

Holland & Associates



Environmental Consultants

Impact Assessments - Environmental Management Programs - Compliance Monitoring - Process Review

14 November 2022

Dear Interested and Affected Party and/or Authority,

ESTABLISHMENT OF A WIND ENERGY FACILITY SITUATED ON THE EASTERN PLATEAU (SOUTH) NEAR DE AAR, NORTHERN CAPE PROVINCE: AVAILABILITY OF THE AMENDED ENVIRONMENTAL MANAGEMENT PROGRAMME (EMPr) AND FINAL SITE LAYOUT PLAN FOR COMMENT

PUBLIC PARTICIPATION PROCESS

**(DFFE REF No.: 12/12/20/2463/1)
(DENC REF No. NC/BA/14/PIX/EMT/DEA5/2014)**

The purpose of this letter is to inform Interested and Affected Parties (I&APs), including relevant State Departments and Organs of State, that Mulilo De Aar 2 South (Pty) Ltd, i.e. the holder of the Environmental Authorisation (EA) for *the Wind Energy Facility (WEF) situated on the Eastern Plateau (South) near De Aar*, in the *Northern Cape Province* (also referred to as the De Aar 2 South WEF), is preparing to submit the amended Environmental Management Programme (EMPr) and Final Layout Plan to the Department of Forestry, Fisheries and the Environment (DFFE) for approval, prior to commencement of construction, in accordance with Conditions 13, 14, 15, and 16 of the Environmental Authorisation (EA)¹ (DFFE Reference No. 12/12/20/2463/1). This letter also serves to notify Interested and Affected Parties (I&APs) that the draft amended EMPr and Final Layout Plan are being made available to I&APs for a 30 day comment period, i.e. 14 November 2022 – 14 December 2022.

1. Background

The project was granted an Environmental Authorisation (EA) from the Department of Environmental Affairs (DEA) (now known as the Department of Forestry, Fisheries and Environment (DFFE)) on 1 March 2013, in terms of the National Environmental Management Act (NEMA) Environmental Impact Assessment Regulations (2010), as amended. Furthermore, on 24 July 2014, a further EA (DENC Reference No. NC/BA/14/PIX/EMT/DEA5/2014) for the project was granted by the Northern Cape Department of Environment and Nature Conservation (DENC) for activities that had not been applied for in the original Environmental Impact Assessment (EIA) for the project.

The WEF would be located on the following properties: Slingers Hoek (Farm No. 2 Remainder of Portion 2 and Remainder); Slingers Hoek (Farm No. 2 Portion 4); Knapdaar (Farm No. 8 Portion 1); Maatjes Fountain (Farm No. 1 Portion 5); Vendussie Kuil (Farm No. 165 Remainder of Portion 2, and

¹ dated 1 March 2013, as amended.

Portion 7); Vendussie Kuil (Farm No. 165 Portion 11 and Remainder), and Vendussie Kuil (Farm No. 165 Portion 7) within the Emthanjeni Local Municipality and Renosterberg Local Municipality, approximately 20km east of De Aar, in the Northern Cape Province.

The original EA for the project (dated 1 March 2013) authorised the construction of approximately 103 wind turbines, and associated infrastructure, with an overall potential generation capacity of 155 – 258 MW, and associated infrastructure. A Part 2 EA amendment process was undertaken in 2015, which included a reduction in the number of turbines at the WEF (i.e. reduced from 103 turbines to a maximum of 61 turbines) and overall generation capacity of 140MW, as well as amendments to the turbine specifications.

In finalising the layout, the applicant has again reduced the number of turbines. The proposed Final Layout Plan of the WEF comprises up to 28 possible Wind Turbine Generator (WTG) positions, of which **a maximum of 26 WTGs would be developed**, and associated infrastructure for the WEF.

