



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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

DFFE Reference: 12/12/20/2321/2/2

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 E-mail: TNYalunga@environment.gov.za

Mr Eugene Marais
South Africa Mainstream Renewable Power Loeriesfontein 3 (Pty) Ltd
PO Box 45063
CLAREMONT
7735

Telephone Number: (021) 657 4052
E-mail address: eugene.marais@mainstreamrp.com

PER MAIL / EMAIL

Dear Mr Marais

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED FOR: THE 132KV GRID ALIGNMENT (I.E. OVERHEAD POWER LINE) AND 132KV ESKOM PORTION OF THE SHARED ON-SITE SUBSTATION FOR THE 100 MW LOERIESFONTEIN 3 PHOTOVOLTAIC (PV) SOLAR ENERGY FACILITY (SEF) NEAR LOERIESFONTEIN, HANTAM LOCAL MUNICIPALITY, NORTHERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the abovementioned application by this Department on 29 October 2012, the subsequent environmental authorisation amendments dated 21 May 2013 (12/12/20/2321/2), 23 July 2013 (12/12/20/2321/2), 10 July 2014 (12/12/20/2321/2/A1), 27 October 2015 (12/12/20/2321/2/AM2), 4 October 2017 (12/12/20/2321/2/AM3), 26 September 2019 (12/12/20/2321/2/AM4), your application for amendment of the EA received on 07 April 2021, and the acknowledgement letter dated 19 April 2021, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5, Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014, has decided to amend the EA dated 29 October 2012 by issuing a new EA.

The attached EA will replace the EA dated 29 October 2012 for the 132kV grid alignment (i.e. overhead power line) and 132kV Eskom portion of the shared on-site substation for the 100MW Loeriesfontein 3 SEF, as well as the subsequent amendments. All further amendments must be lodged on the attached EA.

Reason for the amendment is as follows:

The amendment involves splitting the EA for the authorised 100MW Loeriesfontein 3 SEF, shared on-site 33/132kV substation and 132kV powerline (12/12/20/2321/2 as amended) into two (2) separate components (EAs), namely: 1) the 100MW Loeriesfontein 3 SEF and 33/132kV IPP portion of the shared on-site substation (including the transformer) (12/12/20/2321/2/1); and 2) the 132kV Grid alignment (i.e. overhead powerline) and the 132kV Eskom portion of the shared on-site substation for the Loeriesfontein 3 SEF (12/12/20/2321/2/2). This was requested by the Holder of the Authorisation, to allow for the ceding of the EA for the 132kV Grid alignment (i.e. overhead powerline) and the 132kV Eskom portion of the shared on-site substation to Eskom on completion

of construction of the facilities, as per Eskom requirements. The split will also allow the project to be potentially suitable for various opportunities such as the REIPPPP, RMIPPPP, and other government run procurement programmes that may arise, or for the sale to private entities, required in the drive for energy security in South Africa. The splitting of the EA and associated EMPs does not result in a change of the scope of the existing EA, nor does it increase the level or nature of the impacts which were originally assessed and considered when the initial application for EA, or subsequent amendments thereto, were made.

General

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 decision, of this decision, as well as the provisions regarding the submission of appeals that are contained in the Regulations.

In terms of the Promotion of Administrative Justice Act, 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, 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.

Your attention is drawn to Chapter 2 of National Environmental Management Act, 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 environmental authorisation 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 Forestry, Fisheries and the Environment
Date: 21/05/2021

cc:	Michelle Guy	SIVEST SA (Pty) Ltd	Email: michelleg@sivest.co.za
-----	--------------	---------------------	---



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Environmental Authorisation

In terms of Regulation 27(2)(a) of the Environmental Impact Assessment Regulations, 2014, as amended

The 132kV grid alignment (i.e. overhead power line) and 132kV Eskom portion of the shared on-site substation for the 100 MW Loeriesfontein 3 Photovoltaic (PV) Solar Energy Facility (SEF) near Loeriesfontein, Hantam Local Municipality, Northern Cape Province

Namakwa District Municipality

Authorisation register number:	12/12/20/2321/2/2
Last amended:	Second Issue
Holder of authorisation:	South Africa Mainstream Renewable Power Loeriesfontein 3 (Pty) Ltd
Location of activity:	Portion 1 of the Farm Aan De Karee Doorn Pan No. 213; Portion 2 of the Farm Aan De Karee Doorn Pan No. 213; Remainder of The Farm Sous No. 226; Portion 1 of The Farm Sous No. 226; and Portion 3 of The Farm Sous No. 226 Hantam Local Municipality Namakwa District Municipality Northern Cape Province.

This authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.

111

Decision

The Department is satisfied, on the basis of information available to it and subject to compliance with the conditions of this Environmental Authorisation, that the applicant should be authorised to undertake the activities specified below.

Non-compliance with a condition of this Environmental Authorisation may result in criminal prosecution or other actions provided for in the National Environmental Management Act, Act No. 107 of 1998, as amended and the EIA Regulations, 2014, as amended.

Details regarding the basis on which the Department reached this decision are set out in Annexure 1.

Activities authorised

By virtue of the powers conferred on it by the National Environmental Management Act, Act No. 107 of 1998, as amended and the Environmental Impact Assessment Regulations, 2014, as amended, the Department hereby authorises –

SOUTH AFRICA MAINSTREAM RENEWABLE POWER LOERIESFONTEIN 3 (PTY) LTD

(hereafter referred to as the **holder of the authorisation**)

with the following contact details –

Mr Eugene Marais

South Africa Mainstream Renewable Power Developments Loeriesfontein 3 (Pty) Ltd

PO Box 45063

CLAREMONT

7735

Telephone Number: (021) 657 4052
Fax Number (021) 671 5665
Cellphone: (073) 871 5781
E-mail address: eugene.marais@mainstreamrp.com

to undertake the following activities (hereafter referred to as "the activity") indicated in Listing Notice 1, Listing Notice 2 and Listing Notice 3 of the EIA Regulations, 2014 as amended:

Activity number	Activity description
<u>GN R. 983 Item 11:</u> <i>"The development of facilities or infrastructure for the transmission and distribution of electricity- (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts;"</i>	A 132kV overhead power line and an onsite 132kV substation (Eskom's portion of the shared on-site substation) are required to connect the Solar PV to the grid. The substation and power lines will be outside of an urban area.
<u>GN R 983 Item 27:</u> <i>"The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation."</i>	The substation will be more than 1 ha in size (approximately 10800m ²).
<u>GN R 983 Item 28 (ii):</u> <i>"Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, game farming, equestrian purposes or afforestation on or after 01 April 1998 and where such development: (ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;"</i>	The substation represents an industrial development outside of an urban area, on previously undeveloped or vacant land, and will be more than 1 ha in size (approximately 10800m ²).

as described in the Environmental Impact Assessment Report (EIAR) dated May 2012, the subsequent environmental authorisation amendments, and the Part 1 Amendment Application form dated March 2021 at:

Loeriesfontein 3 Grid Connection Powerline Corridor (DD MM SS.sss)

Centre Line Coordinates	Latitude	Longitude
Start point	S30° 22' 30.979"	E19° 34' 48.082"
Middle point	S30° 26' 20.771"	E19° 33' 30.243"
End point	S30° 29' 58.002"	E19° 33' 37.699"

Loeriesfontein 3 Substation Site (Eskom's portion of the shared on-site substation) (DD MM SS.sss)

Coordinates at centre point	Latitude	Longitude
Centre	S30° 22' 30.979"	E19° 34' 48.082"

- for the 132kV grid alignment (i.e. overhead power line) and 132kV Eskom portion of the shared on-site substation for the proposed 100 MW Loeriesfontein 3 PV Solar Energy Facility (SEF) on Portion 1 of the Farm Aan De Karee Doorn Pan No. 213; Portion 2 of the Farm Aan De Karee Doorn Pan No. 213; Remainder of The Farm Sous No. 226; Portion 1 of The Farm Sous No. 226; and Portion 3 of The Farm Sous No. 226, near Loeriesfontein, Hantam Local Municipality, Namakwa District Municipality, Northern Cape Province hereafter referred to as "the property".

The grid alignment and substation associated with the 100MW Loeriesfontein 3 SEF, will comprise the following:

- A new substation of approximately 10 800m² (Eskom portion of the shared on-site substation); and
- A 132kV overhead power line to connect to Eskom Helios Substation.

