

NO.	DATE	AFFILIATION	REFERENCE NUMBER	COMMENTS	RESPONSE	RESPONDENT
Comments on Pre-Application Public Participation an NOI						
1.	2017-11-09	DEADP Loretta Osborne	16/3/3/6/7/1/B5/16/1368/17	Appendix F1.1 DEADP acknowledge receipt of Notice of Intend (NOI)	Thank you	1.
2.	2017-11-10	DEADP Loretta Osborne	16/3/3/6/7/1/B5/16/1368/17	Appendix F1.2 <ol style="list-style-type: none"> 1. Your document submitted to the Department on 27 October 2017 and Departmental letter issued 9 November, refer. 2. Review of information submitted to the Department. 3. Please note that when the formal application form is submitted to the Department, the original applicant declaration must be included. 4. Several pages of the NOI have the incorrect vegetation status. 	<ol style="list-style-type: none"> 1. Noted 2. Please be advised that there is an existing weir and division canal down stream of the proposed pipeline where the listed water gets divided 40/60 and distributed to the allocated irrigation boards. Please note it is proposed that the existing canal be rehabilitated. This is discussed in the project scope. 3. Noted. 4. Apologies. This was corrected in the Pre- 	EnviroAfrica

				<p>Please include the correct vegetation status upon submission of the application form.</p> <p>5. After considering the information provided in the NOI, the Department concurs that the proposed development constitutes listed activities as defined in terms of NEMA EIA Regs, 2014 (as amended).</p> <p>6. A Basic Assessment process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for authorisation. The onus is on the application to ensure that all the applicable listed activities are applied for and assessed as part of the Basic Assessment process.</p> <p>7. You are advised that when undertaking the Basic Assessment process you must take into account the applicable guidelines including the guidelines developed by the department.</p> <p>8. Please ensure the BAR and EMPr contain all information requirements outlined in Appendix 1 and 4 respectively of</p>	<p>Application BAR for comment.</p> <p>5. Noted</p> <p>6. Noted</p> <p>7. Noted & agreed</p> <p>8. Noted & agreed</p>	
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				<p>GN 326. Omission may result in the EA being refused.</p> <p>9. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 (as amended) must be undertaken. You are advised that public participation may be undertaken prior to the submission of the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. You are reminded that a period of at least 30 days must be provided to all the potential or registered interested and affected parties to submit comment on the BAR.</p> <p>10. Should a public participation process, which includes the circulation of the pre-application BAR for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application BAR may also be submitted to the Department for commenting purposes.</p>	<p>9. Please refer to Section C of the Pre-Application BAR (for comment August 2017) for an explanation of the initial public participation process followed. Please note that the Pre-App BAR for comment will be sent out to all registered I&APs and organs of state to provide their inputs for a commenting period of 30 days. Comment will be captured and attended to in the next round of public participation.</p> <p>10. Noted Please see point 8 above.</p>	
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				<p>Please ensure a minimum of <u>two</u> printed copies of the pre-application BAR is submitted to the Department for commenting purposes.</p> <p>11. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. Please note that the Environmental Assessment Practitioner (“EAP”) is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of the NEMA in the BAR, where appropriate.</p> <p>12. Please note that it is an offence in the terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the</p>	<p>11. Noted. the Pre-App BAR for comment will be sent out to all registered I&APs and organs of state to provide their inputs for a commenting period of 30 days. Comments will be captured and attended to in the next round of public participation.</p> <p>12. Noted.</p>	
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				<p>matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p> <p>13. Please note that the pre-application consultation is an advisory process and does not pre-empt to outcome of any future application which may be submitted to the Department.</p> <p>14. This Department reserves the right to revise or withdraw initial comments or request further information from you based on any information received.</p>	<p>13. Noted.</p> <p>14. Noted.</p>	
3.	2017-11-22	Cape Nature (Alana Duffell-Canham)	SSD14/2/6/1/9/6/602 _Water)Distribution_S nel	<p>Appendix F1.3</p> <p>1. The river in which the proposed distribution structure site is located has been determined as an Aquatic Critical Biodiversity Area (please refer to the 2017 Western Cape Biodiversity Spatial Plan (WCBSP)1). There are also wetland areas</p>	<p>1. Noted a freshwater impact assessment was conducted.</p>	

				<p>associated with the river which are also aquatic CBAs. The river is part of a Freshwater Ecosystem Priority Area (FEPA) river corridor. The site is therefore within an area of high ecological importance. A detailed freshwater impact assessment must be conducted which considers Ecological Flow Requirements in detail.</p> <p>2. The project may also have an impact on indigenous fish and a fish survey may need to be included as part of the assessment.</p>	<p>2. Please see email correspondence from Dean Impson from Cape Nature who went out on site and concluded that a fish study will not be required.</p> <p>Appendix F1.3.1 Allana Duffel from Cape Nature was satisfied with Dean Impson concluded.</p>	
3.	2017-12-12	Elkerine Rossouw (BGCMA)		<p>1. Please provide the CMA with the draft scoping / BAR in hard copy. There after any changes and additional information can be submitted in CD format.</p> <p>2. The WULA process will be determined by the outcome of the Risk Matrix of the Freshwater specialist. This must please be submitted to the BGCMA as soon as possible</p>	<p>1. Will do.</p> <p>2. Please refer to the Water Specialist Technical report Appendix G</p>	

WAGENBOOMRIVIER & DARLING BRUG IRRIGATION BOARDS

COMMENTS AND RESPONSE REPORT

DATE:
