



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: 14/12/16/3/3/1/2494

Enquiries: Mr Lunga Dlova

Telephone: (012) 399 8524 **E-mail:** LDlova@dfef.gov.za

Ms Mercia Grimbeek
ENERTRAG South Africa Pty (Ltd)
Suite 104, Albion Springs
183 Main Road
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CAPE TOWN
South Africa
7700

Telephone Number: 021 207 2185
Email Address: Mercia.Grimbeek@enertrag.com

PER EMAIL / MAIL

Dear Ms Grimbeek

APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT NO. 107 OF 1998, AS AMENDED: FOR THE 220MW JESSA M WIND ENERGY FACILITY (WEF) AND ASSOCIATED INFRASTRUCTURE, NEAR BEAUFORT WEST IN THE BEAUFORT WEST LOCAL MUNICIPALITY, WITHIN THE CENTRAL KAROO DISTRICT MUNICIPALITY OF THE WESTERN CAPE PROVINCE

With reference to the above application, please be advised that the Department has decided to grant authorisation. The Environmental Authorisation (EA) and reasons for the decision are attached herewith.

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 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@dffe.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@dffe.gov.za.

Yours faithfully



Mr Vusi Skosana
Acting Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and the Environment

Date: 20 June 2022

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|-----|----------------------|--|---|
| cc: | Stuart Heather-Clark | SLR Consulting (South Africa) (Pty) Ltd | E-mail: shclark@slrconsulting.com |
| | Jan Viviers | Quickstep 479 (Pty) Ltd | E-mail: appieviviers@gmail.com , info@boeteka.co.za |
| | Adri.La Meyer | Western Cape Department of Environmental Affairs and Development Planning (WC DEADP) | E-mail: Adri.LaMeyer@westerncape.gov.za |
| | Denwin van Turha | Beaufort West Local Municipality | E-mail: denwint@beaufortwestmun.co.za |

DFFE Reference: 14/12/16/3/3/1/2494

Project Title: The 220MW Jessa M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality, within the Central Karoo District Municipality of the Western Cape Province



forestry, fisheries & the environment

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

Environmental Authorisation

In terms of Regulation 25 of the Environmental Impact Assessment Regulations, 2014, as amended

The 220MW JESSA M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality in the Western Cape Province.

Central Karoo District Municipality

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| Authorisation register number: | 14/12/16/3/3/1/2494 |
| Last amended: | First issue |
| Holder of authorisation: | ENERTRAG South Africa Pty (Ltd) |
| Location of activity: | Portion 0 of Farm Lombards Kraal No. 330 (C00900000000033000000); Portion 5 of Farm Boeteka No. 319 (C00900000000031900005); Portion 6 of Farm Boeteka No. 319 (C00900000000031900006) on Ward 6 within the Beaufort West Local Municipality, Central Karoo District Municipality in the Western 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.

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 –

ENERTRAG SOUTH AFRICA PTY (LTD)

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

with the following contact details –

Ms Mercia Grimbeek
ENERTRAG South Africa Pty (Ltd)
Suite 104, Albion Springs
183 Main Road
Rondebosch
CAPE TOWN
South Africa
7700

