



## KLEINVLEI DAM - DRAFT SCOPING REPORT COMMENTS RECEIVED (06 July to 08 September 2020)

Date	Issue	Comment	I&AP	Response	Respondent
	<b>General</b>				
23 July 2020		Please note that according to Cape Farm Mapper, the vegetation on the site would historically have been Vulnerable Kouebokkeveld Shale Fynbos. Additionally, the proposed site has subsequently been cleared and subjected to cultivation. Listed Activity 27 of Listing Notice 1 of GN No. R.983 (as amended) and Listed Activity 12 of Listing Notice 3 of GN No. R.985 (as amended) will therefore not be applicable to the proposed development of an in-stream dam.	Ayesha Hamdulay - Department of Environmental Affairs and Development Planning: Development Management Region 1	Noted. However, although the majority of the dam development footprint is within an area that has been previously cleared and cultivated, the construction of the dam and dam wall will involve the removal or inundation of some indigenous vegetation, and a large stand of poplar trees, which may exceed 1ha in extent.	EnviroAfrica
		Please also note the Critically Biodiversity Areas ("CBAs") and Ecological Support Areas ("ESAs") have not been formerly adopted by this Department in terms of the NEMA. Listed Activity 14 of Listing Notice 3 of GN No. R.985 (as amended) will therefore not be applicable to the proposed development of an in-stream dam.		Noted. These listed activities will be removed and not included in the NEMA Application	EnviroAfrica
		The description of the need and desirability for the proposed development as contained in the draft SR is inadequate.		Noted. This will be amended in the post-application Draft Scoping Report.	
		In addition to the description of the need and desirability as included in the draft SR, the need and desirability for the proposed development must also be described in terms of this Department's Guideline on Need and Desirability (dated March 2013) or the Department of Environmental Affairs' Integrated Environmental Management Guideline on Need and Desirability (dated March 2017).		Noted.	
		The SR to be circulated as part of the application phase must include the above.		Noted	
		Page 25 of the revised pre-application SR indicates that the visual impacts associated with the proposed development will be considered as part of the process. However, this has not been included in the POS for further assessment in the Environmental Impact Assessment phase.		Please note that a Visual Impact Assessment is not considered necessary, since the sense of place is not considered to be significantly impacted, as the dam is in an agricultural area with many similar dams. The visual aspect will still be addressed in the EIR.	EnviroAfrica
		Further, the POS does not include a description of the alternatives to be considered and assessed within the preferred site, including the option of not proceeding with the proposed development.		Noted. The assessment of alternatives has been included in the Plan of Study (Section 8.3).	EnviroAfrica
		The POS must be updated to include the above		Noted. See above	EnviroAfrica
		The "Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation" ("the Protocols") were published on 20 March 2020 (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020) and came into effect on 09 May 2020.		Noted	
		Please be advised that the requirements of the Protocols would not apply where an action was initiated (the commissioning of the specialist assessment and submission of reports) but not completed by 9 May 2020 (the date on which the new requirements of the protocols came into effect). In this case, the Appendix 6 requirements will apply.		Noted	
		Confirmation of whether the protocols are applicable to the proposed development must be included in the application form. Proof that specialist studies and reports were commissioned prior to 09 May 2020 must be provided if this is the case.		Noted	
		Environmental Management Programme ("EMPr") 7.1. It is noted that the proposed in-stream dam will be filled during the winter period from an existing pump and pipeline system connecting to the Houdenberg River under the auspices of the Kouebokkeveld Water User Association to ensure that the plantations can be directly irrigated from the proposed in-stream dam during summer periods.			