Technical details for the Grid and Substation:

Component	Description/Dimensions
Location	Approximately 60km from Loeriesfontein
SG Codes	C01500000000021300001 C01500000000021300002 C01500000000022600000 C01500000000022600001 C01500000000022600003
Substation (132kV Switching Station)	One (1) on-site substation approximately 10800m ²
Power line (number and voltage)	A 132 kV powerline with a length of approximately 15.4 km connecting the wind farm with the national distribution network at Helios MTS

Conditions of this Environmental Authorisation

Scope of authorisation

1. The 132kV grid alignment (i.e. overhead power line) and Eskom portion of the shared substation as described above, is hereby approved at the preferred alternative sites per the geographic coordinates cited in the tables above.
2. Authorisation of the activity is subject to the conditions contained in this Environmental Authorisation, which form part of the Environmental Authorisation and are binding on the holder of the authorisation.
3. The holder of the authorisation is responsible for ensuring compliance with the conditions contained in this Environmental Authorisation. This includes any person acting on the holder's behalf, including but not limited to, an agent, servant, contractor, sub-contractor, employee, consultant or person rendering a service to the holder of the authorisation.
4. The activities authorised may only be carried out at the property as described above.
5. Any changes to, or deviations from, the project description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it may be necessary for the holder of the authorisation to apply for further Environmental Authorisation in terms of the regulations.
6. The holder of an Environmental Authorisation must apply for an amendment of the Environmental Authorisation with the Competent Authority for any alienation, transfer or change of ownership rights in the property on which the activity is to take place.
7. This activity must commence within a period of ten (10) years from the date of the first issue of the Environmental Authorisation (i.e. the EA lapses on 29 October 2022). If commencement of the activity does not occur within that period, the authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.
8. Construction must be completed within five (5) years of the commencement of the activity on site.
9. Commencement with one activity listed in terms of this Environmental Authorisation constitutes commencement of all authorised activities.

Notification of authorisation and right to appeal

10. The holder of the authorisation must notify every registered interested and affected party, in writing and within 14 (fourteen) calendar days of the date of this Environmental Authorisation, of the decision to authorise the activity.
11. The notification referred to must –
 - 11.1. specify the date on which the authorisation was issued;
 - 11.2. inform the interested and affected party of the appeal procedure provided for in the National Appeal Regulations, 2014;
 - 11.3. advise the interested and affected party that a copy of the authorisation will be furnished on request; and
 - 11.4. give the reasons of the Competent Authority for the decision.

Commencement of the activity

12. The authorised activity shall not commence until the period for the submission of appeals has lapsed as per the National Appeal Regulations, 2014, and no appeal has been lodged against the decision. In terms of Section 43(7), an appeal under Section 43 of the National Environmental Management Act, Act No. 107 of 1998, as amended will suspend the Environmental Authorisation 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 has been finalised.

Management of the activity

13. The Generic Environmental Management Programme (EMPr) for the 132kV power line, submitted as part of the Part 1 Amendment Application form dated March 2021, is approved. A copy of the final site layout map (depicting the final power line alignment) must be appended to the generic EMPr.
14. The Generic EMPr for the Eskom portion of the shared on-site substation, submitted as part of the Part 1 Amendment Application form dated March 2021, is approved.
15. The EMPrs must be implemented and strictly enforced during all phases of the project. They shall be seen as dynamic documents and shall be included in all contract documentation for the construction phase of the development.

16. The provisions of the EMPs including recommendations and mitigation measures in the EIR dated May 2012 and specialist' studies shall be an extension of the conditions of this EA and therefore noncompliance with them would constitute noncompliance with the EA.
17. Changes to the approved EMPs must be submitted in accordance to the EIA Regulations applicable at the time.
18. The Department reserves the right to amend the approved EMPs should any impacts that were not anticipated or covered in the EIA be discovered.

