



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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DEA Reference: 12/12/20/2370/2/AM6

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PER MAIL / EMAIL

Dear Mr Price

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 12 AUGUST 2014 FOR THE PROPOSED 140MW SOETWATER WIND FARM (PHASE 2) AND ITS ASSOCIATED INFRASTRUCTURE ON PORTIONS 1, 2, 4 AND THE REMAINDER OF FARM ORANGE FONTEIN 203, FARM ANNEX ORANGE FONTEIN 185, FARM LEEUWE HOEK 183, AND FARM ZWANEOELSPOELSHOEK 184 WITHIN THE KAROO HOOGLAND LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 12 August 2014, the first EA amendment issued by the Department on 03 May 2016, the second EA amendment issued by the Department on 13 October 2016; the third EA amendment issued by the Department on 03 May 2017; the fourth EA amendment issued by the Department on 13 December 2017; the fifth EA amendment issued by the Department on 09 September 2019, your application for amendment to the EA received by this Department on 24 February 2020, the acknowledgement letter dated 05 March 2020, and the additional information received by this Department on 17 March 2020, refer.

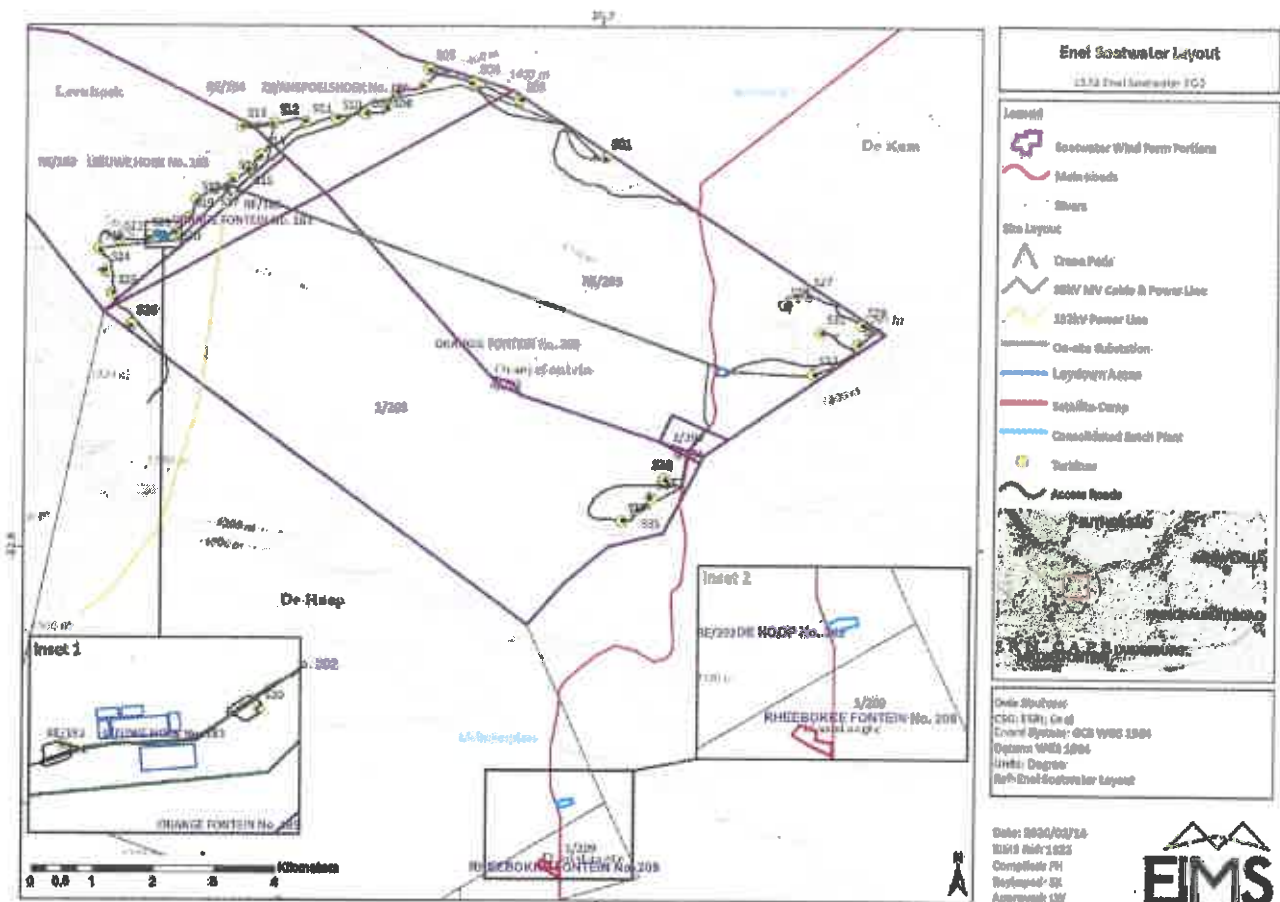
Based on a review of the reason for requesting an amendment to the abovementioned EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, has decided to amend the EA dated 12 August 2014 as follows:

