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Attention: Ms. Samantha Ralston
CapeNature
Assegaaibosch Nature Reserve Jonkershoek
Stellenbosch
7600

20 August 2012
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Dear Madam

CALEDON WIND FARM ENVIRONMENTAL IMPACT ASSESSMENT (EIA) (DEA Ref. No.: 12/12/20/1701) – COMMENTS SUBMITTED BY CAPENATURE

Your correspondence dated 02 February 2010, 02 December 2011 and 07 March 2012 as well as your meeting with representatives of Caledon Wind (the applicant) held on 25 July 2012 has reference. Please find feedback and responses to your comments addressed below:

CapeNature Comment 1:

“Once again, it is not clear which mitigation measures proposed are considered feasible and will or can be implemented. Again, some of these, specifically those relating to the management of natural habitat and securing it for conservation, are complicated by the fact that the applicant is not the landowner. We suggest that it is necessary to demonstrate that the landowner is willing to adopt these measures and that the necessary agreements are in place. In particular, Cape Nature notes that it has been recommended that a stewardship agreement be entered in to. This could be critical to offset the loss of natural vegetation should the current proposed layout be approved. Please note that it is the landowner who must enter into the stewardship agreement and an indication needs to be provided as to whether the applicant and landowner are willing to enter into such an agreement. This should preferably be done by means of a three way memorandum of understanding drawn up between the applicant, current landowner and CapeNature.” (Letter 2/12/2011).

Response 1:

The applicant agrees that this could be a valuable offset. A lease agreement has been negotiated between the land owners and Caledon Wind. In the event of successful authorisation of the project, this agreement will be implemented. The lease encompasses all of the land in the study area, which is approximately 2 700 ha in extent. Caledon Wind would therefore be the responsible party to enter into a Stewardship agreement with CapeNature Conservation.

As part of the Stewardship Agreement Caledon Wind has agreed to make available to CapeNature Conservation as much of the Renosterveld under their control as is required provided that its bid under the Independent Power Producers process is successful. This is confirmed in the attached letter from the company’s director. The ground truthing prepared for the EIA has shown that there are approximately 300 ha of untransformed Renosterveld within the lease area. The period of this

commitment will be for the full term of the agreement with the Department of Energy, which in terms of the Independent Power Producer's RFP is for 20 years, extendable by agreement with the Department of Energy.

CapeNature Comment 2:

"Wetlands and streams: Please note that there are wetland and seep areas mapped on the area in question and many of these are National Fresh Water Ecosystem Priority Area Wetlands. In our previous comments we suggested that if any impacts on aquatic ecosystems are anticipated, an aquatic ecology specialist should be consulted. We suggest that this is necessary to ensure that these features are avoided and where this is not possible, the necessary mitigation measures are put in place. This does not appear." (Letter 2/12/2011)

Response 2:

All of the wind turbines are currently located on the top of hills where the wind blows and watercourses/ wetlands are therefore specifically avoided. The applicant acknowledges that care needs to be taken during construction to avoid sedimentation risks as a result of access roads, trenching for cabling and clearing and excavation around the turbines, but this can be managed through careful management of the construction contractor's activities. The Draft EMP includes measures to ensure that stormwater from disturbed areas is properly managed so as to avoid sedimentation or other impacts on aquatic ecosystems (Section 6.4.14). GIBB will make the recommendation for the involvement of a specialist aquatic scientist to assist the ECO, in the event that issues arise during construction that requires specialist knowledge. These commitments will be included in the Final EMP. GIBB does not expect that there will be any significant risk of sedimentation during the operation of the turbines.

CapeNature Comment 3:

"CapeNature is concerned that this process has been constrained by the lack of detailed site assessments, lack of clarity with regards to certain impacts and uncertainty around the feasibility of the mitigation measures that have been proposed. We suggest that there is a substantial amount of information still required if an informed decision is to be made regarding this proposed development." (Letter 2/12/2011)

And in the letter of 7 March 2012:

"We remain concerned with the overall limited scope of the specialist studies. For example, the avifaunal studies should have been conducted over a period of an entire year. Although it has been proposed that these surveys will be conducted before construction, our concerns around preconstruction, but post authorisation assessments are discussed in detail in our comments on the draft environmental impact report. We are of the opinion that insufficient reason has been provided in the comments and response report for not completing these studies prior to finalising the report, although we do note with concern that the Department of Environmental Affairs has already approved several similar projects with the same shortcomings and thus an unfortunate precedent may have been set. We are extremely concerned that decisions are being made based on very limited information." (Letter 7/3/2012)

Response 3:

The work done by Mr. Chris van Rooyen (also referred to as CvR) on the Caledon Wind project was completed prior to the Avi-fauna Guidelines being formulated. As you are aware, he is a joint author of



these Guidelines. We acknowledge that there is some uncertainty regarding the impacts, since it has not been possible to complete the monitoring recommended in the Guidelines prior to the EIA submission. Nevertheless, in the absence of firm monitoring data, Mr van Rooyen made conservative recommendations, so as to ensure that any areas that could prove to be of particular bird sensitivity would be protected.

