

Comments-Responses Table

Initial pre-application phase			
I&AP	Comment received	Response to	Respondent
CapeNature (03/08/2022)	<p>Good day Herewith CapeNature's comment on this application.</p> <ol style="list-style-type: none"> 1. It is understood the dam will be used to store ELU water and is an off-channel dam. It is clear from the site verification survey and botanical compliance statement that the proposed dam development area has been transformed by agricultural activity. The development site is also unselected as per the WCBSP, but lies adjacent to the mapped NFEPA Olifant's River. 2. There are no botanical or faunal to the development. The botanical compliance statement is accepted and all recommendations must be implemented. 3. Regarding the aquatic assessment: <ol style="list-style-type: none"> 3.1 The assessment proposes erosion control and stormwater management especially regarding the dam wall. What are the methods to be used to achieve such mitigation? 	<ol style="list-style-type: none"> 1. Noted 2. Noted. 3.1 It has now become clear that the toe of the new wave dam wall must be paved, as the wall touches upon the 1 in 100 year floodline. Paving can be of concrete, but rock and cement will suffice. This was taken up with Bester Engineers of Ceres and they will add this to the primary design of the dam wall. 	<ol style="list-style-type: none"> 1. EnviroAfrica 2. EnviroAfrica 3.1 Dr Dirk von Driel (appointed freshwater specialist)

	<p>3.2 The assessment recommends revegetation of the dam wall that must be implemented during the dry season and complete by the next wet season. It is doubtful whether this is possible. Furthermore and more importantly, vegetation of the dam wall will not runoff erosion which would pose a risk of sedimentation into the Olifant's river. A better method of erosion control that poses low risk of sedimentation of the Olifant's river needs to be presented.</p>	<p>3.2 The rehabilitation / vegetation of the earthen dam wall must be overseen by a specialist in this field, of which there are several in our area. This is quite possible, especially with the help of suitable irrigation. I have referred the engineers to the books of Ken Coetzee (Caring for Natural Rangelands, 2005), where there are a number of ways to deal with exposed and disturbed places, of which an appropriate one or a combination can be selected. But then a rehabilitation specialist will know what to do. Please note that this is a low rainfall area, tantamount to semi-desert conditions and that major erosion is unlikely. There are many exposed walls and declines where vineyards have been levelled against the slopes around Trawal and along the river and these walls do not show signs of much erosion.</p>	<p>3.2 Dr. Dirk von Driel (appointed freshwater specialist)</p>
	<p>3.3 The cumulative impact of the dam has not been assessed and must be assessed in the context of available data on illegal dams/water use, and indirect downstream effects resulting from abstraction. It is understood that the assessment has indicated that abstraction impact was not assessed due to the dam being for ELU. However, the current ecological water reserve as per DWS recent</p>	<p>3.3 The proponent does not have the authority to implement this advice. The proponent can only make the means to abstract the amount of water that the proponent is lawfully allowed to abstract. It is only the National Department of Water and Sanitation that has the authority to investigate how much existing usage of water is lawful and how much is unlawful and decide whether over-allocation of ELUs exists or not and what necessary action to</p>	<p>3.3 EnviroAfrica</p>