Telephone Number: 021 207 2185
Email Address: Mercia.Grimbeek@enertrag.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 |
|---|---|
| <p><u>GN R 327 (Listing Notice 1) Activity 11 (i)</u> <i>The proposed project of facilities or infrastructure for the transmission and distribution of electricity – outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts.</i></p> | <p>The proposed site is zoned as Agricultural land which falls outside of an urban area. Project infrastructure will include facilities or infrastructure for the transmission and distribution of electricity, namely one (1) onsite 33kV/132kV substation and underground and overhead cables of up to 33kV.</p> |
| <p><u>GN R 327 (Listing Notice 1) Activity 12 (ii) (a) (c)</u> <i>The proposed project of – (ii) infrastructure or structures with a physical footprint of 100 square metres or more, where such development occurs (a) within a watercourse; and (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p> | <p>The proposed project will require the placement of project infrastructure (i.e., wind turbines, substation, Battery Energy Storage Facility, internal access roads and underground cables) with a combined physical footprint of more than 100m². The proposed site consists of drainage lines and watercourses which will be traversed or be within 30m of some of the project infrastructure.</p> |
| <p><u>GN R 327 (Listing Notice 1) Activity 14</u> <i>The proposed project and related operation of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.</i></p> | <p>Temporary storage facilities will be placed on site for the storage of fuel and powder cement for use during the construction phase. It is anticipated that the stored dangerous goods will exceed the combined capacity of 80m³, however, will not exceed 500m³.</p> |
| <p><u>GN R 327 (Listing Notice 1) Activity 19</u> <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles, or rock of more than 10 cubic metres from a watercourse.</i></p> | <p>The proposed project will likely require the removal of soil in excess of 10m³ from a watercourse as a result of the construction of project infrastructure, as well as upgrades to existing roads and laying of underground cables within the project area.</p> |
| <p><u>GN R 327 (Listing Notice 1) Activity 24 (ii)</u></p> | <p>The proposed project site will be accessed via the N12, at three (3) existing access points. Right of Way (RoW) access that needs to cross the Jessa</p> |

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| <p><i>The proposed project of road with (ii) a road reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8m.</i></p> | <p>M project site will be granted for the project via a contract. No reserve exists for the access road(s), while the road(s) will be wider than 8m.</p> |
| <p>GN R 327 (Listing Notice 1) Activity 28 (ii) <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 will (ii) occur outside an urban area, where the total land to be developed is bigger than 1 hectare.</i></p> | <p>The project site is currently used for agricultural purposes. The proposed project is considered to be a commercial / industrial development and will have a footprint that exceeds 1 ha.</p> |
| <p>GN R 327 (Listing Notice 1) Activity 48 <i>The expansion of (i) infrastructure or structures where the physical footprint is expanded by 100 square metre or more, (a) within a watercourse and (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse.</i></p> | <p>The proposed project will likely require the upgrading of existing roads within the project area, where such upgrades will take place within watercourses and/or within 32m from the edge of these watercourses. The total footprint of the upgrades to be undertaken on the existing roads are anticipated to be in excess of 100m².</p> |
| <p>GN R 327 (Listing Notice 1) Activity 56 (i) (ii) <i>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre (i) where the existing reserve is wider than 13, 5 meters; or (ii) where no road reserve exists, where the existing road is wider than 8 metres.</i></p> | <p>The existing internal roads at the three (3) access points from the N12 will likely be widened by more than 6m to accommodate large trucks accessing the project site.</p> |
| <p>GN R 325 (Listing Notice 2) Activity 1 (a) <i>The proposed project of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs – (a) within an urban area.</i></p> | <p>The proposed project will involve the construction of a WEF with a generation capacity of up to 220MW, as well as a Battery Energy Storage component of up to 220MW/880MWh, outside of an urban area in the Western Cape Province.</p> |
| <p>GN R 325 (Listing Notice 2) Activity 15 <i>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for- (i) the</i></p> | <p>The proposed project will involve the clearance of more than 20ha or indigenous vegetation for the construction of the wind turbines foundations, a</p> |

