

SECRETARIAT OF THE ENVIRONMENT  
AND NATURAL RESOURCES

ENVIRONMENTAL PROTECTION  
MANAGEMENT SUBDIVISION

UNITED STATES OF MEXICO  
SECRETARIAT OF THE ENVIRONMENT  
AND NATURAL RESOURCES

INSTRUCTION No. SEMARNAT-SGPA-DIRA/136/2003

Oaxaca de Juárez, Oax., 22<sup>nd</sup> of July 2003

**Mr. JESUS DAVID HORTA MÉNDEZ**  
**GENERAL DIRECTOR**  
**SISTEMA ENERGÉTICO DE OAXACA, S.A. DE C.V.**  
**P R E S E N T -**

Having analyzed and evaluated the Declaration of Environmental Impact Specific Mode of the wind farm project "**Parque Eólico Bii Nee Stipa**", intended to be located on Álvaro Obregón S/N, La Ventosa, in the municipality of Juchitán de Zaragoza, Oax., promoted by Mr. Jesús David Horta Méndez, and

**C O N S I D E R I N G :**

- I. That the Declaration of Environmental Impact, Specific Mode, of the project "**Parque Eólico Bii Nee Stipa**" presented by the company Sistema Energético de Oaxaca, S.A. de C.V. was received in this Federal Branch of the SEMARNAT on the 12<sup>th</sup> of March 2003;
- II. That complementary information was requested on the 25<sup>th</sup> of March 2003 through Instruction No. SEMARNAT-SGPA-DIRA/055/2003;
- III. That the company Sistema Energético de Oaxaca, S.A. de C.V. submitted the complementary information requested through the instruction mentioned in the preceding point by means of a document dated 7th of July 2003;
- IV. That the project "**Parque Eólico Bii Nee Stipa**" is not in conflict with the land uses specified for the Federal area as per what is set forth in the Declaration of Environmental Impact, Specific Mode;
- V. That the location of the project "**Parque Eólico Bii Nee Stipa**" is not within any natural area protected by the federal government or the state;
- VI. That no significant adverse environmental effects are forecast due to the execution of the project "**Parque Eólico Bii Nee Stipa**";

Based on the provisions contained in Article 32 Bis Fraction XXXIX of the Basic Act of the Public Federal Administration; Articles 5 and 28, fractions X and IV, respectively, of the General Law on Ecological Balance and the Protection of the Environment, Article 5 paragraph M and Article 45 of its Regulations as regard the Evaluation of Environmental Impact; and Article 39 fraction IX, paragraph "c" of the Internal Regulations of the Secretariat of the Environment and Natural Resources; this Federal Office of the SEMARNAT hereby resolves that the project proposed for execution IS PROCEEDING, subject to the following:

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**TERMS:**

**FIRST.-** The present resolution as regards Environmental Impact grants the Company Sistema Energético de Oaxaca, S.A. de C.V. the right to execute the works and activities for the implementation of the project "**Parque Eólico Bii Nee Stipa**", intended to be located on Álvaro Obregón S/N, La Ventosa, in the municipality of Juchitán de Zaragoza, Oax., which consists of:

The installation of 25 aerogenerators with a nominal capacity of 20 MW model G52-800 kw, with horizontal axis turbines and 3-blade rotors (helices) measuring 52 m. in diameter, with 800 kw of power, supported on truncated-cone tubular steel towers model ST2-354, 40 m. high, with an upper diameter of 2.3 meters and concrete base foundation of 0.30 x 0.30 x 0.30 m.; control and instrumentation system, meteorological station, control room, anemometer and its tower, electric substation including: 96 kv lightning arresters, 115 kv power and current transformers, grounding blades, manual operation, 115 kv lateral double-aperture blades, 115 kv power switch on SF6, 20-22.5 MVA 34.5 / 115 kv power transformer, 34.5 kv vacuum power switch, 34.5 kv station lightning arrester, 34.5 kv capacity power transformer, 34.5 kv current transformer, metallic structure for receiving 34.5 kv lines, metallic 115 kv line output frame, 34.5 kv medium voltage disconnection switch and compact substation, duct bank, base and meter for transformer, 34.5 kv to 900 kva booster transformer, counter, wind farm control post, remote control central post, turbine connection, unit for control connection with substation, installation of remote portable equipment and remote telephone access.

- **The total authorized surface area for the implantation of this project consists of 137.8211 has.**

**SECOND.-** The works set forth in the Declaration of Environmental Impact, Specific Mode, must be located exclusively within the following coordinates: starting from vertex point number 1 to vertex point number 2 in coordinates X (290904.26) and Y (1832958.15), at a distance of 240.74 meters; from vertex point 2 to vertex point 3, at coordinates X (290980.7) and Y (1832729.86) at a distance of 428.11 meters, from vertex point 3 to vertex point 4, at coordinates X (291017.39) and Y (18323.03), at a distance of 25.42 meters; from vertex point 4 to vertex point 5. at coordinates X (291020.20) and Y (1832278.07) at a distance of 15.42 meters, from vertex point 5 to vertex point 6, at coordinates X (291029.09) and Y (1832265.46), at a distance of 189.42 meters, from vertex point 6 to vertex point 7, at coordinates X (291044.42) and Y (1832076.45), at a distance of 323.98 meters; from vertex point 7 to vertex point 8, at coordinates X (290728.96) and Y (1832002.60), at a distance of 86.14 meters; from vertex point 8 to vertex point 9, at coordinates X (290742.83) and Y (1831917.59) at a distance of 314.24 meters; from vertex point 9 to vertex point 10, at coordinates X (290432.19) and Y (1831870.12), at a distance of 299.73 meters; from vertex point 10 to vertex point 11, at coordinates X (290135.94) and Y (183.1824.62); from vertex point 11 to vertex point 12, at coordinates X (290083.92) and Y (1831786.06) at a distance of 359.53 meters; from vertex point 12 to vertex point 13,