2. Update of the EMPr and Layout Plan Finalisation Process

The draft EMPr for the project has been updated (amended) to reflect the Conditions of Authorisation of the EA (and amendments thereto), the inclusion of the proposed Final Layout Plan, and the recommendations of the specialists (including ecology, aquatic, avifaunal, bats, agriculture/ soils, heritage (archaeology and palaeontology), visual, noise and transport) as part of the EMPr update and Layout Plan finalisation process, as required in terms of Conditions 13, 14, 15 and 16 of the EA dated 1 March 2013, as amended. Furthermore, the EMPr has been updated to meet the requirements of Appendix 4 of the EIA Regulations, 2014, as amended, and the inclusion of a *Generic Environmental Management Programme (EMPr) for the Development and Expansion of Substation Infrastructure for Transmission and Distribution of Electricity*.

The Final Layout Plan has taken into consideration the recommended mitigation measures for the planning and design phases included in the amended EMPr, the Conditions of Authorisation, and the inputs of the specialist team.

The draft amended EMPr and Final Layout Plan are being made available to I&APs for a 30 day comment period (refer to Section 3 below), after which the final amended EMPr and Final Layout Plan will be submitted to DFFE for approval, prior to commencement of the construction of the WEF, as required in terms of Conditions 13, 14 and 15 of the EA.

3. Public Participation Process (Opportunity to Comment)

Notice is hereby given of the commencement of the public participation process in terms of the National Environmental Management Act (NEMA) Environmental Impact Assessment (EIA) Regulations (2014), as amended.

Interested and Affected Parties (I&APs) are invited to provide comment on the draft amended EMPr and Final Layout Plan for the abovementioned project, during a **30 day I&AP comment period i.e. from 14 November 2022 – 14 December 2022.**

(Note: In the event that you are reading this correspondence in your capacity as a representative of a State Department or Organ of State, kindly take note of the following: In terms of Section 240 of the National Environmental Management Act (NEMA) and Regulations 7(2) and 43(2) of the Environmental Impact Assessment (EIA) Regulations, 2014, as amended, any State Department that administers a law relating to a matter affecting the environment relevant to the application is hereby requested to comment within 30 days (i.e. **by 14 December 2022**) on the draft amended EMPr and Final Layout Plan).

Copies of the draft amended EMPr and Final Layout Plan will be available as follows during the 30 day I&AP comment period:

- An electronic copy will be available for download on the Holland & Associates Environmental Consultants website (www.hollandandassociates.net).
- A hard copy of the EMPr (including Final Layout Plan) will be lodged for viewing at the Hennie Liebenberg Public Library in De Aar.
- Upon request, the draft amended EMPr and Final Layout Plan will be made available to I&APs via electronic file transfer or Dropbox link. A Dropbox link will also be provided in the cover email for notifications sent to I&APs via email.

4. Way Forward

I&APs are invited to review and comment on the amended EMPr and Final Layout Plan during the 30-day I&AP comment period i.e. **14 November 2022 – 14 December 2022**. Should you have any comments, please submit your comments in writing via post or e-mail to Ms Tilly Watermeyer of Holland & Associates Environmental Consultants (email: tilly@hollandandassociates.net or post: PostNet Suite #108, Private Bag X12, Tokai, 7966 Tel: 060 319 1217) on or before **14 December 2022**.

All comments received during the 30 day I&AP comment period will be recorded and responded to in a Comments and Response Report, which will be included in the final amended EMPr, that will be submitted together with the Final Layout Plan to DFFE for approval.

(Note: Protection of Personal Information Act, 2013 (Act 4 of 2013) Disclaimer: You are receiving correspondence with regards to the above-mentioned project, as your contact details have been captured into the Registered Interested & Affected Parties (I&AP) database for the project, in terms of the Environmental Impact Assessment (EIA) Regulations (2014), as amended¹, enacted in terms of the National Environmental Management Act (NEMA) (No. 107 of 1998), as amended. Should you wish to be removed from the I&AP Database at any stage, please notify the undersigned. Kindly note that by not responding to this correspondence it is our understanding that you consent to your contact details remaining in the registered I&AP Database and to receiving further correspondence with regards to the proposed project. In the event of an appeal, the details of registered I&APs will be made available to an appellant to enable registered I&APs to be informed of and to participate in the appeal process. Registered I&AP information will be made available to the Environmental Assessment Practitioner (EAP) or independent person for notification purposes of the submission of the environmental audit report. Further to the above, kindly note that it is the responsibility of registered I&APs to notify the Environmental Assessment Practitioner (EAP) should their contact details need to be updated (should they wish to continue receiving correspondence with regards to any environmental approval/ authorisation processes for the project).

Should you require any further information or have any queries, please contact the undersigned.

Yours sincerely



TILLY WATERMEYER (BSc Hons, MSc.)



NICOLE HOLLAND (Reg. EAP (EAPASA); Pr Sci Nat)

Holland & Associates



Environmental Consultants

Impact Assessments - Environmental Management Programs - Compliance Monitoring - Process Review

14 November 2022

Geagte Belangstellende en Geaffekteerde Party en/of Owerheid,

VESTIGING VAN 'N WINDENERGIE FASILITEIT GELEË OP DIE OOSTELIKE PLATO (SUID) NABY DE AAR, NOORD-KAAP PROVINSIE: BESKIKBAARHEID VAN DIE GEWYSIGDE OMGEWINGSBESTUURPROGRAM (EMPr) EN FINALE TERREINUITLEGPLAN VIR KOMMENTAAR

OPENBARE DEELNAMEPROSES

(DOS VERWYSINGSNR: 12/12/20/2463/1)

(DENC VERWYSINGSNR: NC/BA/14/PIX/EMT/DEA5/2014)

Die doel van hierdie brief is om Belanghebbende en Geaffekteerde Partye (B&GPe), insluitend relevante Staatsdepartemente en Staatsorgane, in kennis te stel dat Mulilo De Aar 2 South (Edms) Bpk, dit wil sê die houer van die Omgewingsmagtiging (OM) vir die Windenergie Fasiliteit (WEF) geleë op die Oostelike Plato (Suid) naby De Aar, in die Noord-Kaap Provinsie (ook na verwys as die De Aar 2 Suid-WEF), voorberei om die gewysigde Omgewingsbestuursprogram (EMPr) en Finale Uitlegplan voor te lê aan die Departement van Bosbou, Visserye en die Omgewing (DFFE) vir goedkeuring, voor die aanvang van konstruksie, in ooreenstemming met Voorwaardes 13, 14, 15 en 16 van die Omgewingsmagtiging (OM) (DFFE Verwysing Nr. 12/12/20/2463/1). Hierdie brief dien ook om Belanghebbende en Geaffekteerde Partye (B&GPe) in kennis te stel dat die konsep gewysigde EMPr en Finale Uitlegplan aan B&GPe beskikbaar gestel word vir 'n kommentaarperiode van 30 dae, dit wil sê 14 November 2022 –14 Desember 2022.

1. Agtergrond

Die projek het 'n Omgewingsmagtiging (OM) van die Departement van Omgewingsake (DEA) (nou bekend as die Departement van Bosbou, Visserye en Omgewing (DFFE)) verkry op 1 Maart 2013, ingevolge die Nasionale Omgewingsbestuurswet (NEMA) Omgewingsimpak-assessering (EIA) Regulasies (2010), soos gewysig. Verder, op 24 Julie 2014, is 'n verdere OM (DENC Verwysings No. NC/BA/14/PIX/EMT/DEA5/2014) vir die projek deur die Noord-Kaapse Departement van Omgewing en Natuurbewaring (DENC) toegestaan vir aktiwiteite wat nie in die oorspronklike Omgewingsimpak-assessering (EIA) vir die projek aansoek gedoen is nie.

Die WEF sal op die volgende eiendomme geleë wees: Slingers Hoek (Plaas No. 2 Restant van Gedeelte 2 en Restant); Slingers Hoek (Plaas No. 2 Gedeelte 4); Knapdaar (Plaas No. 8 Gedeelte 1); Maatjes Fountain (Plaas No. 1 Gedeelte 5); Vendussie Kuil (Plaas No. 165 Restant van Gedeelte 2, en Gedeelte 7); Vendussie Kuil (Plaas No. 165 Gedeelte 11 en Restant), en Vendussie Kuil (Plaas No. 165 Gedeelte 7) binne die Emthanjeni Plaaslike Munisipaliteit en Renosterberg Plaaslike

Munisipaliteit, ongeveer 20km oos van De Aar, in die Noord-Kaap Provinsie.