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| <p>undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p> | <p>Battery Energy Storage Facility, a substation and other associated infrastructure.</p> |
| <p><u>GN R 324 (Listing Notice 3) Activity 4 (i) (ii) (aa)</u> <i>The proposed project of a road wider than 4 metres with a reserve less than 13,5 metres in the (i) Western Cape (ii) within areas outside urban areas and within (aa) areas containing indigenous vegetation.</i></p> | <p>The proposed project involves the development of a road wider than 4m, with a reserve less than 13,5m. The project site is located outside urban areas, while most of the site constitutes indigenous vegetation in the Western Cape Province.</p> |
| <p><u>GN R 324 (Listing Notice 3) Activity 14 (a) (c) (i) (i) (ff)</u> <i>The proposed project of infrastructure or structures with (ii) infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs (a) within a watercourse; and (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse in the (i) Western Cape: (i) outside urban areas within (ff) critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans.</i></p> | <p>The development of the WEF infrastructure will have a physical footprint in excess of 10m² and will be located within the Western Cape Province, outside urban areas. In addition, development will be required within and adjacent to (within 32m of) watercourses and will also traverse Ecological Support Area (ESA) 1 areas in certain places.</p> |
| <p><u>GN R 324 (Listing Notice 3) Activity 18 (i) (ii) (aa)</u> <i>The widening of a road by more than 4 metres and the lengthening of a road by more than 1 kilometre in the (i) Western Cape: (ii) all areas outside urban areas (aa) areas containing indigenous vegetation.</i></p> | <p>The existing internal roads at the three (3) access points from the N12 will likely be widened by more than 4m to accommodate the movement of heavy vehicles and cable trenching activities. The widening of the roads will take place within the Western Cape Province, outside urban areas, and will require the clearance of indigenous vegetation.</p> |

as described in the Basic Assessment Report (BAR) dated April 2022 at:

Attached as Annexure 2 of this Environmental Authorisation is a Locality Plan for Jessa M Wind Energy Facility and Associated Infrastructure.

SG 21 Code

| Farm Name | SG Code |
|--|-----------------------|
| Portion 0 of Farm Lombards Kraal No. 330 | C00900000000033000000 |
| Portion 5 of Farm Boeteka No. 319 | C00900000000031900005 |
| Portion 6 of Farm Boeteka No. 319 | C00900000000031900006 |

JESSA M WEF: APPLICATION SITE

| Coordinates At Corner Points | Latitude | Longitude |
|-----------------------------------|------------------|------------------|
| 1 | 32° 33' 49.358"S | 22° 28' 34.697"E |
| 2 | 32° 32' 57.810"S | 22° 27' 15.310"E |
| 3 | 32° 32' 6.973"S | 22° 28' 49.255"E |
| 4 | 32° 32' 4.148"S | 22° 30' 50.782"E |
| 5 | 32° 31' 43.439"S | 22° 32' 5.176"E |
| 6 | 32° 31' 41.914"S | 22° 32' 15.385"E |
| 7 | 32° 30' 53.176"S | 22° 32' 13.268"E |
| 8 | 32° 31' 25.619"S | 22° 33' 39.453"E |
| 9 | 32° 31' 38.346"S | 22° 33' 38.909"E |
| 10 | 32° 31' 49.760"S | 22° 33' 40.934"E |
| 11 | 32° 33' 1.901"S | 22° 34' 24.793"E |
| 12 | 32° 34' 16.560"S | 22° 34' 6.714"E |
| 13 | 32° 33' 56.083"S | 22° 33' 49.069"E |
| 14 | 32° 32' 54.997"S | 22° 31' 52.108"E |
| 15 | 32° 33' 24.606"S | 22° 31' 4.822"E |
| Coordinates At Centre Point | Latitude | Longitude |
| 16 | 32° 32' 38.036"S | 22° 31' 3.699"E |
| Central coordinates – BESS: | Latitude | Longitude |
| 17 | 32° 32' 21.936"S | 22° 32' 7.050"E |
| Central coordinates – Substation: | Latitude | Longitude |
| 18 | 32° 32' 21.936"S | 22° 32' 7.050"E |

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- for the 220MW JESSA M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality, within the Central Karoo District Municipality in the Western Cape Province, hereafter referred to as "the property".