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at coordinates X (289731.76) and Y (1831713.61) at a distance of 199.9 meters; from vertex point 13 to vertex point 14, at coordinates X (289535.29 and Y (1831676.74), at a distance of 52.52 meters; from vertex point 14 to vertex point 15, at coordinates X (289483.81) and Y (1831687.14), at a distance of 157.2 meters; from vertex point 15 to vertex point 16, at coordinates X (289472.31) and Y (1831843.92) at a distance of 31.33 meters; from vertex point 16 to vertex point 17, at coordinates X (289441.22) and Y (1831840.01), at a distance of 347.59 meters; from vertex point 17 to vertex point 18, at coordinates X (289319.04) and Y (1832165.42), at a distance of 59.29 meters; from vertex point 18 to vertex point 19, at coordinates X (289350.83) and Y (1832215.46). at a distance of 227.19 meters, from vertex point 19 to vertex point 20, at coordinates X (289481.40) and Y (1832401.39), at a distance of 326.24 meters; from vertex point 20 to vertex point 21, at coordinates X (289712.90) and Y (1832171.52), at a distance of 24.61; from vertex point 21 to vertex point 22, at coordinates X (289737.46) and Y (1832173.03), at a distance of 312.78 meters; from vertex point 22 to vertex point 23, at coordinates X (290026.84) and Y (1832291.73), at a distance of 75.48 meters, from vertex point 23 to vertex point 24, at coordinates X (290043.44) and Y (1832365.36), at a distance of 172.7 meters; from vertex point 24 to vertex point 25, at coordinates X (289924.93) and Y (1832490.98), at a distance of 258.99 meters; from vertex point 25 to vertex point 26, at coordinates X (289675.29) and Y (1832421.98) at a distance of 120.32 meters; from vertex point 27 to vertex point 27, at coordinates X (289603.11) and Y (1832518.25). at a distance of 206.75 meters; from vertex point 27 to vertex point 28, at coordinates X (289764.12) and Y (1832647.94), at a distance of 44.4 meters; from vertex point 28 to vertex point 29, at coordinates X (289721.58) and Y (1832688.68), at a distance of 26.81 meters; from vertex point 29 to vertex point 30, at coordinates X (289735.29), and Y (1832711.72), at a distance of 48.9 meters, from vertex point 30 to vertex point 31, at coordinates X (289729.42) and Y (1832760.26), at a distance of 117.15 meters; from vertex point 31 to vertex point 32, at coordinates X (289832.03) and Y (1832816.79), at a distance of 225.54 meters; from vertex point 32 to vertex point 33, at coordinates X (290057.52) and Y (1832812.35), at a distance of 113.71 meters; from vertex point 33 to vertex point 34, at coordinates X (290171.20) and Y (1832809.69), at a distance of 92.63 meters; from vertex point 34 to vertex point 35, at coordinates X (290263.79) and Y (1832807.16), at a distance of 172.78 meters; from vertex point 35 to vertex point 36, at coordinates X (290436.30) and Y (1832816.70), at a distance of 150.56 meters; from vertex point 36 to vertex point 1, at coordinates X (290582.64 and Y (1832852.10) at a distance of 338.66 meters.

**THIRD.-** The activities of the project "**Parque Eólico Bii Nee Stipa**" envisioned in the presented Declaration of Environmental Impact, Specific Mode, should conclude within a period of 180 days, to be counted from the day following the receipt of the present resolution. In the event that an extension of the period is required, the promoter must request it in writing from this Federal Office of the SEMARNAT 30 days before the date of its maturity.

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**FOURTH.-** The Company Sistema Energético de Oaxaca, S.A. de C.V. is bound to fulfil the obligations contained in Article 50 of the Regulations of the General Law on Ecological Balance and Environmental Protection as regards the Evaluation of Environmental Impact, in the event that it desists from executing the works that are the subject of the present resolution.

**FIFTH.-** The Company Sistema Energético de Oaxaca, S.A. de C.V. must inform this Federal Office of the SEMARNAT in advance of any modification to the project and works set forth in the Declaration of Environmental Impact, Specific Mode, so that the measures proceeding may be determined in a timely manner in accordance with the environmental laws in force.

**SIXTH.-** During the execution of the works and activities of the project, the awardee of the present resolution must comply with the following:

**P R O V I S I O N S**

1.- The Company Sistema Energético de Oaxaca, S.A. de C.V. must undertake all the mitigating measures set forth in the Declaration of Environmental Impact, Specific Mode, presented before this authority.

2.- To strictly observe the design of its project proposed in the Declaration of Specific Environmental Impact.

3.- The construction, operation and maintenance works of the project must be done in strict observance of what has been declared before this Secretariat in the Declaration of Environmental Impact, Specific Mode,

4.- The Company Sistema Energético de Oaxaca, S.A. de C.V. must establish a Supervision Program in which a responsible person with the sufficient technical capacity is appointed to detect critical aspects from the environmental point of view, who can make decisions, define strategies or modify harmful activities.

5.- The Company Sistema Energético de Oaxaca, S.A. de C.V. must present the acquiescence of the owners of the lands involved in the installation of this project to this Secretariat within an interval of not more than 30 days.

6.- The Company Sistema Energético de Oaxaca, S.A. de C.V. must consider the following aspects in carrying out the project:

- To implement the adequate disposal of the non-hazardous wastes generated by the activities of building, operation and maintenance in the places authorized for such purposes by the competent local authorities.

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- To carry out corrective and preventive maintenance in the interior and exterior of its installations.
- To maintain strict control of sanitary waste throughout all the stages of the project.
- To provide the treatment and final disposal projected for hazardous wastes in the Regulations as regards Wastes.
- To provide the treatment for its hazardous wastes that is pertinent in accordance with what is set forth in the Declaration of Environmental Impact, Specific Mode.

