

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 	<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 	<ol style="list-style-type: none"> 1. EnviroAfrica 2. EnviroAfrica 3.1 Dr Dirk von Driel (appointed freshwater specialist)

	<p>to achieve such mitigation?</p> <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>3.3 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</p>	<p>they will add this to the primary design of the dam wall.</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>3.3 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</p>	<p>3.2 Dr. Dirk von Driel (appointed freshwater specialist)</p> <p>3.3 EnviroAfrica</p>
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	<p>indicated that abstraction impact was not assessed due to the dam being for ELU. However, the current ecological water reserve as per DWS recent 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>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 take in response to the findings.</p>	
<p>DEA&DP (04/08/2022)</p>	<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 etc.</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</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>EnviroAfrica</p> <p>EnviroAfrica</p> <p>EnviroAfrica</p>

	<p>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 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</p>	<p>2.4 Proof of existing water allocation attached to Draft Scoping Report as Appendix 2K</p> <p>2.5.2 The letter of comment from Heritage Western Cape is attached hereto as Appendix 1D</p> <p>2.6.2The 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>EnviroAfrica</p> <p>2.62 EnviroAfrica</p> <p>2.82 EnviroAfrica</p>
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	<p>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>2.9.1. Section 2 (1)(a)(ii): the curriculum vitae of the EAP who prepared the report;</p> <p>2.9.2 Section 2 (1)(b)(i): the location of the activity, including the 21-digit Surveyor General code of each cadastral land parcel;</p> <p>2.9.3. Section 2 (1)(g)(v): the impacts and risks which have informed the identification of each alternative, including the nature, significance, consequence, extent, duration and probability of such identified impacts, including the degree to which these impacts—</p> <p>(aa) can be reversed; (bb) may cause irreplaceable loss of resources; and (cc) can be avoided, managed or mitigated.</p> <p>2.9.4 to 2.9.7 Section 2 (1)(g)(vii): positive and negative impacts that the</p>	<p>2.9.1 Please refer to Appendix P and Appendix Q</p> <p>2.9.2 The two parcels of land on which the proposed site is located have been specified throughout the pre-application Scoping Report. The SG 21 digit codes for the two parcels of land are specified in Section 5.5 of Appendix 2H of the pre-application Scoping Report.</p> <p>2.9.3 Please refer to Section 8 of the Draft Scoping Report and Appendix 2H</p> <p>2.9.4 Please refer to Section 8 of the Draft Scoping Report and Appendix 2H</p>	<p>2.9.1 EnviroAfrica</p> <p>2.9.2 EnviroAfrica</p> <p>2.9.3 EnviroAfrica</p> <p>2.9.4 EnviroAfrica</p>
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	<p>proposed activity and alternatives will have on the environment and on the community that may be affected, focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;</p>		
2.10		2.10 Please see revised Plan of Study in Section 9 of the Draft BAR	2.10 EnviroAfrica
2.11		<p>2.11 <i>“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.</i></p> <p><i>On p34 is my Resume. It is attached as well. My address and SACNASP number is there.</i></p> <p><i>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.</i></p> <p><i>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</i></p>	2.11 Dr. Dirk von Driel (appointed freshwater specialist)

		<p><i>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".</i></p>	
<p>Comment received on lapsed application (16/3/3/2/F3/16/3006/23)</p>			
<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</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>EnviroAfrica</p>

	<p>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 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,</p>	<p>8.3 Noted</p> <p>8.4 Noted</p> <p>9.14 The SSV Report dated August 2022 was submitted together with the amended application form</p>	
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	<p>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>21. to 25.</p>	<p>9.15 to 19 Noted</p> <p>20. Please see Amended Application Form submitted on 28/03/2023.</p> <p>21. to 25. Noted</p>	