	<p>reserve study needs to be considered as current ELUs might be over-allocated and need to be reduced, which would impact the required dam size, or whether this development is feasible.</p>	<p>take in response to the findings.</p>	
DEA&DP (04/08/2022)	<p>2.1.1 Pre-application SR states that the existing cultivation fields on the farm will be expanded by approximately 5ha to approximately 8ha in extent. It is, however, this Department's understanding that the current pre-application process only pertains to the construction of the new dam and associated infrastructure.</p> <p>2.2 It is mentioned in the Pre-Application SR that the water to be stored in the proposed dam will augment the irrigation water supplied by the two water storage dams that currently exist on the farm. As such, please ensure that in terms of the need and desirability context, detailed information is provided, as to why the existing dams are insufficient in terms of storage capacity <i>etc.</i></p> <p>2.3.1. Albeit that proof of the Water Use Licence Application ("WULA") submitted to the National Department of Water and Sanitation ("DWS") was provided as part of the pre-application SR&PoS, due to the nature of your proposed development comment/input from DWS regarding proposed development must be obtained as soon of the pre-application and formal EIA application processes.</p> <p>2.4 It is this Department's understanding that no water use rights will be enhanced/upgraded as result</p>	<p>2.1.1 The proposed development only entails the establishment of a dam. It is only when the proposed dam is in existence at some point in the future that expanding farming operations by 5ha to 8ha will become a possibility that can be looked into.</p> <p>2.2 Done</p> <p>2.3.1 Noted</p> <p>Proof of existing water allocation attached to Draft Scoping Report as Appendix 2K</p>	<p>EnviroAfrica</p> <p>EnviroAfrica</p> <p>EnviroAfrica</p> <p>EnviroAfrica</p>

	<p>of the proposed dam. However, please be reminded to provide proof of the water allocation of 477 020m³ granted by the Lower Olifants River Water Users Association for the said property.</p> <p>2.5.2. You are therefore reminded to ensure that the formal letter from Heritage Western Cape, which displays such comment is included with your submission of the final EIA report to this Department for decision-making.</p> <p>2.6.2. Notwithstanding the above, you are reminded that should any additional electricity supply be required in order to pump the water to where it is required, then confirmation of electricity from the relevant service provider must be included with your submission of the final EIA report to this Department for decision-making.</p> <p>2.8.2. Geotechnical Related Impacts</p> <p>Please ensure that the EIA phase of the formal EIA process assesses the geotechnical related impacts of the proposed development, as well as the mitigation measures that will be required in this regard and that a report detailing such is submitted with the draft and final EIA Reports to this Department.</p> <p>Please ensure that the SR is amended to fulfil all requirements of Appendix 2 of the EIA Regulations, 2014 (as amended), with specific reference to the following requirements that has not been met in the pre-application SR:</p>	<p>The letter of comment from Heritage Western Cape is attached hereto as Appendix 1D</p> <p>2.6.2 The proposed development will not cause the farm to require any additional services nor additional electricity.</p> <p>2.82 The geotechnical report is attached hereto as Appendix 2M</p>	<p>EnviroAfrica</p> <p>2.62 EnviroAfrica</p> <p>2.82 EnviroAfrica</p>
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2.11	<p>2.11 “Hello Maboe I understand your problem with the DEA&DP because my reports are primarily directed at the Department of Water and Sanitation for the Water Use licence Application and not for the EIA. So you will have to look into the report to find the information.</p> <p>On p34 is my Resume. It is attached as well. My address and SACNASP number is there.</p> <p>The date of my site visit is in there as well, but I looked it up from the SASS5 biomonitoring sheet in the appendix. The date was 20 September 2021 and I spent most of the day there, 6 hours in total. This was at the end of the rainy season, so it was a good time to look at the vegetation at its best in the winter rainfall area.</p> <p>There were no uncertainties. This is an off-channel dam on an old vineyard that will be filled with water out of an irrigation channel. This is water that has been officially allocated, an existing legal use, so there will be no additional impact on the Olifants River. No additional abstraction and no additional impact on the Ecological Reserve. It would be beneficial if the DWS could publish their recent biomonitoring data for all of us to use so that we do not have to rely on only what we collect. The prescribed evaluations, such as the Risk Matrix, rests on the experience and knowledge of the specialist. Another specialist will allocate slightly different numbers, but the outcome will most likely be the same”.</p>	2.11 Dr. Dirk von Driel (appointed freshwater specialist)

Comment received on lapsed application (16/3/3/2/F3/16/3006/23)