His key recommendations, together with our comments, are reproduced below:

CvR Recommendation 1: Remove turbines from the defined high risk areas

While the Draft EIA does not reflect this, we the applicant has undertaken not to construct any of the **turbines that have been proposed for areas identified as high risk from a biophysical perspective** by Mr van Rooyen. These include the following turbines: T10, T11, T19, T32, T34, T42, T44, T45, T46, T51, T63, T69, T71 and T72.

Please find a map of all turbine positions attached.

CvR Recommendation 2: Implement appropriate working practices to protect sensitive habitats. Habitat destruction should be limited to that which is absolutely necessary for the construction of the infrastructure, including the construction of new roads.

The applicant has confirmed that the two towers (namely T17 and T20) that remain in Renosterveld will be removed. All remaining towers are in areas that have previously been ploughed. New access tracks for construction will be kept to a minimum – it is estimated that 70% of the access required will be from existing farm access roads. None of the new access tracks will traverse Renosterveld habitat. All underground cabling will be in previously disturbed areas, and will therefore avoid the remaining areas of Renosterveld. In the one link of 19 km where the cable traverses a portion of mixed use agricultural and degraded Renosterveld, overhead cables will be used in order to limit disturbance of the veld.

Where new access tracks are created, these will be rehabilitated after construction to leave tracks that are similar to the existing farm tracks. Agriculture will be permitted to return to the areas around the base of the towers that have been disturbed by construction. Where construction is close to remaining areas of Renosterveld, these will be fenced off and access to construction teams will be prohibited, as set out in the Draft EMP.

As indicated elsewhere in this letter, the most important commitment by the developer is the undertaking to place virtually all of the Renosterveld on the farms that constituted the study area into the Stewardship Programme. We believe this to be a major positive contribution, with some 300 ha of untransformed Renosterveld being available for the programme, should this be requested by Cape Nature Conservation.

CvR Recommendation 3: Provide adequate briefing for site personnel and in particular sensitive locations. Personnel should be adequately briefed on the need to restrict habitat destruction, and must be restricted to the actual building sites.

This commitment is made in the Draft EMP, the implementation of which will become a condition of the Environmental Authorisation. A full time ECO will be appointed to verify compliance with these conditions.



GIBB Holdings Reg: 2002/019792/02

Directors: R. Vries (Chairman), Y. Frizlar, B. Hendricks, M. Mayat, J.M.N. Ras

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CvR Recommendation 4: Implement a pre- and post - construction monitoring programme to establish potential and actual collision and displacement impacts on priority species. An appropriate monitoring programme should be designed and implemented under the guidance of a suitably qualified and experienced ornithological consultant, starting at least one year prior to the construction of the infrastructure. Based on the results of the monitoring, a policy of adaptive management should be implemented, which could include the halting of turbines during peak flight periods, or the relocation of problem turbines.

Caledon Wind has appointed experts for both bird and bat monitoring, subject to being granted environmental authorisation. The applicant expects that it will be possible to gather a minimum of a year's data prior to construction, as required by the recommended mitigation in the Guidelines. Caledon Wind has committed to working with the appointed specialist avifauna consultants and CapeNature Conservation to resolve any problems that are identified as a result of the monitoring in relation to the approved turbine positions. This includes the more drastic measures suggested by Mr. van Rooyen, in the event that no other reasonable alternatives can be agreed upon.

Mr. van Rooyen acknowledges that despite the fact that wind power has been a feature of the energy industry in the developed world for more than a decade, best practices with regard to bird mitigation are still far from clear and universally accepted. He observes that it must be accepted that appropriate best practices and mitigation measures with regard to impacts on birds in a South African context will take a number of years to crystallize, and a measure of trial and error will inevitably be part of the process. The applicant has now made appropriate commitments to ensure that potential bird impacts can be minimized.

CapeNature Conservation Comment 4:

Based on the limited information currently available, the ornithologist suggested that the following turbines are situated areas of high risk to birds: T10, T11, T19, T32, T34, T42, T44, T45, T46, T51, T63, T69, T71 and T72. Although it was recommended that these be relocated, this has not been done. We therefore suggest that these turbines are not approved and the applicant has agreed to that.

