

Savannah Public Process

From: Simphiwe Masilela <SimphiweM@atns.co.za>
Sent: Friday, July 5, 2019 12:16 PM
To: Savannah Public Process
Cc: Hermien Slabbert; Nicolene Venter; Graham Mondzinger
Subject: RE: Castle WEF: Amendment Motivation Report available for review and comment

Good day Nicolene,

RE: CASTLE WIND ENERGY FACILITY

The proposed Castle Wind Energy Facility is in close vicinity to De Aar Aerodrome and Military, the relevant stakeholders should be contacted to make comments regarding the proposed wind energy facility (i.e. De Aar Military).

We would have to conduct a formal Communication, Navigation and Surveillance (CNS) assessment as per South African Civil Aviation Authority (SACAA) request, due to the possible impact on the ATNS Secondary Surveillance Radar(SSR)

The line of sight may be affected upon a Terrain profile assessment, as the radar extends to a 200NM radius.

The proposed could create a blanking effect and reflections.

We request that you please update us should there be any new developments that may affect our interests.

We will duly conduct assessments as required when the project is ready for construction upon a formal request.

Please note there is a charge attached to this service.

Please note, for us to carry out a successful assessment we require the following information:

1. LOCATION (Co-ordinates WGS84 system) for each turbine.
2. SITE/GROUND ELEVATION (AMSL) for each turbine
3. THE NUMBER OF WIND TURBINES
4. KMZ FILE FOR THE PROPOSED SITE
5. HEIGHT TO TOP OF STRUCTURE (in meters)

Furthermore, we kindly request that all queries or new applications to be forwarded to the Obstacle Evaluators on the following:

ObstacleEvaluator@atns.co.za

Kind Regards,

Simphiwe Masilela

Obstacle Evaluator | COO - Air Traffic Services
ATNS Head Office, Bruma, Johannesburg, South Africa

T: +2711 607 1228 • F: 011 607 1466 • C:
E: SimphiweM@atns.co.za • W: www.atns.com

From: Savannah Public Process [mailto:publicprocess@savannahsa.com]
Sent: Thursday, July 04, 2019 4:25 AM
To: Simphiwe Masilela <SimphiweM@atns.co.za>
Cc: Hermien Slabbert <hermien@savannahsa.com>; Nicolene Venter <nicolene@savannahsa.com>
Subject: RE: Castle WEF: Amendment Motivation Report available for review and comment

Dear Mr Masilela,

Attached for your Company's perusal is the KMZ file.

Kind regards,

Nicolene Venter

Public Participation & Social Consultant | Savannah Environmental (Pty) Ltd
Tel: +27 (0)11 656 3237 | Cell: +27 (0)60 978 8396 | Fax: +27 (0)86 684 0547
[SAWEA Award for Leading Environmental Consultant for Wind Projects in 2013 & 2015](#)

From: Savannah Public Process
Sent: Thursday, July 4, 2019 3:42 AM
To: simphiwem@atns.co.za
Cc: Hermien Slabbert <hermien@savannahsa.com>; Nicolene Venter <nicolene@savannahsa.com>
Subject: Castle WEF: Amendment Motivation Report available for review and comment

**CASTLE WIND ENERGY FACILITY NEAR DE AAR, NORTHERN CAPE PROVINCE
(DEA Ref.No.: 14/12/16/3/3/2/278)**

- **Notification of the availability of the Motivation Report**

Dear Mr Masilela,

Castle Wind Farm (Pty) Ltd received an Environmental Authorisation (EA) for the construction of the Castle Wind Energy Facility and associated infrastructure near De Aar in the Northern Cape Province (DEA Ref.No. 14/12/16/3/3/2/278 on 08 May 2015. Subsequent to the EA dated 08 May 2015, an Amendment to the EA for the extension of the validity period of the EA was received on 15 March 2018 (DEA Ref.No. 14/12/16/3/3/2/278/AM3).

There have been advancements to wind turbine technology since the issuing of the EA, and the turbines authorised in the EA are therefore not considered to be the most suitable in terms of production and economic considerations. In this regard, Castle Wind Farm (Pty) Ltd are considering an updated turbine model for the project. An amendment to the authorised turbine specifications are being submitted to the Department of Environmental Affairs (DEA) for the increase of the authorized turbine specifications .

The attached letter provides information regarding the application and informing you of the availability of the Motivation Report for your review and comment which is available from **Wednesday, 03 July 2019** to **Friday, 02 August 2019**.