<p>DEA&DP (14/03/2023)</p>	<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>2.1.1 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>EnviroAfrica</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 Water and Sanitation (as also requested in this Department's previous correspondences dated 17 February 2023 and 3 March 2023).</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 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 is Appendix 1C2 of the Scoping Report.</p>	
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	<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 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>2.6.1.1 Noted</p> <p>2.6.1.2 Noted</p> <p>2.6.2 Noted</p> <p>2.7 Please see Appendix 2K of the Scoping Report</p>	
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<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>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</p>	<p>Noted</p>	<p>EnviroAfrica</p>

	<p>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
Comment received on application (16/3/3/2/F3/16/3020/23)			
CapeNature (12/06/2023)	No further comment, CapeNature commented on the pre-application DSR, and received responses to our comments that were satisfactory.	Noted	EnviroAfrica

<p>National Department of Water and Sanitation (15/05/2023)</p>	<p>1 and 2: Item 9.3 and Table 3 page numbers not defined</p> <p>3: The location (co-ordinates) of the proposed New Wave Dam given in Table 1 (31° 52' 02.40"S; 18° 37' 48.0"E) differs from the co-ordinates of the proposed dam (31° 52' 05.40"S; 18° 37' 46.35"E) in the rest of the Scoping Report. The co-ordinates in Table 1 however agree with the co-ordinates given in <i>Appendix 2B: Engineering Designs Report</i> and <i>Appendix 2C: Engineering Designs Report (With Layout Plans)</i>. The co-ordinates of the proposed dam must be verified.</p> <p>4: It must also be noted that the total scheduled allocation will only be available if there is adequate water in the system during a specific water year. LORWUA revise the annual allocations / quotas as per the water availability in the system.</p> <p>5: The Department of Water and Sanitation (DWS) has issued the Water Use Licence for the proposed development on 15 March 2023 under <i>Licence No: 01/E33G/BCI/12428 (Annexure A)</i> and condition stipulated on the licence must be adhered to.</p>	<p>1 and 2: Corrected</p> <p>3: Those coordinates are all within the dam basin</p> <p>4: Noted</p> <p>5: Noted</p>	<p>EnviroAfrica</p> <p>EnviroAfrica</p> <p>EnviroAfrica</p> <p>EnviroAfrica</p>
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CapeNature (18/04/2023)	<p>1: Thank you for the shapefiles as requested.</p> <p>Regarding the website link. The website link was working but based on the letter sent on the 13 April 2023, I could not see any project listed on the website related to “proposed water storage dam on Portions 101 and 168 of the Farm Melkboom No. 384, Vanrhynsdorp” as indicated in the letter provided on 13 April 2023.</p> <p>I therefore requested the documents be sent to me or a link provided that would provide the documents.</p> <p>On 14 April 2023 you sent a notification that included New Wave Dam in the title. This was then easily found on your website.</p> <p>Kind regards,</p>	<p>1: Thanks for clarifying Ismat.</p> <p>Have a great day.</p>	EnviroAfrica
Marc Caplan (15/05/2023)	<p>Good day Maboe & Magret,</p> <p>According to the so called "Aquatic specialist report" The river is listed as a NFEPA. In terms of the Western Cape Biodiversity Spatial Plan, the Olifants River is listed as a CBA.</p> <p>Attached are my comments for both provincial and national government departments, Plus for your team to ask the several specialists to answer the questions in the comments.</p>	<p>Dear M. Caplan,</p> <p>Please note that the terrestrial ecology concerns that you have raised in connection with the proposed development have not been indicated as concerns at all by CapeNature and CapeNature is the legally mandated custodian for nature conservation in the Western Cape Province.</p> <p>Furthermore, the concerns that you have raised in connection with water-related matters and the Olifants River as an aquatic ecosystem have not been raised as concerns at all by the National Department of Water and Sanitation (“DWS”) and the DWS is the legally mandated custodian for water issues in the country.</p>	EnviroAfrica

		<p>Please find attached hereto for your convenience, a copy of the water use licence issued by the DWS for the proposed development.</p> <p>Should you still wish to participate in the public participation process for the application, you will be provided with further opportunities to participate during the Environmental Impact Reporting phase of the application.</p>	