The following are strictly prohibited:

- The open-air disposal of waste of any sort.
- The execution of works other than those authorized in this resolution.
- Release of treated or untreated wastewaters into the subsoil or into bodies of water (streams, lakes, seas, etc.) without the pertinent authorization.

**SEVENTH.-** The present resolution in favour of the Company Sistema Energético de Oaxaca, S.A. de C.V. is personal. In the event that the rights and obligations contained in this document are ceded, the Company Sistema Energético de Oaxaca, S.A. de C.V. and the acquiring party must give notice thereof in writing to this authority.

**EIGHTH.-** The Company Sistema Energético de Oaxaca, S.A. de C.V. shall be responsible for executing the works and acts of mitigation, restoration and control of all environmental impact that may be attributed to the execution and operation of the project that have not been taken into consideration by the proponent itself in the presented Declaration of Environmental Impact, Specific Mode.

**NINTH.-** All acts performed that contravene the provisions of the present resolution shall be fully null and void.

**TENTH.-** The Company Sistema Energético de Oaxaca, S.A. de C.V. shall keep copies of the file of the Declaration of Environmental Impact, Specific Mode, at the project site, as well as copies of the present resolution for purposes of showing them to the competent authorities that may require this.

**ELEVENTH.-** This resolution is being issued regardless of whether the holder applies for, and, as the case warrants, obtains other authorizations, concessions, licenses, permits and similar authorizations that may be required in the execution of the works motivating the present, or for its operation or other phases where the pertinent Laws and Regulations may deem such applicable for this Secretariat and / or other federal, state or municipal authorities.

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The present does not exempt the Company Sistema Energético de Oaxaca, S.A. de C.V. from the sanctions that it may be subject to in the event of violations against the General Law on Ecological Balance and Environmental Protection and its regulations, whether or not declared in the Declaration of Environmental Impact, Specific Mode.

**TWELFTH.-** The Company Sistema Energético de Oaxaca, S.A. de C.V. must inform the Federal Office of Environmental Protection in writing of the starting date of the works for the implementation of the authorized project within the 15 days after they have begun. In the same way, notice must be given of the date of termination of the said works within the 15 days after this occurs, with copy furnished to this Office.

**THIRTEENTH.-** The failure to comply with any of the Terms and Provisions contained in the present resolution and / or the modification of the project in the conditions in which this was expressed in the documentation presented shall constitute a reason for the sanctions provided for in the General Law on Ecological Balance and Environmental Protection and other legal ordinances that may be applicable.

UNITED STATES OF MEXICO  
SECRETARIAT OF THE ENVIRONMENT AND  
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FEDERAL OFFICE, STATE OF OAXACA

YOURS,  
EFFECTIVE SUFFRAGE. NO RE-ELECTION  
THE FEDERAL DELEGATE

[Consta firma ilegible]  
DAVID ORTEGA DEL VALLE

C.C.P. BIOL. IGNACIO PELA ESPALLARGAS – Subdelegate of Management for Environmental Protection – Building

- ENGR. FELIX PIÑERO ARIAS – Federal Delegate of the Federal Office for Environmental Protection – Present
- M.I.Q. - GERMAN MORALES PÉREZ - Head of the Unit on Environmental Management - Building.
- File and Records.

[Consta firma ilegible]

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AND NATURAL RESOURCES

INSTRUCTION No. SEMARNAT-SGPA-DIRA/232/2004

Oaxaca de Juárez, Oax., 2<sup>nd</sup> of July 2004

**Mr. JESUS DAVID HORTA MÉNDEZ**  
**GENERAL DIRECTOR**  
**CABLEADOS INDUSTRIALES, S.A. DE C.V.**  
**P R E S E N T –**

Having analyzed and evaluated the Declaration of Environmental Impact Specific Mode of the wind farm project: “**Parque Eólico Bii Nee Stipa II**”, intended to be located on Álvaro Obregón S/N, La Ventosa, in the municipality of Juchitán de Zaragoza, Oax., promoted by Mr. Jesús David Horta Méndez, and

**C O N S I D E R I N G :**

- I. That the Declaration of Environmental Impact, Specific Mode, of the project “**Parque Eólico Bii Nee Stipa II**” presented by the company Sistema Cableados Industriales, S.A. de C.V. was received in this Federal Branch of the SEMARNAT on the 11<sup>th</sup> of May 2004;
- II. That complementary information was requested on the 17<sup>th</sup> of May 2004 through Instruction No. SEMARNAT-SGPA-DIRA/113/2004;
- III. That the company Cableados Industriales, S.A. de C.V. submitted the complementary information requested to this Office through the instruction mentioned in the preceding point by means of a document dated 17th of June 2004;
- IV. That the project “**Parque Eólico Bii Nee Stipa II**” is not in conflict with the land uses specified for the Federal area as per what is set forth in the Declaration of Environmental Impact, Specific Mode;
- V. That the location of the project “**Parque Eólico Bii Nee Stipa II**” is not within any natural area protected by the federal government or the state;
- VI. That no significant adverse environmental effects are forecast due to the execution of the project “**Parque Eólico Bii Nee Stipa II**”;

Based on the provisions contained in Article 32 Bis fraction XXXIX of the Basic Act of the Public Federal Administration; Articles 5 and 28, fractions X and IV, respectively, of the General Law on Ecological Balance and the Protection of the Environment, Article 5 paragraph K and Article 45 of its Regulations as regard the Evaluation of Environmental Impact; and Article 39 fraction IX, paragraph "c" of the Internal Regulations of the Secretariat of the Environment and Natural Resources; this Federal Office of the SEMARNAT hereby resolves that the project proposed for execution IS PROCEEDING, subject to the following:

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**T E R M S:**

**FIRST.-** The present resolution as regards Environmental Impact grants the Company Cableados Industriales, S.A. de C.V. the right to execute the works and activities for the implementation of the project "Parque Eólico Bii Nee Stipa II", intended to be located on Álvaro Obregón S/N, La Ventosa, in the municipality of Juchitán de Zaragoza, Oax., which consists of:

The installation of 225 aerogenerators with a nominal capacity of 180,000 Kw model G52-800 kw, with horizontal axis turbines and 3-blade rotors (helices) measuring 52 m. in diameter, with 800 kw of power, supported on truncated-cone tubular steel towers model ST2-354, 40 m. high, with an upper diameter of 2.3 meters and concrete base foundation of 0.30 x 0.30 x 0.30 m.; control and instrumentation system, meteorological station, wind farm control post, central remote control post, anemometer and its tower, control room, electric panel, electrical material, electric substation including: 96 kv lightning arresters, 115 kv power and current transformers, grounding blades, manual operation, 115 kv lateral double-aperture blades, 115 kv power switch on SF6, 20 / 22.5 MVA 34.5 / 115 kv power transformer, 34.5 kv vacuum power switch, 34.5 kv station lightning arrester, 34.5 kv capacity power transformer, 34.5 kv current transformer, metallic structure for receiving 34.5 kv lines, metallic 115 kv line output frame, 34.5 kv medium voltage disconnection switch and compact substation, duct bank, base and meter for transformer, 34.5 kv to 900 kva booster transformer, counter, compact connection substation for each aerogenerator from three sections to 34.5 kv, grounding system, access and interior thoroughfares, platforms of 20 x 15 m (maneuvering area), foundation for aerogenerators made of truncated-cone footing pieces 12.50 m. on one side with a variable edge of 0.80 to 1.10 m, connection unit with meteorological stations, installation of remote portable equipment, remote telephone access, electric lines, connection control unit to substation, central remote control post and connection with turbines.

**SECOND.-** The works set forth in the Declaration of Environmental Impact, Specific Mode, must be located exclusively within the following coordinates:

POINTS	X	Y	Distance m.
P1	289476.967	1831737.978	
P2	289483.815	1831687.147	51.291
P3	289535.295	1831676.741	52.521
P4	290083.978	1831786.076	559.470
P5	290162.528	1831828.711	89.375
P6	290742.836	1831917.593	587.074
P7	290728.966	1832002.608	86.139
P8	291044.420	1832076.456	323.982
P9	291084.154	1831719.589	352.072
P10	291189.105	1831424.101	313.573
P11	291268.174	1830539.730	887.899
P12	291635.978	1830339.173	418.931
P13	291686.171	1830300.231	63.528
P14	291244.815	1829483.099	928.709



POINTS	X	Y	Distance m.
P15	290601.012	1828299.356	1347.490
P16	290432.425	1828004.005	340.079
P17	290142.777	1827471.652	606.049
P18	289853.129	1826939.299	606.049
P19	289571.770	1827106.489	327.285
P20	289379.397	1827201.482	214.548
P21	289069.144	1827354.683	346.017
P22	288683.656	1827486.981	407.558
P23	288575.405	1827518.011	112.611
P24	288542.323	1827570.109	61.714
P25	288434.504	1827829.690	281.082
P26	288195.861	1827931.949	259.629
P27	287848.368	1828449.469	623.357
P28	287779.609	1828514.519	94.657
P29	287674.391	1828551.396	111.493
P30	287694.744	1828556.222	79.793
P31	287442.855	1828557.613	151.895
P32	287075.379	1828632.146	374.958
P33	286894.765	1828638.085	180.712
P34	286822.500	1828673.448	80.454
P35	286719.880	1828694.231	104.703
P36	286631.990	1828692.499	87.907
P37	286323.417	1828749.756	313.840
P38	286074.018	1828838.146	264.599
P39	285855.340	1828943.220	242.612
P40	285541.600	1829055.890	333.358
P41	285285.760	1829163.880	277.698
P42	285227.960	1829249.220	103.072
P43	285152.380	1829421.470	188.102
P44	285170.000	1829483.000	64.003
P45	285235.970	1829618.020	150.275
P46	285401.470	1829944.680	366.193
P47	285413.670	1829951.340	13.899
P48	285787.547	1830686.778	825.017
P49	286342.000	1830527.000	577.016
P50	286459.000	1830520.000	117.209
P51	286693.000	1830553.000	236.315
P52	286888.000	1830576.000	196.352
P53	286996.000	1830582.000	108.167
P54	287072.000	1830566.000	77.666
P55	287361.000	1830558.000	289.111
P56	287442.000	1830574.000	82.565
P57	287524.000	1830599.000	85.726
P58	287547.558	1830578.335	31.360
P59	287823.860	1830697.173	300.747
P60	287252.642	1830845.653	453.762
P61	288293.000	1830882.000	54.313
P62	288424.000	1830882.000	131.000
P63	288526.000	1830896.000	102.956
P64	288562.000	1830920.000	43.267
P65	288936.000	1831082.000	407.578
P66	288967.000	1831092.000	32.573
P67	289133.000	1831276.000	247.814
P68	289153.115	1831328.626	56.339
P1			521.967

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- **The total authorized surface area for the implantation of this project consists of 1,531.5505 has.**

**THIRD.-** The implementation of the activities of the project "**Parque Eólico Bii Nee Stipa II**" envisioned in the presented Declaration of Environmental Impact, Specific Mode, have an interval of 360 days and 15 years for their operation, to be counted from the day following the receipt of the present resolution. In the event that an extension of the period is required, the promoter must request it in writing from this Federal Office of the SEMARNAT 30 days before the date of its maturity.

**FOURTH.-** The Company Cableados Industriales, S.A. de C.V. is bound to fulfil the obligations contained in Article 50 of the Regulations of the General Law on Ecological Balance and Environmental Protection as regards the Evaluation of Environmental Impact, in the event that it desists from executing the works that are the subject of the present resolution.