Technical details of the 220MW JESSA M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality, within the Central Karoo District Municipality in the Western Cape Province:

| Component | Description/ Dimensions |
|---|---|
| Access | The proposed site is located next to the N12. Access road/s to the site and internal roads between project components, to be developed within a corridor of 20m wide to allow for fluctuating road widths as necessitated by cable trenches, stormwater channels and turning circle / bypass areas. |
| Extent | The total area of the site being considered for developing the wind facility: 3099,028 ha |
| Number and type of wind turbines | Up to a maximum of 29 wind turbines will be developed. Steel or concrete towers (or hybrid) can be utilised at the site. Alternatively, the towers can be of a hybrid nature, comprising concrete towers with top steel sections. |
| Generation Capacity | The targeted nameplate generation capacity: 220MW |
| Wind turbine specifications | <ul style="list-style-type: none"> • Rotor diameter: up to 200m • Hub height: up to 200m • Rotor top tip height: up to 300m |
| Turbine Foundations, Hardstands and Temporary laydown or staging area | Each turbine will have a circular foundation with a diameter of up to 25m alongside 1 500 m ² hardstand comprising blade storage area, rotor hub laydown area as well as other turbine materials / component laydown areas and crane pad for primary and assistance crane (as required). |
| Wind Facility On-site substation (Transformer) | <ul style="list-style-type: none"> • 33kV portion Up to 3ha in total including the Eskom switching station, associated equipment, cabling and associated infrastructure. |
| BESS | <ul style="list-style-type: none"> • BESS of up to 220MW/880MWh with up to four hours of storage. |

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| | <ul style="list-style-type: none"> • Total footprint will be up to 10ha (on-site substation included) and will accommodate internal roads, a temporary construction laydown area and a firebreak around the BESS footprint. • It is proposed that Lithium Battery Technologies, such as Lithium-Ion Phosphate, Lithium Nickel Manganese Cobalt oxides or Vanadium Redox flow technologies will be considered as the preferred battery technology, however the specific technology will only be determined following EPC procurement. • The main components of the BESS include the batteries, power conversion system and transformer which will all be stored in various rows of containers. |
| Cement batching plant (temporary) | <ul style="list-style-type: none"> • A temporary cement batching plant will be placed on site during the construction phase • Gravel and sand will be stored in separate storage areas whilst the cement will be contained in a silo. |
| Cabling | <p>Turbines to be connected to the on-site substation via up to 33kV cables. Cables to be laid underground in trenches mainly adjacent to proposed wind facility internal road network roads (as part of the temporary impact of 'Site roads' below) but in some instances the cables will deviate from the road. Note that cables running next to public roads will not be able to run within the road reserve, but as close as possible to the road reserve in the adjacent private owned land.</p> |
| Security | <ul style="list-style-type: none"> • Security gate and hut to be installed at most entrances to the wind facility site (estimated as 4 entrances each at 20m²). • No fencing around individual turbines, existing fencing shall remain around perimeter of properties. • Temporary and permanent yard areas to be enclosed (with access control) with an up to 2.4 m high fence. |
| Supporting infrastructure | <ul style="list-style-type: none"> • Building Infrastructure <ul style="list-style-type: none"> o Offices; o Operational control centre; |

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| | <ul style="list-style-type: none">o Operation and Maintenance Area / Warehouse / workshop;o Ablution facilities;o Battery Energy Storage System (BESS);o Substation building.• Electrical Infrastructure<ul style="list-style-type: none">o A 132kV on-site substation connecting all related low and medium voltage cabling;o Above ground and underground cabling and overhead power lines• Associated Infrastructure:<ul style="list-style-type: none">o Fencing and lighting;o Lightning protection;o Access road(s) to the site and internal roads between project components, to be developed within a corridor of 20m wide to allow for fluctuating road widths as necessitated by cable trenches, stormwater channels and turning circle / bypass areas.o Temporary and permanent laydown areas required for temporary storage and assembly of components and materials;o Temporary staff accommodation and laydown area.o Telecommunication infrastructure;o Batching plant (if required); ando Stormwater channels. |
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Conditions of this Environmental Authorisation

