



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Ref: 12/12/20/1746

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Ms. Alicia Govender
Savannah Environmental (Pty) Ltd
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SUNNINGHILL
2157

Fax: 086 684 0547

PER FACSIMILE / MAIL

Dear Ms. Govender

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION: PROPOSED
KLIPHEUWEL/DASSIESFONTEIN WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE,
NEAR CALEDON**

The Department confirms having received the scoping report submitted by you on 29 July 2010 for environmental authorisation for the abovementioned project. You have submitted these documents to comply with the Environmental Impact Assessment Regulations 2006.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours faithfully

(Ms) Lize McCourt

CHIEF DIRECTOR: ENVIRONMENTAL IMPACT MANAGEMENT

Department of Environmental Affairs

Letter signed by: Tebogo Kekane

Designation: Assistant Director: Environmental Impact Evaluation

Date: 30/07/10



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Attn: Karen Jodas
Savannah Environmental (Pty) Ltd
P. O. Box 148
SUNNINGHILL
2157

Fax no: (086) 684 0547

PER FACSIMILE / MAIL

Dear Karen Jodas

APPLICATION FOR ENVIRONMENTAL AUTHORISATION: PROPOSED KLIPHEUWEL/DASSIESFONTEIN WIND ENERGY FACILITY AND ASSOCIATED INFRASTRUCTURE, NEAR CALEDON, WESTERN CAPE PROVINCE

The final scoping report (FSR) and plan of study for the environmental impact assessment dated July 2010 and received by the Department on 29 July 2010 refers.

The Department has evaluated the submitted FSR dated 29 July 2010 and is satisfied that the FSR complies with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations, 2006. The FSR is hereby accepted by the Department in terms of GN R.385 (31) (1) (a) of the EIA Regulations, 2006.

You may proceed with the environmental impact assessment process in accordance with the tasks contemplated in the plan of study for environmental impact assessment as required in terms of the EIA Regulations, 2006.

Please ensure that comments from all relevant authorities are submitted to the Department with the Final Environmental Impact Report. This includes but is not limited to Theewaterskloof Local Municipality and Western Cape Province Department of Environmental Affairs and Development Planning. Proof of correspondence with the various stakeholders must be included in the Final EIR.

The applicant is hereby reminded to comply with the requirements of GN R.385 (77) with regard to the time period allowed for complying with the requirements of the Regulations, and GN R. 385 (58) and (59) with regard to the allowance of a comment period for interested and affected parties on all

reports submitted to the competent authority for decision-making. The reports referred to are listed in GN R. 385 (58) (3a-3g).

Please ensure that the Final EIR includes at least one A3 regional map of the area and the locality maps included in the Final EIR illustrate the different proposed alignments and above ground storage of fuel. The maps must be of acceptable quality and as a minimum, have the following attributes:

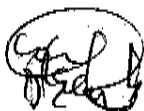
- Maps are relatable to one another;
- Cardinal points;
- Co-ordinates;
- Legible legends;
- Indicate alternatives;
- Latest land cover;
- Vegetation types of the study area; and
- A3 size locality map.

Further, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, Section 38 (8) of the National Heritage Resources Act, Act 25 of 1999.

Please submit at least one electronic copy (CD/DVD) of the complete final report with the hard copy documents.

You are hereby reminded that the activity may not commence prior to an environmental authorisation being granted by the Department.

Yours faithfully



Ms Lize McCourt

CHIEF DIRECTOR: ENVIRONMENTAL IMPACT MANAGEMENT

Department of Environmental Affairs

Letter signed by: Mr Dumisani Mthembu

Designation: Director: Environmental Impact Evaluation

Date: 11/10/2010

CC: Werner Engelbrecht

BioTherm Energy (Pty) Ltd

Fax: (011) 301 1301

Our Ref: HM/OVERBERG/THEEWATERSKLOOF/CALEDON/DASSIESFONTEIN 426 PTN 1, KLIP HEUVEL 410 PTNS 5, 8, 10, BOONTJIESKRAAL 417, FARM 418 & PAMPOENKRAAL 843



Enquiries Belinda Mutti
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Tracking:
Unique RoD ID: 1081
Unique Case ID: 1089

08 June 2010

Mr Shawn Johnston
Sustainable Futures ZA
PO Box 749, Rondebosch
7701

SCOPING HERITAGE ASSESSMENT: PROPOSED WIND FARM ON DASSIESFONTEIN 426 PTN 1, KLIP HEUVEL 410 PTNS 5, 8, 10, BOONTJIESKRAAL 417, FARM 418 & PAMPOENKRAAL 843

The above matter was discussed at the Heritage Western Cape Archaeology, Palaeontology and Meteorites (APM) Permit Committee meeting held on 08/06/2010.