**FIFTH.-** The Company Cableados Industriales, S.A. de C.V. must inform this Federal Office of the SEMARNAT in advance of any modification to the project and works set forth in the Declaration of Environmental Impact, Specific Mode, so that the measures proceeding may be determined in a timely manner in accordance with the environmental laws in force.

**SIXTH.-** During the execution of the works and activities of the project, the awardee of the present resolution must comply with the following:

#### **PROVISIONS**

1.- The Company Cableados Industriales, S.A. de C.V. must undertake all the mitigating measures set forth in the Declaration of Environmental Impact, Specific Mode, presented before this authority.

2.- To strictly observe the design of its project proposed in the Declaration of Specific Environmental Impact.

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3.- The construction, operation and maintenance works of the project must be done in strict observance of what has been declared before this Secretariat in the Declaration of Environmental Impact, Specific Mode,

4.- The Company Cableados Industriales, S.A. de C.V. must establish a Supervision Program in which a responsible person with the sufficient technical capacity is appointed to detect critical aspects from the environmental point of view, who can make decisions, define strategies or modify harmful activities.

5.- The Company Cabelados Industriales, S.A. de C.V. must present the acquiescence of the owners of the lands involved in the installation of this project to this Secretariat within an interval of not more than 30 days.

6.- The Company Sistema Energético de Oaxaca, S.A. de C.V. must consider the following aspects in carrying out the project:

- To implement the adequate disposal of the non-hazardous wastes generated by the activities of building, operation and maintenance in the places authorized for such purposes by the competent local authorities.
- To carry out corrective and preventive maintenance in the interior and exterior of its installations.
- To maintain strict control of sanitary waste throughout all the stages of the project.
- To provide the treatment and final disposal projected for hazardous wastes in the Regulations as regards Wastes.
- To provide the treatment for its hazardous wastes that is pertinent in accordance with what is set forth in the Declaration of Environmental Impact, Specific Mode.

7.- The Company Cableados Industriales, S.A. de C.V. must present a copy of each and every one of the contracts established with the proprietors of the place where the project is going to be executed to this Office in an interval of not more than 120 days to be counted from the date of receipt of this document.

The following are strictly prohibited:

- The open-air disposal of waste of any sort.
- The execution of works other than those authorized in this resolution.
- Release of treated or untreated wastewaters into the subsoil or into bodies of water (streams, lakes, seas, etc.) without the pertinent authorization.

**SEVENTH.-** The present resolution in favour of the Company Cableados Industriales, S.A. de C.V. is personal. In the event that the rights and obligations contained in this document are ceded, the Company Cableados Industriales, S.A. de C.V. and the acquiring party must give notice thereof in writing to this authority.

**EIGHTH.-** The Company Cableados Industriales, S.A. de C.V. shall be responsible for executing the works and acts of mitigation, restoration and control of all environmental impact that may be attributed to the execution and operation of the project that have not been taken into consideration by the proponent itself in the presented Declaration of Environmental Impact, Specific Mode.

SECRETARIAT OF THE ENVIRONMENT AND NATURAL RESOURCES  
FEDERAL OFFICE, OAXACA

INSTRUCTION No. SEMARNAT-SPGA.DIRA/232/2004

**NINTH.-** All acts performed that contravene the provisions of the present resolution shall be fully null and void.

**TENTH.-** The Company Cableados Industriales, S.A. de C.V. shall keep copies of the file of the Declaration of Environmental Impact, Specific Mode, at the project site, as well as copies of the present resolution for purposes of showing them to the competent authorities that may require this.

**ELEVENTH.-** This resolution is being issued regardless of whether the holder applies for, and, as the case warrants, obtains other authorizations, concessions, licenses, permits and similar authorizations that may be required in the execution of the works motivating the present, or for its operation or other phases where the pertinent Laws and Regulations may deem such applicable for this Secretariat and / or other federal, state or municipal authorities.

The present does not exempt the Company Cableados Industriales, S.A. de C.V. from the sanctions that it may be subject to in the event of violations against the General Law on Ecological Balance and Environmental Protection and its regulations, whether or not declared in the Declaration of Environmental Impact, Specific Mode.

**TWELFTH.-** The Company Cableados Industriales, S.A. de C.V. must inform the Federal Office of Environmental Protection in writing of the starting date of the works for the implementation of the authorized project within the 15 days after they have begun. In the same way, notice must be given of the date of termination of the said works within the 15 days after this occurs, with copy furnished to this Office.

**THIRTEENTH.-** The failure to comply with any of the Terms and Provisions contained in the present resolution and / or the modification of the project in the conditions in which this was expressed in the documentation presented shall constitute a reason for the sanctions provided for in the General Law on Ecological Balance and Environmental Protection and other legal ordinances that may be applicable.

UNITED STATES OF MEXICO  
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FEDERAL OFFICE, STATE OF OAXACA

YOURS,  
EFFECTIVE SUFFRAGE. NO RE-ELECTION  
THE FEDERAL DELEGATE

[Consta firma ilegible]  
ESTEBAN ORTIZ RODEA

10<sup>th</sup> August 2004

C.C.P. ENGR. DAVID RAFAEL PÉREZ – Subdelegate of Management for Environmental Protection – Building

- M.I.Q. - GERMAN MORALES PÉREZ - Head of the Unit on Environmental Management - Building.
- File and Records.