Marc Caplan (05/05/2023)	<p>Hello Maboe, We disagree with you/ environ on the relevance of the Public meeting. Farmers are not aware these days animals move from one are to the next based on scarcity of resources. I've looked at the reports and see that studies on the amount of water that evaporates from open storage dams in an arid region were not included.</p> <p>Does Sarel bester from ceres perhaps hold that information, on his files?</p>	<p>Dear M. Caplan,</p> <p>It is hereby accepted that you are of the view that a public meeting is required, despite the explanation previously given to you why a public meeting is not warranted for the ordinary proposed farm.</p> <p>I think the source of information that would be best for you to contact concerning evaporation rates from farm dams in arid regions is the National Department of Water and Sanitation.</p>	EnviroAfrica
Marc Caplan (18/04/2023)	<p>If the draft was already sent in to DFFE, And they are waiting for comments.</p> <p>Then why did your company advertise (in the paper) that I&A parties have until 17th May to respond?</p> <p>There are issues with open storage dams.</p> <ol style="list-style-type: none"> 1. Evaporation 2. They attract mammals to forage, waterfowl, waders & ducks may be welcome. But what about mongeese, otters, baboons, reptiles? Farmers must be prepared to live with those animals who are attracted to the surface water. 	<p>Dear M. Caplan,</p> <p>The Draft Scoping Report was submitted on 14 April 2023 to the Western Cape Department of Environmental Affairs and Development Planning as the relevant competent authority and not to the National Department of Forestry, Fisheries and the Environment.</p> <p>The relevant competent authority and everybody else has been given at least 30 days, starting from 14 April 2023 to provide comment on the Draft Scoping Report as is required by the law. Once all comments have been received, the final Scoping Report including comments</p>	EnviroAfrica

	<p>Animals are pulled away from less watered areas. Need protection there are possibly dogs & hungry farm workers who would hunt small rare mammals.</p> <p>That is why the farmer needs to be questioned at a public meeting.</p>	<p>received and responses made concerning the comments will be submitted to the relevant competent authority for a decision on whether the application can proceed to the Environmental Impact Reporting phase.</p> <p>Please read through the Terrestrial Biodiversity Compliance Statement Report and the Aquatic Biodiversity Assessment that form appendices to the Draft Scoping Report, as biodiversity issues are addressed there.</p> <p>The proposed farm dam will be quite like any other farm dam in the surrounding area. The issues that you have raised do not constitute grounds for a public meeting.</p>	
<p>DEA&DP (17/05/2023)</p>	<p>2.1 Proof of Existing Water Use Rights</p> <p>2.2 Alignment with the Water Use License Application (“WULA”)</p> <p>Kindly be reminded to ensure that all proof of the existing lawful water use rights granted by the Lower Olifants River Water Users Association for the said property is submitted to this Directorate as well as be included in all future reports that will be circulated during the Public Participation Process.</p> <p>Since a WULA is currently underway, it is this Department’s understanding that this process has been ongoing, as part of the previous lapsed application (Referenced: 16/3/3/2/F3/16/3006/23). You are therefore reminded about the requirement to ensure that the processes</p>	<p>2.1 The proof of existing water use rights is attached to the Scoping Report as Appendix 2K</p> <p>2.2 Noted</p>	

	<p>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 amended), as well as the WULA Regulations of 2017. Therefore, should the Department of Water and Sanitation (“DWS”) issue a decision in due course, then this information must be submitted to this Department.</p> <p>2.3 Heritage</p> <p>Please be reminded that although Heritage Western Cape (“HWC”) provided comments on 9 May 2022, <i>i.e.</i>, during the previous lapsed application process (Referenced: 16/3/3/2/F3/16/3006/23), since you have lodged a new application comments must be obtained from HWC during the current application process. The comments obtained must also be addressed/responded to in any future Comments and Response Reports that will be submitted to this Department.</p> <p>2.4 Services Requirements</p> <p>Please be reminded that any bulk services be required, <i>e.g.