It was noted that:

1. Up to 30 turbines are proposed on a 602 hectare site
2. Placement of turbines is not certain at this stage and no alternatives have been identified.
3. Impact can only be assessed once the exact position of the turbines has been ascertained.

It was agreed that:

1. A VIA must be conducted.
2. An AIA will be required once the position of the turbines is finalised.

Yours faithfully

Belinda Mutti
Heritage Officer : Archaeology
For: Accounting Authority: Heritage Resources Management Services.
Pp Heritage Western Cape



DEPARTMENT of AGRICULTURE

Provincial Government of the Western Cape

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OUR REFERENCE : 20/9/2/4/2/612
20/9/2/4/2/603
YOUR REFERENCE : Klipheuwel/Dassiesfontein near Botrivier/Caledon
DEA REFERENCE : 12/12/20/1744
12/12/20/1746
NDA REFERENCE : NA
ENQUIRIES : JH Smit

Savanna Environmental
PO Box 148
SUNNINGHILL
2157

Att: Alicia Govender

ENVIRONMENTAL IMPACT PROCESS

PROPOSED WIND TURBINES

**FARMS 410/5; 410/8; 410/9; 410/10; 417; 418; 843; 426/5; 426/1: DIVISION
Caledon**

Your letter of 4 May 2010 has reference.

The proposed development has the intention to establish Wind Turbines on approximately nine (9) Agriculturally Zoned properties.

The Department of Agriculture: Western Cape is an interested and affected party and will also comment to the relevant deciding authorities in terms of the Subdivision of Agricultural Land Act 70 of 1970; the Conservation of Agricultural Resources Act 43 of 1983 and the Land Use Planning Ordinance 15 of 1985.

Please note that in terms of the Subdivision of Agricultural Land Act (Act 70 of 1970) Section 3

- (a) Agricultural land shall not be subdivided
- (b) No undivided share in agricultural land not already held by any person, shall vest in any person;
- (c) No part of any undivided share in agricultural land shall vest in any person.

(d) No lease in respect of agricultural land of which the period is 10 year or longer....shall be entered into.

(e) (i) no portion of agricultural land...shall be sold or advertised for sale...

The sale agreement or lease agreements of the applicant with the land owner may therefore not be consistent to the prescriptions of the abovementioned act and a consent in terms of the SALA 70/70 may be required in order to legalize.

Although this office and the National Department of Agriculture supports renewable and sustainable energy sources in principle, it is the opinion of this office that the location of these energy facilities must also be evaluated at the hand of the mandate of the Department of Agriculture. Locating must therefore not have a direct or indirect impact on the agricultural resource.

The agricultural potential study indicates intensive cultivation for wheat production as well as centre-point pivot irrigation areas. The soil information as supplied was a desktop study of a reconnaissance nature and based on land type survey and did not even include a map. It is clear that no impacts were identified at the hand of a site inspection and specific site locations. The information is generic and agricultural potential was therefore not assessed to an acceptable standard. This is cause for concern. The statement made by the applicant, that *"No detailed assessment is required to be under taken in terms of potential impacts on agricultural potential."* is not supported. In order to evaluate this application a soil potential study as well as a land use map with the proposed locations are requested, because placing is critical.

The National Department of Agriculture is in a process of compiling guidelines and regulations for the evaluation, location and placement of renewable energy facilities. These guidelines will be available shortly.

The aerial photography is of such a small scale that no direct impacts can be identified. The presence of cultivated fields with subsidised contour bank systems and irrigation fields are however a major cause for concern. See a reference to certain sections and regulations of the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) as stated below.

The aim of this act is to provide for the conservation of the natural agricultural resources of South Africa by the maintenance of the production potential of land, by the combating and prevention of erosion and weakening or destruction of water sources, and by the protection of vegetation and the combating of weeds and invader plants.