[Consta firma ilegible]

OAXACA OFFICE

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ENVIRONMENTAL PROTECTION  
MANAGEMENT SUBDIVISION

UNITED STATES OF MEXICO  
SECRETARIAT OF THE ENVIRONMENT  
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INSTRUCTION No. SEMARNAT-SGPA-DIRA/501/2005

Oaxaca de Juárez, Oax., 26<sup>th</sup> of August 2005

**Mr. JESUS DAVID HORTA MÉNDEZ**  
**GENERAL DIRECTOR**  
**CABLEADOS INDUSTRIALES, S.A. DE C.V.**  
**AV. CANDIDO AGUILAR No. 17230**  
**COL. OTAY CONSTITUYENTES**  
**TIJUANA, BAJA CALIFORNIA, 22510**  
**TEL. (01-664) 623-80-33**  
**FAX: (01-664) 623-80-34**  
**[davidhorta@cisae.com.mx](mailto:davidhorta@cisae.com.mx)**  
**P R E S E N T –**

Having analyzed and evaluated the Declaration of Environmental Impact Specific Mode of the wind farm project “**Parque Eólico Bii Nee Stipa III**”, intended to be located on Álvaro Obregón S/N, La Ventosa, in the municipality of Juchitán de Zaragoza, Oax., promoted by Mr. Jesús David Horta Méndez in his capacity as General Director of the Company Cableados Industriales, S.A. de C.V., and

**C O N S I D E R I N G :**

- I. That the Declaration of Environmental Impact, Specific Mode, of the project “**Parque Eólico Bii Nee Stipa III**” presented by Mr. Jesús David Horta Méndez was received in this Federal Branch of the SEMARNAT on the 2<sup>nd</sup> of February 2005;
- II. That complementary information was requested on the 30<sup>th</sup> of March 2005 through Instruction No. SEMARNAT-SGPA-DIRA/233/2005;
- III. That the company Cableados Industriales, S.A. de C.V. submitted the complementary information requested to this Office through the instruction mentioned in the preceding point by means of a document dated 11th of July 2005;

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- IV. That the project "**Parque Eólico Bii Nee Stipa III**" is not in conflict with the land uses specified for the area as per what is set forth in the Declaration of Environmental Impact, Specific Mode;
- V. That the location of the project "**Parque Eólico Bii Nee Stipa III**" is not within any natural area protected by the federal government or the state;
- VI. That no significant adverse environmental effects are forecast due to the execution of the project "**Parque Eólico Bii Nee Stipa III**";

Based on the provisions contained in Article 32 Bis fraction XXXIX of the Basic Act of the Public Federal Administration; Article 5, fraction X and Article 28 fractions I and VII of the General Law on Ecological Balance and the Protection of the Environment, Article 5 paragraph K and Article 45 of its Regulations as regard the Evaluation of Environmental Impact; and Article 39 fraction IX, paragraph "c" of the Internal Regulations of the Secretariat of the Environment and Natural Resources; this Federal Office of the SEMARNAT, exercising its attributions, has determined that the project which is the subject of the evaluation appraised in this instrument is environmentally feasible, and thus has resolved TO CONDITIONALLY AUTHORIZE IT, subject to the following:

#### T E R M S:

**FIRST.-** The present resolution as regards Environmental Impact grants the Company Cableados Industriales, S.A. de C.V. the right to execute the works and activities for the implementation of the project "**Parque Eólico Bii Nee Stipa III**", intended to be located on Alvaro Obregón S/N, La Ventosa, in the municipality of Juchitán de Zaragoza, Oax., which consists of:

The installation of 193 aerogenerators with a nominal capacity of 800 Kw model G52-800 kw, with horizontal axis turbines and 3-blade rotors (helices) measuring 52 m. in diameter, with 800 kw of power, supported on truncated-cone tubular steel towers model ST2-354, 55 m. high, with an upper diameter of 2.3 meters and concrete base foundation of 0.30 x 0.30 x 0.30 m.; control and

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instrumentation system, meteorological station, wind farm control post, central remote control post, anemometer and its tower, control room, electric panel, electrical material, electric substation including: 96 kv lightning arresters, 115 kv power and current transformers, grounding blades, manual operation, 115 kv lateral double-aperture blades, 115 kv power switch on SF6, 20 / 22.5 MVA 34.5 / 115 kv power transformer, 34.5 kv vacuum power switch, 34.5 kv station lightning arrester, 34.5 kv capacity power transformer, 34.5 kv current transformer, metallic structure for receiving 34.5 kv lines, metallic 115 kv line output frame, 34.5 kv medium voltage disconnection switch and compact substation, duct bank, base and meter for transformer, 34.5 kv to 900 kva pedestal type booster transformer, base and meter for transformer, counters, compact connection substation for each aerogenerator from three sections to 34.5 kv, a grounding system to be installed for each aerogenerator, with bare copper conductor caliber 1/0, AWG around the footing piece with Cadweld access connections, rotors 52 m in diameter, range area of 2.124 m<sup>2</sup> and variable turning speed of between 14.5 and 26.1 rpm, platforms of 20 x 15 m, foundation for aerogenerators made of truncated-cone footing pieces 12.50 m. on one side with a variable edge of 0.80 to 1.10 m on which to construct a solid pedestal of circular concrete 3.615 m in diameter and 1.30 m in height, conduits for cables made by excavating trenches of 1.10 m. in depth and 0.60 m in width, with a sand bed of 0.10 m and exterior meters for each tower, measuring 1.5 x 1.5 x 0.8 m, connection unit with meteorological stations, installation of remote portable equipment, and remote telephone access.