Frequency and process of updating the EMP

19. The EMP must be updated where the findings of the environmental audit reports, contemplated in Condition 26 below, indicate insufficient mitigation of environmental impacts associated with the undertaking of the activity, or insufficient levels of compliance with the environmental authorisation or EMP.
20. The updated EMP must contain recommendations to rectify the shortcomings identified in the environmental audit report.
21. The updated EMP must be submitted to the Department for approval together with the environmental audit report, as per Regulation 34 of the EIA Regulations, 2014 as amended. The updated EMP must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMP to the Department for approval.
22. In assessing whether to grant approval of an EMP which has been updated as a result of an audit, the Department will consider the processes prescribed in Regulation 35 of the EIA Regulations, 2014 as amended. Prior to approving an amended EMP, the Department may request such amendments to the EMP as it deems appropriate to ensure that the EMP sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
23. The holder of the authorisation must apply for an amendment of an EMP, if such amendment is required before an audit is required. The amendment process is prescribed in Regulation 37 of the EIA Regulations, 2014, as amended. The holder of the authorisation must request comments on the proposed amendments to the impact management outcomes of the EMP or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

Monitoring

24. The holder of the authorisation must appoint an experienced Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation/rehabilitation measures and recommendations referred to in this environmental authorisation are implemented and to ensure compliance with the provisions of the approved EMPr.
- 24.1. The ECO must be appointed before commencement of any authorised activities.
- 24.2. Once appointed, the name and contact details of the ECO must be submitted to the Director: Compliance Monitoring of the Department.
- 24.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
- 24.4. The ECO must remain employed until all rehabilitation measures, as required for implementation due to construction damage, are completed and the site is ready for operation.

Recording and reporting to the Department

25. All documentation e.g. audit/monitoring/compliance reports and notifications, required to be submitted to the Department in terms of this environmental authorisation, must be submitted to the *Director: Compliance Monitoring* of the Department.
26. The holder of the environmental authorisation must, for the period during which the environmental authorisation and EMPr remain valid, ensure that project compliance with the conditions of the environmental authorisation and the EMPr are audited, and that the audit reports are submitted to the *Director: Compliance Monitoring* of the Department.
27. The frequency of auditing and of submission of the environmental audit reports must be as per the frequency indicated in the EMPr, taking into account the processes for such auditing as prescribed in Regulation 34 of the EIA Regulations, 2014 as amended.
28. The holder of the authorisation must, in addition, submit an environmental audit report to the Department within 30 days of completion of the construction phase (i.e. within 30 days of site handover) and a final environmental audit report within 30 days of completion of rehabilitation activities.
29. The environmental audit reports must be compiled in accordance with Appendix 7 of the EIA Regulations, 2014 as amended and must indicate the date of the audit, the name of the auditor and the outcome of the audit in terms of compliance with the environmental authorisation conditions as well as the requirements of the approved EMPr.

30. Records relating to monitoring and auditing must be kept on site and made available for inspection to any relevant and competent authority in respect of this development.

Notification to authorities

31. A written notification of commencement must be given to the Department no later than fourteen (14) days prior to the commencement of the activity. Commencement for the purposes of this condition includes site preparation. The notice must include a date on which it is anticipated that the activity will commence, as well as a reference number.

Operation of the activity

32. A written notification of operation must be given to the Department no later than fourteen (14) days prior to the commencement of the activity operational phase.

Site closure and decommissioning

33. Should the activity ever cease or become redundant, the holder of the authorisation must undertake the required actions as prescribed by legislation at the time and comply with all relevant legal requirements administered by any relevant and Competent Authority at that time.

Specific conditions

34. No exotic plants may be used for rehabilitation purposes. Only indigenous plants of the area may be utilised.
35. An integrated waste management approach must be implemented that is based on waste minimisation and must incorporate reduction, recycling, re-use and disposal where appropriate. Any solid waste shall be disposed of at a landfill Licensed in terms of section 20 (b) of the National Environment Management Waste Act, 2008 (Act No. 59 of 2008). Copies of all waste disposal certificates must be kept on site.
36. Vegetation clearing must be limited to the required footprint. Mitigation measures must be implemented to reduce the risk of erosion and the invasion of alien species
37. Before the clearing of the site, the appropriate permits must be obtained from the Department of Agriculture, Land Reform and Rural Development (DALRRD) for the removal of plants listed in the

National Forest Act 87 of 1998 and from the relevant provincial department for the destruction of species protected in terms of the specific provincial legislation.