		The EMPr submitted as part of the formal EIA application process must therefore include a Maintenance Management Plan ("MMP") for the maintenance and management of new and existing infrastructure associated with the proposed development of an in-stream dam during the operational phase.		Noted	EnviroAfrica
		Public Participation Process 8.1. Several places in the revised pre-application SR&PoS refers to a comment period of thirty (30) days.		Noted. This will be amended in the post-application Draft Scoping Report. Please note that registered I&As were given at least 60-days to comment on the pre-application Draft Scoping Report	EnviroAfrica
		Please ensure that the correct commenting period is reflected in all reports as the agreed to commenting period is sixty (60) days.		Noted. This will be amended in the post-application Draft Scoping Report. Please note that registered I&As were given at least 60-days to comment on the pre-application Draft Scoping Report	EnviroAfrica
		Request for a Specific Fee Reference 9.1. This Department reminds you that the "Request for a specific fee reference number" form must be completed and submitted to this Department prior to submission of the formal EIA application for the abovementioned proposed development.		Noted.	EnviroAfrica
		Upon receipt of the specific fee reference number, the reference number must be inserted into the Application Form for Environmental Authorisation and proof of payment of the applicable fee attached when the EIA application is formally submitted to this Department.		Noted.	EnviroAfrica
<b>Freshwater</b>					
07 July 2020		In general, CapeNature does not support new in-stream dams or enlargement of existing in-stream dams unless it can be shown that the condition of the catchment, particularly downstream of the dam, will not worsen and that other compensation measures are put in place. In this case we acknowledge that the dam site is in a non-perennial watercourse and that much of the immediate surrounding area has been degraded. However, we would still like to request that the freshwater specialist terms of reference include determination of whether an Ecological Flow Reserve is required and use this to inform the mechanism by which the necessary volume (and frequency) of water must be released. This includes any pipelines as well as the height of the spillway.	Alana Duffel-Canham - CapeNature	Noted. A Hydrological and Environmental Water Requirements Assessment has been conducted, and is included as Appendix 8	EnviroAfrica
		Cumulative impacts of additional water storage should be considered as there are already many dams in the area. The feasibility of certain mitigation measures such as not abstracting from the Houdenbeks River at all during the summer months must be investigated.		Noted.	
09 July 2020		The proposed dam is located in the most upper catchment of the Houdenbeks River, a tributary to the Riet River and eventually draining to the Doring River and later joins the Olifants River.	Rassie Nieuwoudt Pr. Eng. (Chief Engineer) Water Resource Management – Berg/Olifants Department Human Settlement, Water and Sanitation – WC Region	Noted	
		The proposed dam has a capacity of 235 000m <sup>3</sup> and it is stated that it will be exclusively filled from an existing water use, namely, winter water from the Houdenbeks River. It is further stated that "The use of the water as well as the construction of the proposed Kleinvllei dam should have no negative effect on the downstream users since it is based exclusively on an existing taking which was executed on the property".			
		This statement is very much debatable for the following reasons;		Noted. A Hydrological and Environmental Water Requirements Assessment has been conducted, and is included as Appendix 8 in the Draft Scoping Report.	
		a. Monthly volumes (Mm <sup>3</sup> /month) greater (blue), or less than (red) the EWR flows for monitoring node R43 in quaternary catchment E21A-E on the Riet River between Jun 2013 and May 2015. (Abstracted from WRC report PROJECT KS/2340) If this graph is compared with the monthly rainfall for this period measured at De Keur, I assume that above average rainfall was received during this period. Despite			
		b. Therefore I disagree. The run-off from the Houdenbeks River decreased to the extent that dams of lower downstream water users are not being able to fill up regularly any longer.			

		c. No mention is made how the abstraction from the Houdenbeks River will be managed. First-come-first-served principle cannot be supported. Provision should be made to allow EWR to flow down the river before water is taken for storage.			
		These rivers are under severe pressure and the taking of water together with storage need to be planned carefully to prevent degradation of the environment and promote sustainable water use. To merely shift the taking from summer to winter may impact on EWR and existing users.			
		It is important that operating rules be developed for new storage because during times with below normal rainfall existing users lower downstream might switch to ground water taking from surface water to meet their demands and place the resource under		Noted. A Hydrological and Environmental Water Requirements Assessment has been conducted, and is included as Appendix 8	
		It is noted that a WULA will be required for the proposed development. You are advised that the Standard Operating Procedure ("SOP") between this Department and the National Department of Water and Sanitation, which came into effect on 1 July 2017, must be complied with.	Ayesha Hamdulay - Department of Environmental Affairs and Development Planning: Development Management Region 1	Noted	
		In terms of the Agreement for the One Environmental System (section 50A of the NEMA and sections 41(5) and 163A of the National Water Act, 1998 (Act No. 36 of 1998) ("NWA")) the processes for a WULA and for an EIA must be aligned and integrated with respect to the fixed and synchronised timeframes, as prescribed in the EIA Regulations, 2014, as well as the 2017 WULA Regulations.		Noted. The WULA is running concurrently with the NEMA Application.	
		Be advised that proof of submission of the WULA must be included in the application form.		Noted.	
	<b>Botanical</b>				
07 July 2020		The proposed dam is located in an area historically covered by Kouebokkeveld Shale Fynbos, which is listed as Vulnerable vegetation type. However, most of the dam site has been previously ploughed although there appears to be some rehabilitation occurring on the ridge areas. The area north of the site has been determined as Critical Biodiversity Area (CBA) as these areas are important not only for protection of terrestrial habitat but also for groundwater recharge, watercourse and water source protection. To the east of the site is the Koue Bokkeveld Mountain Catchment Area (MCA), As stated in the report the dam wall is located in an area determined as Ecological Support Area 2 (ESA 2) which are areas that are acknowledged as being degraded or even transformed but which ideally should be rehabilitated to the point where some ecological functioning returns.	Alana Duffel-Canham - CapeNature	Noted. A Botanical Impact Assessment will be conducted, and will be included in the Environmental Impact Report.	EnviroAfrica
		The dam will result in loss of agricultural fields. Please confirm that no expansion of cultivation is planned into what is currently natural vegetation.		No further expansion of cultivation is planned in terms of this Application.	