Scope of authorisation

1. The 220MW JESSA M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality, within the Central Karoo District Municipality in the Western Cape Province is approved as per the geographic coordinates cited in the table 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 issue of this Environmental Authorisation. 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 (05) 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. A final site layout plan for the 220MW JESSA M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality, within the Central Karoo District Municipality in the Western Cape Province, as determined by the detailed engineering phase and micro-siting of the wind turbine positions, and all mitigation measures as dictated by the final site layout plan, must be submitted to the Department for approval prior to construction. A copy of the final site layout map must be made available for comments to registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the final development layout map must be submitted to the Department for written approval prior to commencement of the activity. All available biodiversity information must be used in the finalisation of the layout map. Existing infrastructure must be used as far as possible e.g., roads. The layout map must indicate the following:
 - 13.1. The position of wind turbines and associated infrastructure;
 - 13.2. Internal roads indicating width;
 - 13.3. Wetlands, drainage lines, rivers, stream and water crossing of roads and cables;
 - 13.4. All sensitive features e.g., Important Bird Areas, Critical Biodiversity Areas, Ecological Support Areas, heritage sites, wetlands, pans and drainage channels that will be affected by the facility and associated infrastructure;
 - 13.5. The BESS, substation(s) inverters and/or transformer(s) sites including their entire footprint;

- 13.6. Connection routes (including pylon positions) to the distribution/transmission network;
 - 13.7. All existing infrastructure on the site, such as roads;
 - 13.8. Soil heaps (temporary for topsoil and subsoil and permanently for excess material);
 - 13.9. Buildings, including accommodation; and,
 - 13.10. All “no-go” and buffer areas.
14. The Environmental Management Programme (EMPr) submitted as part of the BAR dated April 2022 is not approved and must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this Environmental Authorisation. The EMPr must be made available for comments by registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the final EMPr must be submitted to the Department for written approval prior to commencement of the activity.
15. The EMPr amendments must include the following:
- 15.1. All recommendations and mitigation measures recorded in the BAR and the specialist reports as included in the BAR dated April 2022.
 - 15.2. The requirements and conditions of this authorisation.
 - 15.3. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use and storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems.
 - 15.4. A transportation plan for the transport of turbine components, main assembly cranes and other large equipment.
 - 15.5. An environmental sensitivity map indicating environmentally sensitive areas and features identified during the EIA process.
 - 15.6. Measures to protect hydrological features such as streams, rivers, pans, wetlands, dams and their catchments, and other environmentally sensitive areas from construction impacts including the direct or indirect spillage of pollutants.
16. Part C (Site Specific Environmental Attributes) of the generic EMPrs (Appendix 7) for the Overhead Line and Substation and all associated infrastructure, submitted as part of the BAR dated April 2022, is not approved. Part C must be amended to include measures as dictated by the final site lay-out map and micro-siting, and the provisions of this Environmental Authorisation. Part C of the generic EMPrs must be made available for comments to registered Interested and Affected Parties and the holder of this Environmental Authorisation must consider such comments. Once amended, the generic EMPrs must be submitted to the Department for written approval of Part C prior to commencement of the activity. Part C of the generic EMPrs must be amended to include the following:
- 16.1. The requirements and conditions of this Environmental Authorisation;
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- 16.2. Measures as dictated by the final site lay-out map and micro-siting;
- 16.3. All recommendations and mitigation measures recorded in the BAR and the specialist reports as included in the BAR dated April 2022;
- 16.4. An effective monitoring system to detect any leakage or spillage of any hazardous substances during their transportation, handling, use or storage. This must include precautionary measures to limit the possibility of oil and other toxic liquids from entering the soil or storm water systems;
- 16.5. A fire management plan to be implemented during the construction and operation of the facility;
- 16.6. A re-vegetation and habitat rehabilitation plan. The plan must provide for restoration to be undertaken as soon as possible after completion of construction activities, to reduce the amount of habitat converted at any one time and to speed up the recovery to natural habitats.
- 16.7. An aquatic Rehabilitation and Monitoring plan, particularly for watercourse features that will be infilled and / or excavated;
- 16.8. A stormwater management plan; and
- 16.9. The final site layout map.
17. The EMPs must be implemented and strictly enforced during all phases of the project. It shall be seen as a dynamic document and shall be included in all contract documentation for all phases of the development once approved.
18. Changes to the approved EMPs must be submitted in accordance with the EIA Regulations applicable at the time.
19. The Department reserves the right to amend the approved EMPs should any impacts that were not anticipated or covered in the BAR be discovered.