- **The total authorized surface area for the implantation of this project consists of 1,518.5794 has.**

**SECOND.-** The works set forth in the Declaration of Environmental Impact, Specific Mode, must be located exclusively within the following coordinates:

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POLYGON 1			
POINTS	X	Y	Distance m.
P1	292826.0000	1829802.0000	
P2	292833.0000	1829799.0000	7.616
P3	292849.0000	1829729.0000	71.508
P4	292849.8712	1829713.9406	15.085
P5	292832.0000	1829713.0000	17.896
P6	292832.0000	1829697.0000	16.000
P7	292856.0000	1829608.0000	92.179
P8	293143.9539	1829623.4606	288.369
P9	293853.6000	1828664.3900	1193.069
P10	294177.3970	1828310.7120	479.513
P11	294932.9400	1827595.3090	1040.503
P12	296479.4960	1826038.1960	2194.638
P13	296492.9519	1826042.8251	14.230
P14	296784.5100	1825743.8500	417.603
P15	296762.9400	1825392.0600	352.451
P16	296732.9359	1825182.7193	211.480
P17	296564.0000	1825240.0000	178.383
P18	296187.4900	1825173.6893	382.305
P19	296332.0000	1824695.0000	500.027
P20	296036.0000	1824644.0000	300.361
P21	295932.6943	1824987.0000	358.219
P22	295382.0000	1824986.0000	550.695
P23	295207.1501	1825160.3922	246.952
P24	295510.7861	1825526.2139	475.416
P25	295410.0000	1825627.0000	142.533
P26	295066.4274	1825305.2731	470.691
P27	294487.0000	1825865.0000	805.624
P28	294342.0000	1826021.0000	212.981
P29	294216.7182	1826125.7544	163.307

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POLYGON 1			
POINTS	X	Y	Distance m.
P30	293711.0000	1826637.0000	719.113
P31	293655.0000	1826625.0000	57.271
P32	293113.5341	1826399.3892	586.588
P33	293274.6000	1826243.8154	223.932
P34	293236.0000	1826226.0000	42.513
P35	293167.0000	1826177.0000	84.629
P36	292767.0000	1826069.0000	414.324
P37	292746.0000	1826057.0000	24.187
P38	292732.4682	1825802.2489	255.110
P39	292720.0000	1825799.0000	12.885
P40	292600.1749	1825695.3148	158.457
P41	292578.1200	1825731.6000	42.462
P42	292494.2900	1825779.2100	96.406
P43	292240.3600	1825775.0300	253.964
P44	292203.9200	1825780.7000	36.878
P45	291966.7700	1825749.1000	239.246
P46	291898.2200	1825673.6900	101.911
P47	291753.8800	1825679.2000	144.445
P48	291459.7500	1826040.4000	465.809
P49	291105.7900	1826225.6800	399.520
P50	290927.5400	1826324.1230	203.627
P51	290853.6900	1826352.1600	78.993
P52	290823.9700	1826367.8500	33.607
P53	290719.7600	1826421.5700	117.241
P54	290658.8900	1826458.2100	71.047
P55	290457.9800	1826547.6300	219.911
P56	290346.0200	1826603.4800	125.117
P57	290251.9300	1826674.0200	117.596
P58	290147.4700	1826805.6200	168.019

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POLYGON 1			
POINTS	X	Y	Distance m.
P59	290087.5800	1826827.8000	63.865
P60	289897.8720	1826924.4720	212.919
P61	290031.8666	1827169.1696	278.983
P62	290231.0000	1827060.0000	227.095
P63	290348.0000	1827287.0000	255.378
P64	290153.4893	1827391.2738	220.698
P65	290182.8392	1827444.8717	61.108
P66	290634.2727	1827400.9579	453.564
P67	290639.0000	1827510.0000	109.145
P68	290617.0000	1827503.0000	23.087
P69	290236.9586	1827543.7032	382.215
P70	290918.5430	1828788.3950	1419.089
P71	290965.0000	1828773.0000	48.941
P72	291214.0000	1828341.0000	498.623
P73	291301.0000	1828252.0000	124.459
P74	291771.0000	1828566.0000	565.240
P75	292046.0000	1828304.0000	379.828
P76	292173.0000	1828890.0000	599.604
P77	291954.2307	1829110.9071	310.902
P78	292509.0000	1829326.0000	595.008
P79	292407.0000	1829415.0000	135.370
P80	292473.0000	1829450.0000	74.706
P81	292451.0000	1829678.0000	229.059
P82	292417.0000	1829776.0000	103.730
P83	292557.0000	1829780.0000	140.057
P84	292556.0000	1829796.0000	16.031
P1			270.067

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POLYGON 2			
POINTS	X	Y	Distance m.
P1	293748.6830	1825254.2913	283.559
P2	293761.0000	1824971.0000	280.087
P3	294041.0000	1824978.0000	87.727
P4	294077.0000	1824898.0000	183.042
P5	294115.2340	1824718.9953	126.634
P6	294017.6400	1824799.6900	127.890
P7	293909.3700	1824731.6200	341.531
P8	293586.9000	1824844.1200	71.465
P9	293515.9800	1824835.3100	83.716
P10	293432.2700	1824834.2700	17.901
P11	293414.8500	1824838.3900	114.439
P12	293368.5400	1824943.0400	149.620
P13	293254.9300	1825040.4000	221.695
P14	293142.2100	1825231.3000	606.909
P1			

POLYGON 3			
POINTS	X	Y	Distance m.
P1	292175.0000	1830389.0000	
P2	292318.0000	1829890.0000	519.086
P3	292085.0000	1829839.0000	238.516
P4	291973.0000	1830235.0000	411.534
P5	291984.0000	1830277.0000	43.417
P6	291953.0000	1830354.0000	83.006
P1			224.742

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POLYGON 4			
POINTS	X	Y	Distance m.
P1	292538.6321	1830443.2607	
P2	292733.0107	1830180.0096	327.237
P3	292704.0000	1830154.0000	38.963
P4	292730.5942	1830077.7633	80.742
P5	292505.0000	1830060.0000	226.292
P6	292458.0000	1830410.0000	353.142
P1			87.223

**THIRD.-** The implementation of the activities of the project “**Parque Eólico Bii Nee Stipa III**” envisioned in the presented Declaration of Environmental Impact, Specific Mode, have an interval of 2 years for their implementation and 15 years for their operation, to be counted from the day following the receipt of the present resolution. In the event that an extension of the period is required, the promoter must request it in writing from this Federal Office of the SEMARNAT 30 days before the date of its maturity.