</i>, additional electricity supply in order to pump the water to where it is required, then confirmation from the relevant service provider(s) must be included with your submission of the final Scoping Report and/or final EIA Report to this Department for decision-making.</p> <p>2.6</p>	<p>2.3 Heritage Western Cape indicated previously that it is not believed that any heritage resources remain on the proposed site. Heritage Western Cape then confirmed in subsequent comment that the previous comment is without time limits. Heritage Western Cape was requested with other I&APs on 14/04/2023 to provide comment on the Draft Scoping Report for this application and no further comment from Heritage Western has been received.</p> <p>2.4 The development proposal does not require any additional services</p> <p>2.6 The DEA&DP and relevant case officer thereof have been</p>	
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	<p>Please be reminded that although certain Public Participation Processes were undertaken during the previous lapsed application (Referenced: 16/3/3/2/F3/16/3006/23), since you have lodged a new application, all the required and relevant Public Participation Processes, as per Chapter 6 of the EIA Regulations, 2014 (as amended), must be undertaken and all proof thereof must be submitted to this Department, as part of your current application.</p> <p>2.6.1 It is mentioned in the draft SR that “<i>the proposed dam will remain within areas that have been transformed by ploughing over the generations and terracing</i>”. This Department supports this approach, which is in accordance with the mitigation hierarchy. To this end, you are requested to illustrate and demonstrate throughout the EIA phase how the development proposal will remain within areas that have been transformed by ploughing, and how the development proposal adheres to the mitigation hierarchy by first avoiding negative environmental impacts.</p> <p>2.6.2</p> <p>Furthermore, according to the EIA Regulations, 2014 (as amended), cumulative impact, in relation to an activity, means “<i>the past, current and reasonably foreseeable future impact of an activity, considered</i></p>	<p>copied into all requests for comment on the application.</p> <p>2.6.1 Please refer to the discussion of alternatives in Section 4 of the Scoping Report and also to the dam design diagrams attached to the Scoping Report as Appendices 2B and 2C for clarity on how the Preferred alternative was arrived at.</p> <p>2.6.2</p> <p>The proposed dam will be established on agricultural land that is regularly ploughed and the dam will store water abstracted in terms of existing water use rights. In addition, no additional electricity nor municipal services will be</p>	
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	<p><i>together with the impact of activities associated with that activity, that in itself may not be significant, but may become significant when added to the existing and reasonably foreseeable impacts eventuating from similar or diverse activities;”</i></p> <p>In view of the above, please ensure that the cumulative impacts are addressed in the final SR as well as assessed during the EIA phase.</p> <p>2.7 Content Requirements in terms of Appendix 2 of the EIA Regulations, 2014 (as amended)</p> <p>2.7.1 Scoping Report</p> <p>2.7.1.1 Section 2 (1)(i) - an undertaking under oath or affirmation by the EAP in relation to –</p> <p>2.7.1.2 Section 2 (1)(j) - an undertaking under oath or affirmation by the EAP in relation to the level of agreement between the EAP and interested and affected parties on the plan of study for undertaking the environmental impact assessment; and</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), particularly the following provisions: (i) the correctness of the information provided in the report; (ii) the inclusion of comments and inputs from stakeholders and interested and affected parties; and (iii) any information provided by the EAP to interested and affected</p>	<p>required. The cumulative impacts of the proposed dam will therefore be minimal. See Section 7.6 of the Scoping Report</p> <p>2.7.1 Done</p>	
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	<p>parties and any responses by the EAP to comments or inputs made by interested or affected parties;</p> <p>2.7.2 Plan of Study</p> <p>Please be reminded that the Plan of Study must fulfil all the requirements of Appendix 2 of the EIA Regulations, 2014 (as amended).</p> <p>3. General</p>	<p>2.7.2 Noted</p> <p>Noted</p>	