Amendment 1: Amendment of the approved layout plan and Environmental Management Programme (EMPr)

The amended layout plan (in the figure below) and the updated EMPr dated February 2020 ((Document name: "Soetwater Wind Farm, near Sutherland, Northern Cape Province: Construction and Operation Environmental Management Programme (EMPr) - Revision 3"), amended to include only the updated layout plan (Appendix B of the EMPr) with the following changes, is hereby approved:

- Relocation of the satellite camp;
- Relocation of the associated batch plant; and
- Reduction of the lay down area.

MS



Provincial gravel road, which makes exiting and entering easy and safe with very good sight distance in both directions.

Relocation of the batch plant

The batch plant has been relocated from the approved Remainder of the Farm Orange Fontein 203 to the Farm De Hoop 202, taking into account environmental sensitivities. The new location consolidates the batch plants of the two individual projects, Karusa Wind Farm and Soetwater Wind Farm, into a new shared location. These two projects are located adjacent to each other, have the same applicant and contractor, and will be developed concurrently. The Farm De Hoop 202 does not fall within the footprint of the Soetwater Wind Farm as per the current approved layout and EA. Although it was assessed as part of the original EIA process, it was deemed at the time that this property would not be required as part of the project. It was however included in the EA for the Karusa Wind Farm. (12/12/20/2370/1/AM6). The new consolidated batch plant location therefore forms part of the amended EA and approved footprint for the Karusa Wind Farm (DEA Reference Number: 12/12/20/2370/1/AM6), although it will be utilised for both wind farm projects. The amended layout plan for the Soetwater Wind Farm has accordingly been updated to reflect the new consolidated batch plant on Farm De Hoop 202 within the approved footprint of the Karusa Wind Farm (as part of the Karusa Wind Farm EA). The new location is expected to be beneficial to the project, and will result in a reduction of the total footprint of the wind farm. Therefore, locating the batch plant for both projects in the same area will reduce the ecological impacts associated with batching activities on both projects. The proposed location is right next to the Provincial gravel road which makes exiting and entering easy and safe with very good sight distance in both directions.

Reduction of the laydown area

The originally approved laydown area will be reduced from 2.4ha to 1.54ha following the proposal to relocate the batch plant to a shared area with the Karusa Wind Farm, which is located adjacent to the Soetwater Wind Farm. The laydown area has also shifted slightly to the north of its current position following specialist recommendation, since it was found to be overlapping onto a watercourse.

Updated EMPr:

Since the layout plan is appended to the EMPr (both of which were previously approved on 26 January 2016 and amended on 09 September 2019), the EMPr was required to be updated, only to include the revised facility layout plan. No mitigation measures, objectives or outcomes of the EMPr were changed, as these are still applicable as they are.

This amendment will not change the scope of the EA nor result in an increase in impacts, as it seeks to reduce the ecological footprint by consolidating and relocating the satellite camp and batch plant for the two WEF facilities (Karusa Wind Farm and Soetwater Wind Farm) to centralised and shared areas.

General

This letter must be read in conjunction with the EA dated 12 August 2014; the first EA amendment dated 03 May 2016; the second EA amendment dated 13 October 2016; the third EA amendment dated 03 May 2017; the fourth EA amendment dated 13 December 2017; and the fifth EA amendment dated 09 September 2019.

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

holding the Department accountable should the Department abuse or compromise your personal information in any way.

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

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

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

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

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

By email: appeals@environment.gov.za;

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

By post: Private Bag X447,
Pretoria,
0001;

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

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

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Environmental Affairs
Date: 08/06/2020

CC	Mr S Mahlangu	Environmental Impact Management Services (Pty) Ltd	Email: sk@eims.co.za
	Mr B Fisher	Northern Cape Department of Environment and Nature Conservation	Email: bfisher@ncpg.gov.za
	Mr JJ Fortuin	Karoo Hoogland Local Municipality	Email: munman@karoohoogland.gov.za