**FOURTH.-** The Company Cableados Industriales, S.A. de C.V. is bound to fulfill the obligations contained in Article 50 of the Regulations of the General Law on Ecological Balance and Environmental Protection as regards the Evaluation of Environmental Impact, in the event that it desists from executing the works that are the subject of the present resolution.

**FIFTH.-** The Company Cableados Industriales, S.A. de C.V. must inform this Federal Office of the SEMARNAT in advance of any modification to the project and works set forth in the Declaration of Environmental Impact, Specific Mode, so that the measures proceeding may be determined in a timely manner in accordance with the environmental laws in force.

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**SIXTH.-** During the execution of the works and activities of the project, the awardee of the present resolution must comply with the following:

### PROVISIONS

1.- The Company **Cableados Industriales, S.A. de C.V.** must undertake all the mitigating measures set forth in the Declaration of Environmental Impact, Specific Mode, presented before this authority.

2.- To strictly observe the design of its project proposed in the Declaration of Environmental Impact, Specific Mode.

3.- The construction, operation and maintenance works of the project must be done in strict observance of what has been declared before this Secretariat in the Declaration of Environmental Impact, Specific Mode.

4.- The **Company Cableados Industriales, S.A. de C.V.** must establish a Supervision Program in which a responsible person with the sufficient technical capacity is appointed to detect critical aspects from the environmental point of view, who can make decisions, define strategies or modify harmful activities.

5.- The Company **Cableados Industriales, S.A. de C.V.** must present the acquiescence of the owners of the lands involved in the installation of this project to this Secretariat within an interval of not more than 30 days.

6.- The Company **Cableados Industriales, S.A. de C.V.** must consider the following aspects in carrying out the project:

- To implement the adequate disposal of the non-hazardous wastes generated by the activities of building, operation and maintenance in the places authorized for such purposes by the competent local authorities.
- To carry out corrective and preventive maintenance in the interior and exterior of its installations.

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- To maintain strict control of sanitary waste throughout all the stages of the project.
- To provide the treatment and final disposal projected for hazardous wastes in the Regulations as regards Wastes.

7.- The Company **Cableados Industriales, S.A. de C.V.** must present a copy of each and every one of the contracts established with the proprietors of the place where the project is going to be executed to this Office in an interval of not more than 120 days to be counted from the date of receipt of this document.

The following are strictly prohibited:

- The open-air disposal of waste of any sort.
- The execution of works other than those authorized in this resolution.
- Release of treated or untreated wastewaters into the subsoil or into bodies of water (streams, lakes, seas, etc.) without the pertinent authorization.

**SEVENTH.-** The present resolution in favor of the Company **Cableados Industriales, S.A. de C.V.** is personal. In the event that the rights and obligations contained in this document are ceded, the Company **Cableados Industriales, S.A. de C.V.** and the acquiring party must give notice thereof in writing to this authority.

**EIGHTH.-** The Company **Cableados Industriales, S.A. de C.V.** shall be responsible for executing the works and acts of mitigation, restoration and control of all environmental impact that may be attributed to the execution and operation of the project that have not been taken into consideration by the proponent itself in the presented Declaration of Environmental Impact, Specific Mode.

[Consta firma ilegible]

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**NINTH.-** All acts performed that contravene the provisions of the present resolution shall be fully null and void.

**TENTH.-** The Company **Cableados Industriales, S.A. de C.V.** shall keep copies of the file of the Declaration of Environmental Impact, Specific Mode, at the project site, as well as copies of the present resolution for purposes of showing them to the competent authorities that may require this.

**ELEVENTH.-** This resolution is being issued regardless of whether the holder applies for, and, as the case warrants, obtains other authorizations, concessions, licenses, permits and similar authorizations that may be required in the execution of the works motivating the present, or for its operation or other phases where the pertinent Laws and Regulations may deem such applicable for this Secretariat and / or other federal, state or municipal authorities.

The present does not exempt the Company **Cableados Industriales, S.A. de C.V.** from the sanctions that it may be subject to in the event of violations against the General Law on Ecological Balance and Environmental Protection and its regulations, whether or not declared in the Declaration of Environmental Impact, Specific Mode.

**TWELFTH.-** The Company **Cableados Industriales, S.A. de C.V.** must inform the Federal Office of Environmental Protection in writing of the starting date of the works for the implementation of the authorized project within the 15 days after they have begun. In the same way, notice must be given of the date of termination of the said works within the 15 days after this occurs, with copy furnished to this Office.

[Consta firma ilegible]

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MANAGEMENT SUBDIVISION

UNITED STATES OF MEXICO  
SECRETARIAT OF THE ENVIRONMENT  
AND NATURAL RESOURCES

INSTRUCTION No. SEMARNAT-SGPA-DIRA/501/2005

Oaxaca de Juárez, Oax., 26<sup>th</sup> of August 2005

**THIRTEENTH.-** The failure to comply with any of the Terms and Provisions contained in the present resolution and / or the modification of the project in the conditions in which this was expressed in the documentation presented shall constitute a reason for the sanctions provided for in the General Law on Ecological Balance and Environmental Protection and other legal ordinances that may be applicable.

UNITED STATES OF MEXICO  
SECRETARIAT OF THE ENVIRONMENT AND  
NATURAL RESOURCES  
FEDERAL OFFICE, STATE OF OAXACA

YOURS,  
EFFECTIVE SUFFRAGE. NO RE-ELECTION  
THE FEDERAL DELEGATE

[Consta firma ilegible]  
ESTEBAN ORTIZ RODEA

30<sup>TH</sup> August 2005

[Consta firma ilegible]

"Parque Eólico Bii Nee Stipa III"  
Municipality of Juchitán de Zaragoza, Oax.  
Cableados Industriales, S.A. de C.V.  
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