effect on the assessed and approved development footprint.	No negative environmental impacts are anticipated as this is an editorial error that has no effect on the assessed and approved development footprint.	No positive environmental impacts are anticipated as this is an editorial error that has no effect on the assessed and approved development footprint.
<b>Condition 1.7:</b>	This project was only awarded Preferred Bidder status in October 2014. As such, the authorised activity could not commence at an earlier date. Construction is scheduled to commence at the end of 2014 which would fall outside the EA validity period. For this reason, Longyuan Mulilo De Aar Wind Power requests that the validity period of the EA be extended to 15/08/2015.	No additional negative environmental impacts to those that have already been assessed in the approved 2010 EIA.	Positive impacts on energy production, local economy (employment), climate change and social conditions will not be realised as the WEF will not be constructed.	The project will be implemented and positive impacts on energy production, local economy (employment), climate change and social conditions will be realised.

Proposed Amendment	Motivation for the amendment	Potential negative impacts that may occur if the application for amendment <u>is</u> granted	Potential negative environmental impacts that may occur if the application for amendment is <u>not</u> granted	Potential positive environmental impacts that may occur if the application for amendment is granted
<b>Condition 6.5:</b>	Longyuan Mulilo De Aar Wind Power requests that the Environmental Control Office (ECO) ground-truth each turbine footprint prior to construction to ensure that no fauna will be endangered. The benefit of assessing the site prior to construction will ensure that animals can be relocated before clearing activities commence. The ecological specialist assessments have identified that there are no rare or endangered species present. Should any fauna be observed during the construction and operational phases, appropriate mitigation measures have been provided in the EMPr.	No negative environmental impacts are anticipated if this amendment is granted as the turbine footprints will be ground-truthed by a suitably qualified ECO prior to construction to ensure that no fauna will be endangered. The benefit of assessing the site prior to construction is that it will allow animals to be safely relocated before clearing activities begins. Furthermore, the most vulnerable fauna groups, namely birds and bats, have been monitored by specialists over a period of 12 months. The layout has been informed by the results from this monitoring.	No negative environmental impacts are anticipated as the botanical specialist has ground-truthed each turbine footprint and has not identified any rare or endangered fauna within the site. Furthermore, the two most vulnerable fauna groups, birds and bats, have been assessed by specialists over a period of twelve months. The results of these assessments have informed the final site layout.	Should this amendment be granted, then a final check of turbine footprints prior to construction will be undertaken by the ECO. This will ensure that if any fauna are found within the footprint, they can be safely relocated before clearing commences.
<b>Condition 10.3.1:</b>	The transport impact assessment (TIA) conducted by ITS Engineers in 2010 recommended that the Smauspoort Road should be upgraded with a permanent sealed surface. Due to a lower traffic volume prediction in an updated study, the upgrade of the road is not justified. Furthermore, ITS Engineers have concluded in a recent updated study that the resurfacing is not an ideal solution as it will introduce safety issues with regard to speeding along the road. ITS Engineers recommended that the Smauspoort Road rather be maintained on a regular basis by the Contractor, and restored to a satisfactory condition during the decommissioning phase.	No negative impacts are anticipated as this amendment requires that Smauspoort Road be maintained regularly during the construction phase. In addition, ITS Engineers have recommended that the Smauspoort Road must be repaired where necessary and restored.	The upgrade of the Smauspoort Road with a sealed surface will introduce safety issues for the public as a result of speeding along the road. The horizontal and vertical alignments along the Smauspoort Road are not designed for a sealed surface.	Should this amendment be granted, this will result in improved public safety as a surfaced Smauspoort Road is deemed unsafe.