<p>DEA&DP (17/02/2023)</p>	<p>5.1 It is noted that the table checkbox on page 5 of the Application Form was not ticked to indicate whether or not the specified information has been appended to the Application Form. Furthermore, the details regarding the payment of the application fee on page 6 of the Application Form has not been completed.</p> <p>5.2 You are required to submit an amended Application Form as a matter of urgency. Please ensure that all future Departmental templates are fully completed.</p> <p>7.2.3 This Department notes that proof of having submitted the required WULA to the National DWS was submitted together with the abovementioned Application Form. It is however recommended that in view of the abovementioned SOP, that the WULA process and the Scoping and EIA process be synchronised as far as possible, so that the decision in terms of the NWA can be issued at the same time or prior to the decision pending on your Scoping and EIA application.</p> <p>8.3 However, since you have lodged an official Scoping and EIA application to this Department, please notify HWC of the new application and request confirmation of whether the previous comment (dated 9 May 2022) remains valid. Furthermore, please be advised that should HWC indicate that in order to provide such</p>	<p>5.1 and 5.2 Amended application form was submitted on 03/03/2023 and submitted again on 28/03/2023</p> <p>7.2.3 Noted</p> <p>8.3 Noted</p>	<p>EnviroAfrica</p>
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	<p>confirmation, a new Notice of Intent to Develop (“NID”) must be submitted to the said authority, then such requirement must be met.</p> <p>8.4 The comment/ confirmation on their previous comment provided by HWC must be appended to the final EIA Report submitted to this Department for decision-making.</p> <p>9.1.4 Should the SSV Report (dated June 2022) and submitted together with the abovementioned Application Form have been submitted by error and the amended SSV Report (dated August 2022) that supersedes the SSV Report (dated June 2022) be the correct SSV Report for this proposed development, you are required to submit the amended SSV Report (dated August 2022 to this Department, as an appendix to the Application Form as a matter of urgency). In this instance, this Department’s comments on the amended SSV Report (dated 8 September 2022), remains applicable.</p> <p>9.15 to 19</p> <p>20. The Department notes that two (2) National Sector Classification categories were selected for this development proposal. Section D (National Sector Classification List) must be limited to the selection of one main sector for the proposed development, which will also be the same sector indicated in the DFFE Screening Tool.</p>	<p>8.4 Noted</p> <p>9.14 The SSV Report dated August 2022 was submitted together with the amended application form</p> <p>9.15 to 19 Noted</p> <p>20. Please see Amended Application Form submitted on 28/03/2023.</p>	
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	21. to 25.	21. to 25. Noted	
DEA&DP (14/03/2023)	<p>2.1.1 to 2.2.1</p> <p>2.2.2 please ensure that the cumulative impacts are addressed in the final SR as well as assessed during the EIA phase.</p> <p>2.3 and 2.4</p> <p>2.5.1 Please be reminded to label all photographs regarding the proof of Public Participation conducted and submitted together with the final SR.</p> <p>2.5.2"Please be reminded to provide proof of all the Public Participation Processes undertaken to date".</p> <p>2.5.3 Although the Comments and Response Report that was submitted together with the draft SR states that correspondence from CapeNature (dated 3 August 2022) was received, proof of such comment was not appended to the draft SR. Please be reminded to provide copies of all the comments obtained at the end of the Public Participation Processes.</p> <p>2.5.4 In view of the nature of your proposed development, please ensure that comments are obtained from, <i>inter alia</i>, Western Cape Government: Agriculture and the National Department of</p>	<p>2.1.1 to 2.2.1 Noted</p> <p>2.2.2 Please refer to Section 8 of the Scoping Report</p> <p>2.3 and 2.4 Noted</p> <p>2.5.1 Noted</p> <p>2.5.2 Noted</p> <p>2.5.3 Please see comment from CapeNature in Appendix 1D2 of the Scoping Report</p> <p>2.5.4 Comment from the National Department of Water and Sanitation has been requested and the related documentation downloaded during the pre-application phase. The said Department</p>	EnviroAfrica