<p>DEA&DP (05/07/2023)</p>	<p>1. This letter serves to inform you that the abovementioned Final SR&PoS has been accepted by this Department.</p> <p>2. This Department requires confirmation of whether there is peat present in the watercourse that may be affected by the proposed development. Should peat be present in the watercourse, you are required to confirm whether the proposed development will result in the removal of the peat from the watercourse.</p> <p>4.1 You are hereby advised that the EIA Report must contain all information set out in Appendix 3 of the EIA Regulations, 2014 (as amended), and must also include the information requested in this letter.</p>	<p>1. Noted</p> <p>2. No peat or any other material will be removed from inside of the Olifants River. It is only close to the right bank of the river that material will be removed and moved when the proposed off-stream water storage dam is constructed.</p> <p>4.1 Noted</p> <p>5.1 Noted</p>	<p>EnviroAfrica</p>

	<p>5.1 An EMPr that contains all information set out in Appendix 4 of the EIA Regulations, 2014 (as amended), must be compiled to address the potential environmental impacts of the activity on the environment throughout project' life cycle, <i>i.e.</i>, the EMPr must address impacts in respect of the planning and design, pre-construction and construction.</p> <p>activities, operation of the activity, rehabilitation of the environment and closure/decommissioning (where applicable).</p> <p>5.2 This Department would like to advise that in compiling the EMPr, this Department's Guideline for Environmental Management Programmes (June 2005) must be taken into account.</p> <p>6.2 It is reiterated that the Scoping and EIA phases of the EIA process are two distinctly separate phases, each having its own requirements and reports to be submitted. This Department will not accept Scoping and EIA Reports where the processes or information of the two phases were combined into a single process or report. Further, any preliminary specialist assessment/study that is submitted as part of the scoping phase, will have to be updated in the EIA phase to address all the issues and concerns identified during the scoping phase. As such, the submission of any specialist study is not encouraged/supported,</p>	<p>5.2 Noted</p> <p>6.2 Noted</p>	
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	<p>unless determined otherwise or deemed necessary by the Competent Authority.</p> <p>6.3 Note that all specialist reports must be appended to the EIA Report. Please be reminded that specialist reports must comply with the requirements of the <i>“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 NEMA, when applying for Environmental Authorisation”</i> (“the Protocols”) (Government Notice No. 320 as published in Government Gazette No. 43110 on 20 March 2020), which came into effect on 9 May 2020.</p> <p>6.4 All other specialist studies, where no specific Environmental Theme in terms of the abovementioned Protocols exist, must meet the requirements of Appendix 6 of the EIA Regulations, 2014 (as amended).</p> <p>7.1 The Environmental Assessment Practitioner (“EAP”) must submit a copy of the draft EIA Report and EMPr to the Department for a commenting period of thirty (30) days. The draft EIA Report and EMPr must simultaneously be made available to all relevant State Departments/Organs of State that administer laws relating to a matter affecting the environment, for a commenting period of thirty (30) days. The EAP must notify the Department,</p>	<p>6.3 Noted</p> <p>6.4 Noted</p> <p>7.1 Noted</p>	
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	<p>in writing, of the date the draft EIA Report and EMPr were submitted to the relevant State Departments/Organs of State and clearly indicate whether or not such State Departments/Organs of State were notified of the opportunity to comment in terms of Section 24O of the NEMA.</p> <p>7.2 It is imperative that State Departments/Organs of State be in possession of the draft Reports when the EAP issues them with the notice in terms of Section 24O of the NEMA. Please note that the EAP is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments/Organs of State in terms of Section 24O(2) and 24O(3) of the NEMA in the draft EIA Report, where appropriate.</p> <p>7.3 The EAP must record and respond to all comments received. The comments and responses must be captured in a Comments and Responses Report and must include a description of the PPP followed. The Comments and Responses Report must be included in the Public Participation information to be attached to the final EIA Report for decision-making.</p> <p>7.4 Please ensure that comments from all the relevant Organs of State, including the comments from this Department, are</p>	<p>7.2 Noted</p> <p>7.3 Noted</p> <p>7.4 Noted</p>	
