

Department of Environmental Affairs and Development Planning

3 March 2020

Land Management Region 3

Private Bag X6509

George

6530

At: **Me. Shireen Pullen**

DEA&DP Ref. No. **16/3/1/1/D3/4/0008/13**

Dear Me Pullen,

Re.: COMPLIANCE AUDIT REPORT: Calitzdorp Roads Upgrade, DR1688 & Dr1699
Upgrades of the DR1688 and Dr1699, between Calitzdorp and Oudtshoorn, Western Cape Province

The original audit report received by your office on the 9th of December 2019, your letter of acknowledgement dated 6 February 2020 and our recent telephonic conversation has reference. Attached please find an updated compliance audit report, revision 1 (Dated 2 March 2020).

We would like to thank you for the comments given by your department. Outstanding issues are addressed underneath (for ease of reference the numbering used in your departments letter have been used):

3.1 The audit report (AR) notes that partial compliance and non-compliance with EMP'r did not result in any significant impact. Please explain which outcomes informed this determination.

In short the reasons were based on the fact that, the vegetation along the first section of the construction footprint (up to the Calitzdorp Spa turn-off) were in such poor state that it is considered unlikely to have had any significant additional environmental impact **to date** (especially since topsoil were removed and stored separately), BUT it may result in future significant impacts along the remainder of the road and it **needs to be addressed**. Please refer to the recommendations under heading 6.2 of the report as well as to the discussions under the following headings (Heading 4.1.2, 5.2.1, 6.1 & 6.2 of the updated AR). It was also noted that there seems to be contradiction within the EMP on what should be allowed in terms of the construction footprint.

3.2 The AR is silent whether the current EMP requires any amendments.

It was originally believed that this could be corrected through updated method statements, but after our recent conversation and careful consideration of the perceived contradictions within the EMP (Please refers to Heading 5.2.1, 6.1 & 6.2 of the updated AR) it is believed that amendments needs to be made to the EMP (Refer to Par. 6.2)

3.3 The AR highlights the need to respond to the partial and non-compliance aspects, but no target date is stipulated.

This has been corrected in the updated AR. Please refer to Par. 6.2 for recommendation in this regard.

- 3.4 The non-compliance issues that arose from cement batching on bare soil and the location of Stockpile No.3 (mentioned in the attached ECO report) must be rectified within 7 days from the date of this letter.

In an Email received on the 4th of March 2020, the ECO confirmed that the both the cement batching and Stockpile 3 issues had been addressed and corrective actions are completed. The ECO will be visiting the site this coming Friday (the 6th of March) after which photographic evidence can be provided, should it be required (otherwise it can be described during proposed site DEA&DP site visit).

- 3.5 The outstanding declaration of understanding must be signed within 7 days of this letter.

According to the ECO the applicant (Dept. of Transport & Public Works) are aware that this is outstanding, and seems to be unwilling to sign the declaration. However, the ECO mentioned that the Applicant is already legally responsible for the implementation of the EMP in terms of the conditions of the EA and the fact that the Applicant signs a declaration in terms of the EIA process.

- 4 The AR does not contain a description of any consultation proses that was undertaken during the course of carrying out the report or a summary and copies of any comments received during any consultation in terms of the EA.

Although not mentioned in the original report, the site visit was performed after consultation with the ECO (EnviroWorks), the EAP (Guillaume Nell) and the engineers (BVi Engineers). The report was made available to all registered I&AP's for comment (comments are still outstanding); AND this updated AR will again be send to all registered interested and affected parties as well as the ECO and the Project Engineers for comment.

Proof of the PPP will be submitted to the DEA&DP before the 6th of March 2020.

Please feel free to contact myself or EnviroAfrica (Mr. Bernard de Witt, 021 – 851 1616) for any additional information.

Lastly, the ECO has asked to be invited to the DEA&DP site visit in order to address any issues or findings.

Kindest regards



Peet Botes (Pri. Sci. Nat)

*Registered Professional Environmental,
Ecological & Botanical Scientist*