Kind regards,

Nicolene Venter
Savannah Environmental
By email: publicprocess@savannahsa.com

1 August 2019

Dear Nicolene

**CASTLE WIND ENERGY FACILITY NEAR DE AAR, NORTHERN CAPE PROVINCE: PROPOSED
AMENDMENT TO THE AUTHORISED TURBINE SPECIFICATIONS ARE BEING SUBMITTED
DEA Ref.: 14/12/16/3/3//2/278**

Thank you for the opportunity to comment on the above application. While we support most of the findings and recommendations of the Avifauna Comparative Assessment and have the following comments and recommendations:

1. The Avifauna Comparative Assessment relies on field data collected approximately 5 years ago (the avifaunal assessment was dated October 2014). There appears to have been no attempt to revisit the site to determine if the receiving environment has significantly changed. With an operational wind farm adjacent to the site, the receiving environment has almost certainly has changed. We recommend that, as an absolute minimum, that the location and occupancy of important sites (e.g. nests) be checked. It is also possible that the presence of turbines might have influenced how some species use the area. This need to be addressed in the assessment.
2. The use of the term “residual risk” in the Avifauna Comparative Assessment is confusing and does not appear to be in line with the definition provided in the report
3. BirdLife South Africa has previously noted our concern about the risk of cumulative negative impacts on birds from this and other renewable energy infrastructure in the area (e.g see our comments on the EIA). We remain concerned and agree with the avifaunal assessment that the cumulative risk to birds is of **high** negative significance.
4. It has now been confirmed that threatened species, such as and Martial Eagle and Verreauxs’ Eagle are at risk of turbine collisions. Fatalities have been reported at other wind energy facilities in South Africa, including wind energy facilities not far from this site¹. We also know that nest buffers alone are not adequate to protect eagles from this risk.
5. The context of the site (e.g. within an Important Bird and Biodiversity Area) and risk of cumulative impact impacts must be considered when assessing the impacts and determining an appropriate mitigation strategy.
6. We note that the avifaunal specialist recommends that if significant impacts are observed during operation that these must be mitigated, but no details are provided. We urge that a more proactive approach be adopted to minimise risk to birds. Why wait until significant impacts are observed?

¹ We note that the avifaunal specialist has indicated that the monitoring reports for nearby wind farm(s) are not available. BirdLife South Africa has interim monitoring reports for both projects up to September 2018 and are following up with the wind farms to obtain the outstanding reports. Department of Environmental Affairs has given and the BirdLife South Africa permission to share monitoring reports with specialists where these are needed for environmental impact assessments, but please liaise with the Department with regards whether these should be included in the public documents.

BirdLife South Africa is a partner of BirdLife International, a global partnership of nature conservation organisations.
Member of IUCN (International Union for Conservation of Nature).
Reg No: 001 – 298 NPO
PBO Exemption No: 930004518

7. It has been our experience that wind energy facilities in South Africa can significantly delay implementing specialists' recommendations for operational-phase mitigation at wind energy facilities - if they are implemented at all. To date, there also appears to have been little oversight or enforcement to ensure operational-phase impacts of wind energy facilities on birds are mitigated. **We therefore urge that the conditions of authorisation and EMPr be strengthened, to ensure that predicted impacts on threatened species are proactively and timeously addressed, and that mitigation is enforceable.**

8. We also recommend that operational phase mitigation (and compensation) options, timeframes and triggers for action should be detailed in a contingency plan (this should be periodically reviewed and where necessary, updated). This plan will help avoid any delays and debates and will allow the applicant to plan accordingly.

Thank you for considering our input.

Yours sincerely



Samantha Ralston-Paton
Birds and Renewable Energy Project Manager



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

DEA Reference: 14/12/16/3/3/2/278/AM4

Enquiries: Mr Herman Alberts

Telephone: (012) 399 9371 **E-mail:** HAlberts@environment.gov.za

Ms Jo-Anne Thomas
Savannah Environmental (Pty) Ltd
PO Box 148
SUNNINGHILL
2157

Tel: (011) 656 3237
Email: joanne@savanahsa.com

PER MAIL / EMAIL

Dear Ms Thomas

COMMENTS ON THE DRAFT AMENDMENT REPORT FOR THE APPLICATION FOR AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 08 MAY 2015 FOR THE DEVELOPMENT OF THE CASTLE WIND ENERGY FACILITY NEAR DE AAR, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) for the above-mentioned project dated 08 May 2015 and your application form and draft amendment report received by the Department on 03 July 2019, refer.

The Department has the following comments on the abovementioned amendment application:

- i. Please ensure that all issues raised and comments received from registered I&APs and organs of state which have jurisdiction (including this Department's Biodiversity Section) in respect of the proposed activity are adequately addressed in the final report.
- ii. Proof of correspondence with the various stakeholders must be included in the final report. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 and 44 of the EIA Regulations 2014 as amended.
- iii. A Comments and Response trail report (C&R) must be submitted with the final report. The C&R report must be in the table format as indicated in Annexure 1 of this comments 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.
- iv. Should there be other similar developments within the 30km radius of the proposed development, please ensure that the cumulative impact assessment for all identified and assessed impacts indicates the following:
 - 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.
 - 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.

- The cumulative impacts significance rating must also inform the need and desirability of the proposed development.
 - A cumulative impact environmental statement on whether the proposed development must proceed or not.
- v. Please ensure that all mitigation recommendations are in line with applicable and most recent guidelines.
- vi. The final amendment report must contain an EMPr reflective of the changes or improvements the proposed application will have on the EA and the previous EMPr.

Please note that in terms of regulation 32 of EIA regulation 2014 as amended, the applicant is required within a specified timeframe to submit a report to this Department in light of the proposed amendments.

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 the these Regulations, unless an extension has been granted in terms of Regulation 3(7).

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.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Mr Coenrad Agenbach

Designation: Deputy Director: Priority Infrastructure Projects

Date: 6/08/2019

Annexure 1

Format for Comments and Response Trail Report:

Date of comment, format of comment name of organisation/I&AP	Comment	Response from EAP/Applicant/Specialist
27/01/2016 Email Department of Environmental Affairs: Strategic Infrastructure Development (John Soap)	Please record C&R trail report in this format Please update the contact details of the provincial environmental authority	EAP: (Noted) The C&R trail report has been updated into the desired format, see Appendix K EAP: Details of provincial authority have been updated, see page 16 of the Application form

Eskom requirements for work at or near Eskom infrastructure.

1. Eskom's rights and services must be acknowledged and respected at all times.
2. Eskom shall at all times retain unobstructed access to and egress from its servitudes.
3. Eskom's consent does not relieve the developer from obtaining the necessary statutory, land owner or municipal approvals.
4. Any cost incurred by Eskom as a result of non-compliance to any relevant environmental legislation will be charged to the developer.
5. 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.
6. 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.
7. 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.
8. 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 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.
9. 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.

10. 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.
11. 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.
12. The clearances between Eskom's live electrical equipment and the proposed construction work shall be observed as stipulated by *Regulation 15 of the Electrical Machinery Regulations of the Occupational Health and Safety Act, 1993 (Act 85 of 1993)*.
13. Equipment shall be regarded electrically live and therefore dangerous at all times.
14. 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.
15. 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.
16. It is required of the developer to familiarise himself with all safety hazards related to Electrical plant.
17. 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.

John Geeringh (Pr Sci Nat)

Senior Consultant Environmental Management
Eskom GC: Land Development



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 4377

Date: Tuesday August 06, 2019
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Final Comment

In terms of Section 38(4), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Castle Wind Farm (juwi Renewable Energies (Pty) Ltd initiative)

7 Walter Sosulu Avenue
Foreshore
Cape Town
8001

Castle Wind Energy Facility near De Aar, Northern Cape

Savannah Environmental (Pty) Ltd has been appointed by Castle Wind Farm (Pty) Ltd to conduct an Environmental Authorisation (EA) Amendment Application for the authorised Castle Wind Energy Facility (WEF) and associated infrastructure near De Aar, Northern Cape.

A draft Amendment report has been submitted in terms of the National Environmental Management Act, No 107 of 1998 (NEMA), NEMA Environmental Impact Assessment (EIA) Regulations. The proposed amendments to the authorised development include an increase in turbine generation capacity from 4.5MW up to 7.9 MW, increase in hub height from up to 130 m to up to between 90 and 150 m and an increase in rotor diameter from up to 150 m to between 110 m and 200 m.

Final Comment

As the proposed amendments will not result in a change of layout or additional infrastructure, the SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objection to the proposed amendment to the authorised development. The following conditions contained within the Final Comment issued on the 14 July 2015 (<https://sahris.sahra.org.za/node/314997>) are still outstanding and must be completed prior to construction:

- *The power line options should be subject to a walk-through by an archaeologist and a palaeontologist once these have been decided;*
- *According to the AIA report the majority of the heritage resources identified apart from Sites 6 & 9 will not be impacted. SAHRA recommends that these two sites should be safeguarded and not be impacted. If it is not possible to move the turbines SAHRA should be notified as soon as possible;*



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T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 4377

Date: Tuesday August 06, 2019
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- *The recommendations of the palaeontologist is fully supported, however, it is further recommended that the developer should engage a palaeontologist to investigate excavation areas for the turbine locations. The schedule for the inspections should be negotiated with the palaeontologist.*

The above conditions apply to the proposed amended development (with further details for clarity provided below) and the following additional conditions must be complied with:

- The Final Amendment Report and EMPr must be uploaded to the SAHRIS application for record purposes;
- The walk-through referred to in the Final Comment must be accompanied by a report on the results of the walk-through that must be submitted to SAHRA for comment;
- The condition provided in the Final Comment referring to the safeguarding of site 6 and 9 is hereby amended to provide for a 30 m no-go buffer-zone around the sites to allow for the safeguarding of the sites;
- The condition provided in the Final Comment that refers to the engagement with a palaeontologist regarding excavation areas for the turbine locations must be accompanied by a report on the results of the engagement that must be submitted to SAHRA for comment;
- If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted. If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 35(3) and 36(6) of the NHRA. A professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;
- The decision regarding the Amended EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully



an agency of the
Department of Arts and Culture

T: +27 21 462 4502 | F: +27 21 462 4509 | E: info@sahra.org.za
South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 4377

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Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Acting Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/151282>
(DEA, Ref: 14/12/16/3/3/2/278)

Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.