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	<p>submitted with the final EIA Report for decision-making.</p> <p>8.4 If the EIA Report and EMPr are not submitted within the prescribed timeframe, the application will lapse in terms of Regulation 45 of the EIA Regulations, 2014 (as amended) and your file will be closed. Should you wish to pursue the application again, a new application process would have to be initiated. A new Application Form must be submitted, and the prescribed application fee will have to be paid again.</p> <p>8.5 Your attention is drawn to Circular 0027 of 2021 regarding the electronic administration of EIA applications. The Directorate: Development Management (Region 1 and 2) will continue with the electronic submission of correspondence and has for this reason established a dedicated e-mail address for the submission of all correspondence to the Directorates. For the Cape Town office, the e-mail address is DEADPEIAAdmin@westerncape.gov.za.</p> <p>8.6 Please ensure that all submissions relevant to your application, including the submission of the draft and final EIA Reports, are submitted electronically via the aforementioned email address as well as to the relevant case officer.</p>	<p>8.4 Noted</p> <p>8.5 Noted</p> <p>8.6 Noted</p>	
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Marc Caplan (03/07/2023)	<i>“Regarding the decision, Would you send me the contact details of both scientists from Cape Nature & Dept Water & Catchment management. As they need to check where the 1 in 30 year flood level was reached on the site”.</i>	Dear M. Caplan, Please note that the scoping report has been submitted to the competent authority and so EnviroAfrica can no longer entertain any comments on the scoping phase of the development proposal. It is during the Environmental Impact Reporting phase of the development proposal that you will again be given an opportunity to provide comment on the development proposal. Kind regards,	
Marc Caplan (12/10/2023) as follow-up on comments from Marc Caplan dated 27/09/2023 (that had never been received) and comments dated 15/05/2023)	<u>Covering statement on received e-mail dated 12/10/2023</u> <i>“Hello Margaret and Bernard We've looked at the comments from both Cape Nature & the sub-streek's (van Zyl T.) who had some good suggestions. Then read appendix 1E to find that Driel D, one of the aquatic 'specialists', did not have an opportunity to answer AES's questions, that were sent to your computers 14/5/2023, AES Ref: 1st Comments Melkboom 384 offshore storage dam/Klawer. I'm attaching that file again. For Driel to answer.</i>	Dear M. Caplan, Your electronic correspondence received by EnviroAfrica on 14 May 2023 and responded to on 05 June 2023 that was received again by EnviroAfrica on 12 October 2023, refers. It explained in the written response sent to you on 05 June 2023 that the issues relating to freshwater that you raised in your correspondence have not been raised as concerns at all by the National Department of Water and Sanitation and the said Department is the statutory body responsible for water-related matters in the country and that the aforesaid Department has granted a water use licence to the	EnviroAfrica

	<p><i>Seems that sometimes I&AP comments need to be inserted in Appendices for EPASA regulations, to reflect on your clients”.</i></p> <p><i>Did you notice that I need a reply from your front desk on wetland delineations. Read email below for first request”.</i></p> <p><u>Covering statement on trailing e-mail (that had never been received) dated 27/09/2023</u></p> <p><i>“Hello Environ-Africa span,</i></p> <p><i>I've looked at the comments from both Cape Nature & the sub-streek's (van Zyl T.) who had some good suggestions. Then read appendix 1E to find that Driel D, one of the aquatic ' specialists', did not have an opportunity to answer AES's questions, that were sent to your computers 14/5/2023, AES Ref: 1st Comments Melkboom 384 offshore storage dam/Klawer. I'm attaching that file again.</i></p> <p><i>AES' reiterates that a major issues was raised in june this year, that storage dams are to be located above the 1 in 200 year flood level. The reason for the higher flood line delineation, is that due to the recurrence of 1:30 year floods. The New Wave dam, wall plans were possibly under water during this June's flooding of the Olifants river.</i></p> <p><i>What have you found out ? A 30 year flood level of the Olifants River is perhaps the 'old' 1 in 100 year flood level?