Response 4:

Please refer to the response above concerning the developer's commitment to remove all turbines from high - risk avifauna sites. These include all of the turbines described in CapeNature Conservation's letter of 7 March 2012.

CapeNature Conservation Comment 5:

With regards to the impacts on botanical diversity we are concerned that two turbines (Turbines 17 and 20) remain proposed in critically endangered Renosterveld habitat. Further, roads and cable trenches will also negatively impact on natural vegetation. The loss of critically endangered vegetation is considered to be of high negative significance and every effort should be made to avoid, minimise and mitigate the loss of such habitat (see the National List of Threatened Ecosystems). (Letter 7/3/2012)

Response 5:

Caledon Wind has agreed that in addition to the turbines removed in order to remain outside of high - risk avifaunal areas, turbines T17 and T20 will also be removed. These are the only two towers that remain in Renosterveld. As indicated above, existing farm tracks will be used for



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approximately 70% of the access requirements for construction and none of the new access tracks will traverse areas of Renosterveld. All cable trenches will be through areas of existing or past agriculture.

CapeNature Conservation Comment 6:

Please note that GIBB are of the opinion that the proposed search and rescue will not affect the significance of the impacts, although it should be essential mitigation should the loss of critically endangered habitat be approved. (Letter 7/3/2012)

Response 6:

There should no longer be a need for search and rescue given the applicant's commitment to remain outside of Renosterveld during all construction activities.

CapeNature Conservation Comment 7:

The botanical specialist made recommendations as to how the loss of habitat could be minimised in places through altering the layout (see addendum to botanical report). These recommendations have not been incorporated in the development proposal and it is not clear if they are considered feasible. We are therefore of the opinion that it has not been adequately demonstrated that every effort has been made to avoid, minimise and mitigate the impacts. We suggest that where the turbines and related infrastructure cannot be moved out of natural vegetation, the relevant turbines should not be approved. Where impacts are deemed unavoidable and if the Department of Environmental Affairs intends approving the development despite these impacts, we suggest that the loss of the habitat must be offset. (Letter 7/3/2012)

Response 7:

Caledon Wind has agreed that turbines T3a, T5a, T17 and T36 be removed from the proposed development in order for the development's footprint to remain outside all Renosterveld areas – both pristine and degraded areas.

CapeNature Conservation Comment 8:

We do recognise the potential benefits to conservation of securing the remaining Renosterveld within the study area and support and encourage this. However, the conservation of the remaining habitat will not alter significance of the loss of habitat to the development. Less than the conservation threshold for Western Ruens Shale Renosterveld remains and any further loss will further threaten the long-term survival of this ecosystem. At this stage any conservation/Stewardship of remaining habitat remains voluntary and no agreements are in place. Should this be intended as an offset we suggest that the formal conservation of the remaining habitat, in perpetuity and with management funds allocated, should be made a condition of approval. We understand that the developer has indicated their willingness to enter into a Memorandum of Understanding, although the willingness of the landowner (who will need to sign the stewardship agreement) to do this remains unclear. (Letter 7/3/2012)

Response 9:

Please refer to the comment above regarding the commitment by the applicant to the Stewardship Programme. Please also note the applicant's commitment to remove the two turbines that remain in



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Renosterveld. The above commitments mean that all project infrastructure will remain outside of Renosterveld.

CapeNature Conservation Comment 10:

In conclusion, CapeNature remains concerned that this process has been constrained by the lack of detailed site assessments and we remain unconvinced that every effort has been made to avoid and minimise the negative impacts of the proposed development. We therefore strongly recommend that if this application is considered for approval, this excludes the turbines and infrastructure that will potentially impact on sensitive areas. (Letter 7/3/2012) Should the development be approved (in part or full) it will remain important to conduct both pre and post authorisation monitoring. Urgent thought and action is required at a national level as to how to manage, collate and interrogate monitoring data that will be generated from this and similar developments throughout the country.

Response 10:

The applicant has now made the necessary commitments to satisfy most of CapeNature's concerns. While GIBB acknowledges that there is still some uncertainty about the probable significance of some impacts, the applicant has now made all of the changes to the project recommended by the avifauna and flora specialists. In our view, the mitigation measures that have been included are sufficiently conservative to ensure that the risks to avifauna and threatened habitats are reasonably low. There is nevertheless a further commitment by the developer to work with the monitoring specialists and CapeNature to ensure that any issues that are identified through the monitoring programme are resolved. Finally, the developer's commitment to CapeNature's Stewardship Programme will place up to 300 ha of untransformed Renosterveld in conservation, provided that it receives environmental authorisation which is an important conservation benefit.

We hope you find the above in order.

Yours faithfully



Project Scientist



Project Director



GIBB General Manager



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