Die oorspronklike OM vir die projek (gedateer 1 Maart 2013) het die konstruksie van ongeveer 103 windturbines, en gepaardgaande infrastruktuur, met 'n algehele potensiële opwekkingskapasiteit van 155 – 258 MW, en gepaardgaande infrastruktuur gemagtig. 'n Deel 2 OM-wysigingsproses is in 2015 onderneem, wat 'n vermindering in die aantal turbines by die WEF ingesluit het (d.w.s. verminder van 103 turbines tot 'n maksimum van 61 turbines) en algehele opwekkingskapasiteit van 140MW, sowel as wysigings aan die turbine spesifikasies.

Met die finalisering van die uitleg het die aansoeker weer die aantal turbines verminder. Die voorgestelde Finale Uitlegplan van die WEF bestaan uit tot 28 moontlike Windturbine Generator (WTG) posisies, waarvan 'n maksimum van 26 WTGs ontwikkel sal word, en gepaardgaande infrastruktuur vir die WEF.

2. Opdatering van die EMPr en Uitlegplan-Finaliseringsproses

Die konsep-EMPr vir die projek is opgedateer (gewysig) om die Magtigingsvoorwaardes van die OM (en wysigings daaraan), die insluiting van die voorgestelde Finale Uitlegplan, en die aanbevelings van die spesialiste (insluitend ekologie, akwatiese, voël, vlermuise, landbou/gronde, erfenis (argeologie en paleontologie), visueel, geraas en vervoer) as deel van die EMPr-bywerking en Uitlegplan Finaliseringsproses, soos vereis ingevolge voorwaardes 13, 14, 15 en 16 van die OM gedateer 1 Maart 2013, soos gewysig. Verder is die EMPr opgedateer om te voldoen aan die vereistes van Bylaag 4 van die EIA-regulasies, 2014, soos gewysig, en die insluiting van 'n Generiese Omgewingsbestuursprogram (EMPr) vir die Ontwikkeling en Uitbreiding van Substasie-infrastruktuur vir Transmissie en Verspreiding van Elektrisiteit.

Die Finale Uitlegplan het die aanbevole versagtingsmaatreëls vir die beplannings- en ontwerpfasies wat in die gewysigde EMPr, die Magtigingsvoorwaardes, en die insette van die spesialisspan ingesluit is, in ag geneem.

Die konsep gewysigde EMPr en Finale Uitlegplan word vir 'n 30 dae kommentaarperiode aan B&GPe beskikbaar gestel (verwys na Afdeling 3 hieronder), waarna die finale gewysigde EMPr en Finale Uitlegplan aan DFFE voorgelê sal word vir goedkeuring, voor die aanvang van die konstruksie van die WEF, soos vereis in terme van Voorwaardes 13, 14 en 15 van die OM.

3. Proses vir publieke deelname (geleentheid om kommentaar te lewer)

Kennis word hiermee gegee van die aanvang van die proses van openbare deelname ingevolge die Nasionale Omgewingsbestuurswet (NEMA) Omgewingsimpak-assessering (EIA) Regulasies (2014), soos gewysig.

Belangstellende en Geaffekteerde Partye (B&GPe) word uitgenooi om kommentaar te lewer op die konsep gewysigde EMPr en Finale Uitlegplan vir die bogenoemde projek, gedurende 'n **30 dae B&GPe kommentaar tydperk, dit wil sê vanaf 14 November 2022 – 14 Desember 2022.**

(Let wel: Indien u hierdie korrespondensie lees in u hoedanigheid as 'n verteenwoordiger van 'n Staatsdepartement of Staatsorgaan, neem asseblief kennis van die volgende: Ingevolge Artikel 240 van die Nasionale Omgewingsbestuurswet (NEMA) en Regulasies 7(2) en 43(2) van die Omgewingsimpak-assessering (EIA) Regulasies, 2014, soos gewysig, word enige Staatsdepartement wat 'n wet administreer met betrekking tot 'n aangeleentheid wat die omgewing relevant tot die aansoek raak hiermee versoek om binne 30 dae kommentaar te lewer (d.w.s. teen **14 Desember 2022**) oor die konsep gewysigde EMPr en Finale Uitlegplan).