</i></p> <p><i>regards Marc” (Content of e-mail attachment received from</i></p>	<p>applicant for water abstracted from the Bulshoek Dam Canal in terms of the applicant's existing lawful water allocation be stored in the proposed dam. EnviroAfrica also provided you with a copy of the water use licence. Please note that the water use licence application approved by the said Department was informed by <i>inter alia</i>, the same freshwater specialist report that you question. In light of the water use licence application having been reviewed and subsequently approved by the National Department of Water and Sanitation, a response from the appointed freshwater specialist aimed at the issues you have raised is superfluous and will not be provided. You have also raised issues relating to terrestrial biodiversity in your correspondence of 14 May 2023. CapeNature has indicated in correspondence relating to the proposed development that CapeNature accepts the terrestrial biodiversity compliance statement and that all the mitigation measures contained therein must be complied with. In light of the comment from CapeNature, a further response from EnviroAfrica concerning the terrestrial biodiversity issues raised in your correspondence is superfluous and will not be provided.</p> <p>The correspondence from you includes the content of policies and other official documents of the Matzikama Municipality as well as the content of certain official documents of CapeNature and of the National Department of Water and Sanitation. It is reiterated that a response from EnviroAfrica to you concerning the content of those policies and other official documents is superfluous, as the said Organs of State have all</p>	
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	<p><i>Marc Caplan on 15/05/2023 and responded to on 05/06/2023)</i></p> <p><i>“Comments on Melkboom 384 Vanrhysdorp proposed water storage dam on the Olifants river ±10 km’s south of Klawer</i></p> <p><i>Regarding the above EIA, AES is an interested and affected party, that is concerned about;</i></p> <p><i>1) the scientific terminology used in two of the specialist reports and</i></p> <p><i>2) catchment management objectives that need inclusion, for more streamlined approach to natural resource conservation.</i></p> <p><i>There are a number of pertinent questions (bullet pointed) for the EAP to answer.</i></p> <p><i>Summary</i></p> <p><i>The absence of evaporation studies (in this EIA) shows that the dam would lose more water that is worth while holding, as summer temperatures are in the mid 30o C. for several months.</i></p> <p><i>Look at most temperature graphs for the area for the last 30 years. Hence, fresh water is better conserved in the river flow, if the banks of the Olifants and the riparian areas are vegetated with indigenous trees and shrubs. The trees and shrubs provide shade, not always over the entire width of the river, but enough to reduce evaporation. The water is the river under 1m from the surface is a normally cooler to that in dams (further reducing evaporation), due to the movement of the</i></p>	<p>commented on the proposed development and the issues that you raised were not raised as concerns at all in the letters of comment issued by the said Organs of State.</p> <p>Please find attached hereto, photographs of relevance to your query concerning how the proposed site faired during the recent floods that affected the Western Cape Province. The photographs were taken on 22 June 2023 and it clear in the photographs that the proposed dam site is located beyond where the recent floods reached.</p> <p>Kind regards</p>	
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	<p>water and the shading from trees.</p> <p>Bodies of water such as dam's along an East - West Biodiversity Corridor (CES 2019), is going to attract itinerant birds, mammals and herpetofauna (amphibians and reptile), For instance perhaps some farmers would like to keep all but waterfowl and waders out of storage dam areas. However porcupines, Bat-eared Foxes, African Striped Weasels, mongeese and even lizards can find their way under of through gaps in the shade cloth reinforced fences. These animals then draw in predators. In the case of reptiles (herons & raptors, genets, wildcats) while, mongeese and Striped Polecats may become attracted to chicken coops, ducks and goslings. The farmer is then apposing the Districts plans for a a safe biodiversity corridor for indigenous flora and fauna. The more fences the less movement of itinerant terrestrial animals and the more animals are channeled towards certain resources that are not included in the planning documentation. Where are Cederberg Farming (Pty) Ltd 's chicken/ fowl; coops located? Would the specialist consultants indicate them on maps.</p> <ul style="list-style-type: none"> • Catchment management specialist study on the amount of water lost during evaporation and leakages needs to be determined. Is the mean average surface area 4000 m2, at estimated capacity needs to be included in the report? <p>AES – EIA 1st Comments Melkboom 384 Klawer 1</p>		