Frequency and process of updating the EMP

20. The EMP must be updated where the findings of the environmental audit reports, contemplated in Condition 27 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.
21. The updated EMP must contain recommendations to rectify the shortcomings identified in the environmental audit report.

22. The updated EMPr 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 EMPr must have been subjected to a public participation process, which process has been agreed to by the Department, prior to submission of the updated EMPr to the Department for approval.
23. In assessing whether to grant approval of an EMPr 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 EMPr, the Department may request such amendments to the EMPr as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity.
24. The holder of the authorisation must apply for an amendment of an EMPr, 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 EMPr 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

25. 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.
 - 25.1. The ECO must be appointed before commencement of any authorised activities.
 - 25.2. Once appointed, the name and contact details of the ECO must be submitted to the *Director: Compliance Monitoring* of the Department.
 - 25.3. The ECO must keep record of all activities on site, problems identified, transgressions noted and a task schedule of tasks undertaken by the ECO.
 - 25.4. 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

26. 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.
27. 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.
28. 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.
29. The holder of the authorisation must, in addition, submit environmental audit reports 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.
30. 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.
31. 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

32. 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

33. 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

34. 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

35. No activities will be allowed to encroach into a water resource without a water use authorisation being in place from the Department of Water and Sanitation.
36. The final placement of turbines must follow a micro siting procedure involving a walk-through and identification of any sensitive areas by botanical and avifaunal specialists.
37. The approved turbines must be placed in a manner to avoid all designated, "no-go" areas as well as its buffers.
38. Exclusion of sensitive ecological, heritage and paleontological areas from construction activities must inform micro siting of all development activities.
39. The Jessa wind energy facility and associated infrastructure must adhere to the sensitivity maps, implements the recommended mitigation measures, and conduct a minimum of 2 years of operational bat mortality monitoring from the start of the facility's operation.
40. Vegetation clearing must be kept to an absolute minimum. Mitigation measures as specified in the BAR dated April 2022 must be implemented to reduce the risk of erosion and the invasion of alien species.
41. No exotic plants may be used for rehabilitation purposes; only indigenous plants of the area may be utilised.
42. All necessary permits must be obtained from the relevant nature competent authority (i.e. Cape Nature) for the removal and relocation of indigenous, protected or endangered plant or animal species before commencement of construction activities and a copy of such permit/s must be submitted to the Department for record keeping. Permits must be kept on site by the ECO
43. It is recommended that a "no-go" development buffer of 30 metres is implemented around the site JS062 and all Grade III(C), to ensure that they are not impacted.
44. The final development footprint for the Jessa WEF project must be cross-checked against available paleontological databases and satellite imagery by professional palaeontologist
45. A pre-construction walk down of potentially sensitive, unsurvey sectors of footprint for each respective WEF project must be completed by a professional palaeontologist and archaeologist.
46. Significant fossil finds must be safeguarded and reported at the earliest opportunity to Heritage Western Cape for recording and sampling by a professional palaeontologist (Contact details: Heritage Western Cape, 3rd Floor Protea Assurance Building, 142 Longmarket Street, Green Market Square, Cape Town

8000. Private Bag X9067, Cape Town 8001. Tel: 021 483 5959 Email:
(ceoh heritage@westerncape.gov.za).

47. 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 must 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).