	<p>Water and Sanitation (as also requested in this Department's previous correspondences dated 17 February 2023 and 3 March 2023).</p> <p>2.6.1 Scoping Report</p> <p>Please ensure that final SR is updated to meet all of the content requirements in terms of Appendix 2 of the EIA Regulations, 2014 (as amended), and particularly the following:</p> <p>2.6.1.1 Section 2 (1)(g)(iii) - a summary of the issues raised by Interested and Affected Parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them; and</p> <p>2.6.1.2 Section 2 (1)(g)(xi) - a concluding statement indicating the preferred alternatives, including preferred location of the activity.</p> <p>2.6.2 Plan of Study</p> <p>Please be reminded that the Plan of Study must fulfil all</p>	<p>has also been requested to comment on the Draft Scoping Report and the request for comment has been read and proof of this is provided in Appendix 1C2 of the Scoping Report. Regulation 3(4) should therefore be considered in this case.</p> <p>The correspondence requesting comment that was sent using We Transfer to the Western Cape Government: Agriculture was never responded to and it has only been discovered recently that the Western Cape Government: Agriculture does not attend to requests for comment that are submitted via the internet. A copy of the Draft Scoping Report saved on a compact disc was ultimately delivered by hand to the Western Cape Government: Agriculture with a request for comment on 27/03/20223 and proof of this is attached in Appendix 1C2 of the Scoping Report.</p> <p>2.6.1.1 Noted</p> <p>2.6.1.2 Noted</p> <p>2.6.2 Noted</p>	
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	<p>the requirements of Appendix 2 of the EIA Regulations, 2014 (as amended).</p> <p>2.7 Proof of Existing Water Use Rights</p> <p>Kindly be reminded that this Directorate requires proof of the existing lawful water use rights granted by the Lower Olifants River Water Users Association for the said property as a matter of urgency.</p> <p>3. to 5.</p>	<p>2.7 Please see Appendix 2K of the Scoping Report</p> <p>3. To 5. Noted</p>	
<p>Matzikamma Local Municipality (24/03/2023)</p>	<p>It is noted that the entire footprint of the proposed dam will be located on existing agricultural land that has already been transformed by agricultural practices, therefore no significant disturbance of natural vegetation will occur during the construction of the dam.</p> <p>Recommendations on impact minimization for good environmental control is supported as mentioned below:</p> <ul style="list-style-type: none"> • <i>The river and wetland areas to the north of the site must be regarded as no-go areas.</i> • <i>A suitably qualified Environmental Control Officer must be appointed to monitor the construction phase and ensure the riparian zone is not impacted in any way by the construction of the proposed dam.</i> • <i>Lay-down areas or construction sites must be located within already disturbed areas or areas of low ecological value and must be pre-approved by the ECO.</i> • <i>An integrated waste management approach must be implemented during construction”</i> 	<p>Noted</p>	<p>EnviroAfrica</p>

	<p>The Mitigation measures as set out in the Aquatic Biodiversity Impact Assessment is strongly advised to be implemented to keep the ecological status of the Olifants River from declining.</p> <p>It is also noted that the Water Use Licence Application only entails the damming of water that is lawfully allocated to the proponent by the Lower Olifants River Water Users Association, i.e., the water currently being supplied to the farm via the Bulshoek Dam canal system and that No run-off from the surrounding catchment will be channelled into the proposed dam.</p> <p>In the light of the above it is therefore understood that the New Wave Dam's addition to the cumulative impact on the flow modification of the Olifants River is negligible.</p> <p>Dust generated from all phases of the proposed activities must comply with the NEM: AQA, National Dust Control Regulations (Government Notice No. R. 827) of November 2013.</p> <p>"these regulations prohibit a person from conducting any activity in such a way as to give rise to dust in such quantities and concentrations that the dust, or dust fallout, has a detrimental effect on the environment, including human health."</p>		
Heritage Western Cape (24/03/2023)	<i>"I can confirm that the NID response does not have a time limit, and the comment remains valid".</i>	Noted	EnviroAfrica
SF Nieuwoudt (21/03/2023)	<i>I, SF Nieuwoudt, hereby inform you that I have no comment on the proposed development".</i>	Thank you	EnviroAfrica