- No land user may drain or cultivate a vlei, marsh or water sponge.

- No land user may divert run-off water from a water course to any other water course.
- No land user may cultivate any land within 10 meters horizontally outside the flood area of a water course.
- No land user may utilize the vegetation in a vlei, marsh or water sponge or within a flood area of a water course.
- That, **except** on authority of a written permission, no land user may
 - burn any veld, or utilize as grazing, any veld on his farm that has burned.
 - cultivate any virgin soil (Cultivation means any act by means of which the topsoil is disturbed mechanically, and virgin soil is land that has at no time during the preceding 10 years been cultivated.)
 - cultivate any land with a slope of more than 12%.
- Every land user must protect irrigated land effectively against water logging and salination.
- Every land user must protect cultivated land effectively against water and wind erosion.
- Declared Weeds (Category 1) are prohibited plants that will no longer be tolerated on land or water surfaces, neither in rural nor urban areas. These plants may no longer be planted or propagated, and all trade in seeds, cuttings or other propagative material is prohibited.
- Plant invaders are plants with proven potential of becoming invasive. Category 2 plants are to be retained in special areas demarcated for a specific purpose (e.g. woodlot), but those outside demarcated areas have to be controlled. Category 3 may no longer be planted and will not be allowed to occur anywhere unless they were already in existence when Regulation 15 of CARA came into effect. Category 2 & 3 plants may not occur within 30 m from the 1:50 year flood line of watercourses or wetlands. Removal of alien vegetation and follow-up spraying and controlling of germinated seedlings is an ongoing process and must be carried out yearly in order to obtain sustainability. The program must be implemented in such a way to promote the objectives of sustainability.
- All soil conservation structures shall be maintained at the landowner's expense to the satisfaction of the executive officer and may not be changed, destroyed or removed without prior written consent from the executive officer.
- In the event that a person is paid subsidy in terms of Article 8 and not complying to all of the conditions applicable to the payment of the subsidy; the executive officer is entitled to demand repayment of the subsidy paid to the person, as well as interest calculated from the date of payment, besides any legal recourse as outlined in article 23 of the Conservation of Agricultural Resources Act (1983).

- All relevant sections and regulations of the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983) regarding agricultural land use must be adhered to.

The proposed development has the intention to establish 30 Wind Turbines with foundations, cables substations, power lines & roads on the nine subject properties. The regulation (zoning, servitudes, long term lease), construction, maintenance, monitoring and decommissioning of the proposed structures may impact on the agricultural and natural resources as well as agricultural land use:

- The footprints may interfere with the agricultural land use on these properties.
- The footprints may sterilize further development of agricultural produce facilities (i.e) agricultural industries, intensive feed farming ect.
- The proposed development may lead to the loss of high potential agricultural land.
- Wind Turbines may impact on the utilization of the remainder of the agricultural land unit. The proposed infrastructure may interfere with the agricultural activities and that of agricultural infrastructure or planned infrastructure (i.e. centre pivot point irrigation) or may even prevent the development thereof.
- The proposed infrastructure may interfere with soil conservation works and cause erosion. The footprint of the disturbed area could cause soil erosion. It is therefore important to know where these turbines would be constructed or utilized.
- The proposed infrastructure may interfere with the natural drainage patterns, cause degradation of wetlands, disrupt ecological corridors or impact on biodiversity of significance. Bird life in particular may be impacted on.
- New roads, upgrading and over utilization of existing roads may cause soil erosion. It is therefore important to know where these routes would be constructed or utilized.
- New roads, upgrading and over utilization of existing roads may cause degradation of veld utilized for grazing and leave permanent scarring to the resource.
- Structures may have visual impacts which may subsequently impact on agri-tourism.
- Structures may prevent the establishment of agri-tourism facilities (i.e.) guest houses; agricultural processing units, intensive feed-farms etc.

This office will comment on the proposed project once the detailed report has been compiled and submitted to us.

Please Note:

- Kindly quote our reference number in any future correspondence in respect of the application.
- The Department reserves the right to revise initial comments and request further information based on the information received.

Yours sincerely



AS ROUX Pr Eng

DIRECTOR: SUSTAINABLE RESOURCE MANAGEMENT

2010-07-30