General

48. A copy of this Environmental Authorisation, the audit and compliance monitoring reports, and the approved EMPr, must be made available for inspection and copying-
- 48.1. at the site of the authorised activity;
 - 48.2. to anyone on request; and
 - 48.3. where the holder of the Environmental Authorisation has a website, on such publicly accessible website.
49. 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 Environmental Authorisation: 20 June 2022


Mr Vusi Skosana

Acting 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 listed activities as applied for in the application form received on 04 March 2022.
- b) The information contained in the BAR dated April 2022.
- c) The comments received from Heritage Western Cape, SAHRA, ESKOM, Western Cape Department of Environmental Affairs & Development Planning (WC DEA&DP), National Department of Agriculture, South African Radio Astronomy Observatory (SARAO) and interested and affected parties as included in the BAR dated April 2022.
- d) Mitigation measures as proposed in the BAR and the EMPr.
- e) The information contained in the specialist studies contained within the appendices of the BAR dated April 2022 and as appears below:

| Title | Prepared by |
|--------------------------|---|
| Agriculture | Johann Lanz Consulting |
| Aquatic Ecology | EnviroSci (Pty) Ltd |
| Terrestrial Ecology | David Hoare Consulting |
| Avifauna | Chris van Rooyen Consulting |
| Bats | Animalia Consultants (Pty) Ltd |
| Archaeology | CTS Heritage |
| Palaeontology | Natura Viva |
| Socio-economic / Tourism | Urban Econ |
| Visual | Bernard Oberholzer Landscape Architects (BOLA) and QARC |
| Traffic | Athol Schwarz Consolidated Civil Engineering Solutions |

| | |
|-----------------------|---|
| Geotechnical | Geopractica Pty Ltd |
| Reptiles | BioAssets Biological Assessment |
| EMPr and Generic EMPr | SLR Consulting (South Africa) (Pty) Ltd |

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.
- c) The BAR dated April 2022 identified all legislation and guidelines that have been considered in the preparation of the BAR.
- d) The location of the 220MW JESSA M Wind Energy Facility (WEF) and associated infrastructure, near Beaufort West in the Beaufort West Local Municipality, within the Central Karoo District Municipality of the Western Cape Province.
- e) The methodology used in assessing the potential impacts identified in the BAR dated April 2022 and the specialist studies have been adequately indicated.
- f) A sufficient public participation process was undertaken and the applicant has satisfied the minimum requirements as prescribed in the EIA Regulations, 2014 as amended for public involvement.