38. Cleared alien vegetation must not be dumped on adjacent intact vegetation during clearing but should be temporarily stored in a demarcated area.
39. Removal of alien invasive species or other vegetation and follow-up procedures must be in accordance with the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983.)
40. The applicant must ensure that all the "No go" areas are clearly demarcated (using fencing and appropriate signage) before construction commences.
41. Construction activities must be restricted to demarcated areas restrict impact on vegetation, birds and animals. Contractor's and construction workers must be clearly informed of the no-go areas.
42. Should any archaeological sites, artefacts, paleontological fossils or graves be exposed during construction work, work in the immediate vicinity of the find must be stopped, the South African Heritage Resources Agency (SAHRA) must be informed and the services of an accredited heritage professional obtained for an assessment of the heritage resources must be made.
43. Appropriate dust suppression techniques must be implemented on all exposed surfaces to minimise and control airborne dust. Such measures must include wet suppression, chemical stabilization, the use of a wind fence, covering surfaces with straw chippings and re-vegetation of open areas.
44. Erosion, and loss of soil must be prevented by minimizing the construction site exposed to surface water run-off. Where necessary erosion stabilizing actions such as gabions or re-vegetation must be implemented to prevent further habitat deterioration.
45. The holder of this authorisation must train safety representatives, managers and workers in workplace safety. All applicable safety standards and regulations, including for subcontractors must be enforced.
46. Anti-collision devices such as bird flappers must be installed where transmission lines crosses avifaunal corridors.
47. The holder of this authorisation must provide sanitation facilities within the construction camps and along the road so that workers do not pollute the surrounding environment. These facilities must be removed from the site when the construction phase is completed as well as associated waste to be disposed of at a registered waste disposal site.
48. The holder of this authorisation must take note that no temporary site camps will be allowed outside the footprint of the development area as the establishment of such structures might trigger a listed activity as defined in the Environmental Impact Assessment Regulations, 2010.
49. The holder of this authorisations, contractors and sub-contractors working on site must ensure that oil, fuel and chemicals are confined to specific and secured areas throughout the construction period These materials must be stored in a bunded area with adequate containment for potential spills and leaks.

General

50. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 50.1. at the site of the authorised activity;
- 50.2. to anyone on request; and
- 50.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
51. National government, provincial government, local authorities or committees appointed in terms of the conditions of this authorisation or any other public authority shall not be held responsible for any damages or losses suffered by the holder of the authorisation or his/her successor in title in any instance where construction or operation subsequent to construction be temporarily or permanently stopped for reasons of non-compliance by the holder of the authorisation with the conditions of authorisation as set out in this document or any other subsequent document emanating from these conditions of authorisation.

Date of First Issue of the Environmental Authorisation: 29 October 2012

Date of Environmental Authorisation: 21/05/2021



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Forestry, Fisheries and the Environment

Annexure 1: Reasons for Decision

1. Information considered in making the decision

In reaching its decision, the Department took, *inter alia*, the following into consideration -

- a) The information contained in the EIR dated May 2012;
- b) The comments received from organs of state and interested and affected parties as included in the EIR dated May 2012;
- c) Mitigation measures as proposed in the EIR dated May 2012 and the EMPr;
- d) The information contained in the specialist studies contained within Appendix 6 of the EIR;
- e) Findings of the site visit conducted on May 2012; and
- f) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act 107 of 1998).

2. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) The findings of all the specialist studies conducted and their recommended mitigation measures.
- b) The need for the proposed project stems from the provision of electricity to the national grid in terms of the Renewable Energy Independent Power Producers Procurement Programme (REIPPPP) and the provision of electricity from Independent Power Producers (IPPs) as required by the Department of Energy.
- c) The EIR dated May 2012 identified all legislation and guidelines that have been considered in the preparation of the EIR.
- d) The methodology used in assessing the potential impacts identified in the EIR dated May 2012 and the specialist studies have been adequately indicated.
- e) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2010 for public involvement.

3. Findings

After consideration of the information and factors listed above, the Department made the following findings -

- a) The identification and assessment of impacts are detailed in the EIR dated May 2012 and sufficient assessment of the key identified issues and impacts have been completed.
- b) The procedure followed for impact assessment is adequate for the decision-making process.
- c) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- d) EMPr measures for the construction and rehabilitation phases of the development were proposed and included in the EIA dated May 2012 and will be implemented to manage the identified environmental impacts during the construction process.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the environmental authorisation, the authorised activities will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the authorised activities can be mitigated to acceptable levels. The environmental authorisation is accordingly granted.