Afskrifte van die konsep gewysigde EMPr en Finale Uitlegplan sal soos volg beskikbaar wees

gedurende die 30 dae B&GPe kommentaar tydperk:

- 'n Elektroniese kopie sal beskikbaar wees vir aflaai op die Holland & Associates Environmental Consultants webwerf (www.hollandandassociates.net).
- 'n Harde kopie van die EMPr (insluitend Finale Uitlegplan) sal vir besigtiging by die Hennie Liebenberg Openbare Biblioteek in De Aar ingedien word.
- Op versoek sal die konsep gewysigde EMPr en Finale Uitlegplan aan B&GPe beskikbaar gestel word via elektroniese lêeroordrag of Dropbox-skakel. 'n Dropbox-skakel sal ook in die omslag-e-pos voorsien word vir kennisgewings wat per e-pos aan B&GPe gestuur word.

4. Pad vorentoe

B&GPe word uitgenooi om die gewysigde EMPr en Finale Uitlegplan te hersien en kommentaar daarop te lewer gedurende die 30-dae B&GPe-kommentaartydperk, dit wil sê **14 November 2022 – 14 Desember 2022**. Indien u enige kommentaar het, dien asseblief u kommentaar skriftelik per pos of e-pos in aan: Me Tilly Watermeyer van Holland & Associates Environmental Consultants (e-pos: tilly@hollandandassociates.net of pos: PostNet Suite #108, Privaatsak X12, Tokai, 7966 Tel: 060 319 1217) **voor of op 14 Desember 2022**.

Alle kommentaar wat gedurende die 30 dae B&GPe -kommentaartydperk ontvang word, sal aangeteken word en daarop gereageer word in 'n Kommentaar- en Antwoordverslag, wat ingesluit sal word in die finale gewysigde EMPr, wat saam met die Finale Uitlegplan aan DFFE voorgelê sal word vir goedkeuring.

(Let wel: Wet op die Beskerming van Persoonlike Inligting, 2013 (Wet 4 van 2013) Vrywaring: Jy ontvang korrespondensie met betrekking tot die bogenoemde projek, aangesien jou kontakbesonderhede in die Geregistreerde Belanghebbende & Geaffekteerde Partye (B&GPe) databasis vasgelê is vir die projek, ingevolge die Omgewingsimpak-assessering (EIA) Regulasies (2014), soos gewysig, uitgevaardig ingevolge die Nasionale Omgewingsbestuurswet (NEMA) (No. 107 van 1998), soos gewysig. Indien u verwyder wil word vanaf die B&GPe-databasis op enige stadium, stel asseblief die ondergetekende in kennis. Neem asseblief kennis dat deur nie op hierdie korrespondensie te reageer, ons verstaan dat u instem dat u kontakbesonderhede in die geregistreerde B&GPe-databasis bly en om verdere korrespondensie met betrekking tot die voorgestelde projek te ontvang. In die geval van 'n appèl, sal die besonderhede van geregistreerde B&GPe aan 'n appellant beskikbaar gestel word sodat geregistreerde B&GPe ingelig kan word en aan die appèlproses kan deelneem. Geregistreerde B&GPe-inligting sal aan die Omgewingsimpak-assesseringspraktisyn (EAP) of onafhanklike persoon beskikbaar gestel word vir kennisgewingsdoeleindes van die indiening van die omgewingsouditverslag. Verder tot bogenoemde, neem asseblief kennis dat dit die verantwoordelikheid van geregistreerde B&GPe is om die Omgewingsimpak-assesseringspraktisyn (EAP) in kennis te stel indien hulle kontakbesonderhede bygewerk moet word (indien hulle wil voortgaan om korrespondensie te ontvang met betrekking tot enige omgewingsgoedkeurings-/magtigingsprosesse vir die projek).

Indien u enige verdere inligting verlang of enige navrae het, kontak asseblief die ondergetekende.

Die uwe



TILLY WATERMEYER (BSc Hons, MSc.)



NICOLE HOLLAND (Reg. EAP (EAPASA); Pr Sci Nat)