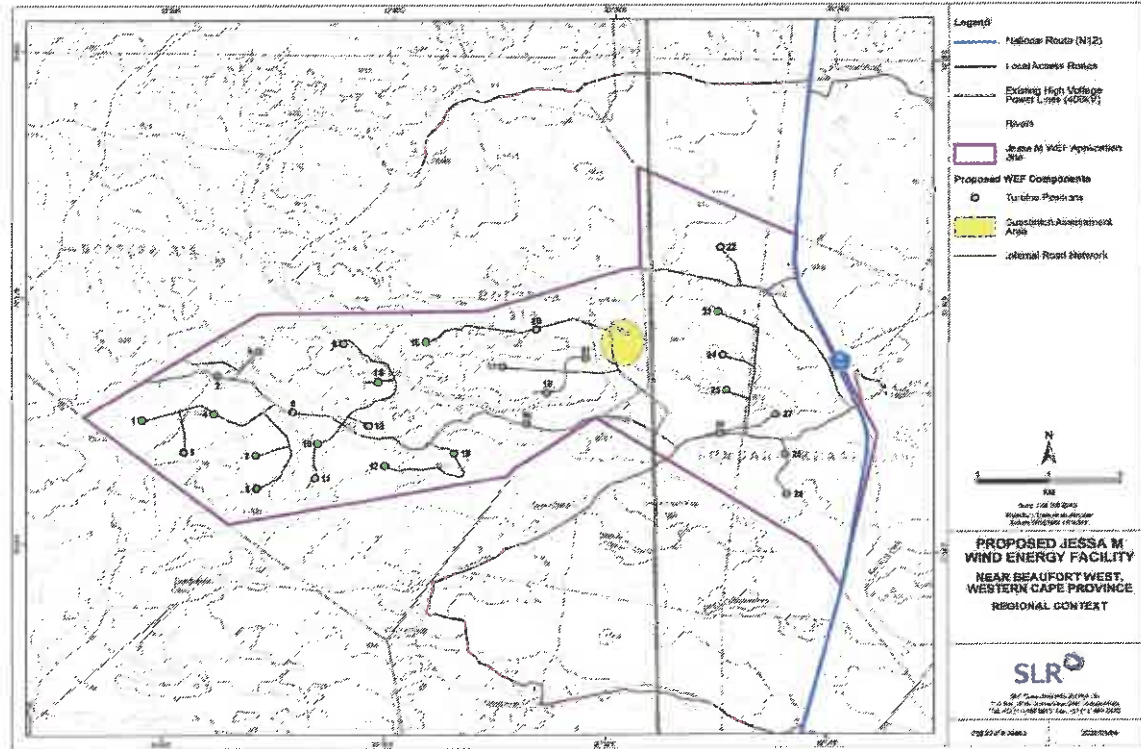
3. Findings

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 BAR dated April 2022 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 information contained in the BAR dated April 2022 is deemed to be accurate and credible.
- d) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- e) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the BAR and will be implemented to manage the identified environmental impacts during the construction phase.

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.

Annexure 2: Locality Plan – Jessa M Wind Energy Facility



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forestry, fisheries & the environment

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

Private Bag X447 PRETORIA 0001 Environment House · 473 Steve Biko Road, Arcadia· PRETORIA
Tel(+ 27 12) 399 9000

Enquiries: Devinagie Bendeman Telephone: 012 399 9337 E-mail: vbendeman@dfpe.gov.za

Mr. Vusi Skosana
Director: National Infrastructure Projects

Dear Mr Skosana

APPOINTMENT AS ACTING CHIEF DIRECTOR: INTEGRATED ENVIRONMENTAL AUTHORIZATIONS FOR THE PERIOD OF 20 TO 24 JUNE 2022

I hereby inform you that I have decided to appoint you as the Acting Chief Director: Integrated Environmental Authorizations for the period of 20 June to 24 June 2022 whilst Ms Milicent Solomons is on annual leave.

All the correspondence and other documents that are usually signed by the Chief Director: Integrated Environmental Authorizations must be signed under Acting Chief Director: Integrated Environmental Authorizations during the above-mentioned period.

Your appointment in the above acting position remains subject to the provisions of the Public Service Act, 1994 (Proclamation No. 103 of 1994), as amended, the Government Employees Pension Fund Act, 1996 (Proclamation No. 21 of 1996), the regulations promulgated under these Acts and relevant circulars.

In the execution of your duties and the exercising of the powers delegated to you, you will furthermore be subjected to the provisions of the Public Finance Management Act, compliance with the Promotion of Access to Information Act, Promotion of Administrative Justice Act, the Minimum Information Security Standard, Departmental Policies and other applicable legislations with the Republic of South Africa. You are therefore advised to make yourself familiar with the provisions of these legislations and policies and the amendments thereof. (Copies of Departmental policies can be obtained from the Human Resource Office).

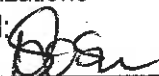
Please accept my heartfelt gratitude for all your assistance on behalf of the department.

Yours sincerely

Ms Devinagie Bendeman
Deputy Director-General: RCSM (Regulatory Compliance and Sector Monitoring)
Date 17 June 2022

ACKNOWLEDGEMENT

I ~~ACCEPT~~ / ~~DO NOT ACCEPT~~
appointment as Acting Chief
Director: Integrated Environmental
Authorizations

Signed: 

Date: 20 June 2022