Proposed Amendment	Motivation for the amendment	Potential negative impacts that may occur if the application for amendment <u>is</u> granted	Potential negative environmental impacts that may occur if the application for amendment is <u>not</u> granted	Potential positive environmental impacts that may occur if the application for amendment is granted
<b>Condition 10.13.4:</b>	The relocation of the substation is required as the original position was assessed to be at a high risk of flooding from the Elandsfontein River. The revised position is located further away from the main watercourse and at a higher level relative to the original location, thereby eliminating the risk of flooding. Visual, freshwater, botanical and heritage specialists have made comment on the relocation of infrastructure and can be found in the amendment application.	The infrastructure would be placed in an area which has a high risk of flooding. Specialists have assessed the revised location and are of the opinion that potential impacts are of low significance and that the proposed mitigation adequately minimises impacts. All specialists are in favour of this revised substation / control building site.	Should the position of the substation / control building not be revised, then the infrastructure would be placed in an area which has a high risk of flooding. The revised location of the substation / control building is located outside of the 1 in 100 year floodplain.	The revised position is located further away from the main watercourse and at a higher level relative to the original location, thereby substantially reducing the risk of flooding. All specialists who have assessed this revised location are in favour of this proposed amendment.

## How you can get involved

Public participation enables Interested and Affected Parties (I&APs) (e.g. directly affected landowners; national-, provincial- and local authorities; environmental groups; civic associations; and communities), to identify their issues and concerns, relating to the proposed amendments, which they feel should be addressed in the process. The public participation process to date has involved the following aspects:

- A site notice was placed at the De Aar Public Library and the Emthanjeni municipal offices, De Aar
- The EA Amendment Application was lodged for review and comment at the De Aar (Station Road) Public Library and the Emthanjeni municipal offices in Voortrekker Road, De Aar.
- All documentation was made available from the Aurecon website ([www.aurecongroup.com](http://www.aurecongroup.com) – change “*current location*” to “*South Africa*” and click on the “*public participation*”- link where you will be asked to register with the above mentioned DEA Ref. No.).
- Registered I&APs were notified of the period available to submit their comments or concerns on the application by means of letters sent by post, fax or e-mail. I&APs have 30 days until **11 July 2014**, to submit their written comments on the EA Amendment Application.

## Way forward

All written comments can be submitted to Aurecon (a Response Form is attached, for your convenience). All issues raised via written correspondence will be summarised into a Comments and Response Report (CRR) with responses from the project team and will be sent to DEA directly for their consideration.

Comments can be sent to Aurecon via telephone, fax, email or post to the following contact person:

**Table 3: Details of the Public Participation contact person**

EA Amendment Application for the De Aar WEF near De Aar, Northern Cape	
Tamryn Johnson	
<i>Tel</i>	(021) 526 5737
<i>Fax</i>	(021) 526 9500
<i>Email</i>	<a href="mailto:tamryn.johnson@aurecongroup.com">tamryn.johnson@aurecongroup.com</a>
<i>Postal address</i>	PO Box 494, Cape Town, 8000

The EA Amendment Application will be submitted to DEA for their review and decision regarding acceptance of the report. The CRR will be submitted to the DEA upon completion of the 30 day public commenting period. The DEA will review the EA Amendment Application and CRR, and must either accept or reject the information contemplated in regulation 41(3)(c).

If the information was rejected, it may be amended and resubmitted. If an application is approved, the competent authority must issue an amendment to the environmental authorisation either by way of a new environmental authorisation or an addendum to the existing environmental authorisation.

Once DEA issues their decision on the proposed project, all registered I&APs on the project database will be notified of the outcome of the decision, as well as the Appeal process, within 12 calendar days of the date of the decision should the Amended EA be granted.



### List of Acronyms

CRR	Comments and Response Report
DEA	Department of Environmental Affairs
DOE	Department of Energy
REIPPP	Renewable Energy Independent Power Producers Programme
EA	Environmental Authorisation
ECO	Environmental Control Officer
EIA	Environmental Impact Assessment
EMP & EMPr	Environmental Management Programme
FEIAR	Final Environmental Impact Assessment Report
GN	Government Notice
I&AP	Interested and Affected Party
kV	Kilovolt
MW	Megawatts
NEMA	National Environmental Management Act
SPV	Special Purpose Vehicle
WEF	Wind Energy Facility