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	<p>According to Aquatic specialist report by D. Driel, the stretch of the Olifants river is listed as a NFEPA (on the SANBI Website.) In terms of the Western Cape Biodiversity Spatial Plan, the Olifants River aquatic and riparian zones has been listed as a CBA. Hence all human activities must be outside of the CBA, and above the 1 in 200 year flood level (required too optimize future land use for water catchment and soil conservation act. CBA's ensure that, downstream demands for potable H2O (during growing and fallow seasons) are obtainable!!</p> <ul style="list-style-type: none"> • CBA's are there to protect humans from their own worst enemy – greed. - Pas waterbeperking toe <p>Species diversity in the river includes only fish species!?</p> <p>Direct quote pg 22. “The Olifants / Doring River system is most important, as it is home to fish species on the IUCN RED List of endangered species (Table 5). Most of these fish species are encountered in the upper tributaries. The Clanwilliam yellowfish do not occur in the Olifants River in the vicinity of the New Wave Dam anymore. Likewise, the Clanwilliam sandfish is unlikely to occur in this river reach. Much scientific research is needed to illustrate the conservation value of the Lower Olifants River. It is therefore doubtful if the construction and the operation of the proposed New Wave Dam would in any way further compromise the status of any of these fish. The presence or absence of these fish cannot serve to</p>		
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	<p>discourage the construction of the proposed dam.”</p> <p>“Endemic fish species have been decimated by exotic small mouth bass, an introduced and aggressive invader. This has probably done more damage than all of the other impacts combined, including agriculture.”</p> <ul style="list-style-type: none"> • What is the main predator of the small mouth bass and the next most & 3rd most common/ abundant indigenous fish species? <p>Outside of the riparian buffer zone and above the 1 in 200 year flood level</p> <p>“The proposed dam is an off-channel dam. It is to be built outside of the riparian zone on land that has been farmed since the onset of agriculture in the valley. It is within the 100m buffer zone, for which approval is requested.” pg 27 Driel (2021) stands by, that the buffer zone of 32m from the riparian woodland/ shrubs needs to be respected, read statement below.</p> <p>Recommendations</p> <p>“The river and wetland areas to the north of the site must be regarded as no-go areas”, this must also include the 32m buffer zone. EAP consultants are to check reports for these types of statements.</p> <ul style="list-style-type: none"> • What is the scenario planning when if the Olifants has a low flow rate for several consecutive years? <p>New Flood levels (1:200 year) should be calculated for the highest risk zones. Natural vegetation should be seen within these zones so that floodplains are delineated, (DMP Matzikama Municipality 2022). Note: “DWS high hazard zones setback lines (flood level buffer zones)</p>		
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	<p><i>should take sea level rise, storm surges and spring tides into account, along the entire length of the Olifants River from south of Klaver. River corridors and wetlands, including ephemeral pans, must be protected from urban, agricultural and mining activities to a distance determined by a Cape Nature &/ or certified aquatic ecologist.” (Disaster AES – EIA 1st Comments Melkboom 384 Klaver 2 Management Plan, Matzikama Municipality 2022).</i></p> <p><i>Possible impacts & Mitigation</i> <i>“Irrigation dams are very aggressive aquatic habitats because of the fluctuating water levels.” Pg 24.</i></p> <ul style="list-style-type: none"> <i>• What type of engineered device is required so that fish and other aquatic fauna are able to swim upstream and downstream to exit the dam, before the water level leaves them vulnerable to isolation?</i> <p><i>Pg 29 “The proposed New Wave Dam adds to the production of cultivated food”</i></p> <ul style="list-style-type: none"> <i>• For whom is this food destined to be eaten by is a larger question, that stems from the IDP and SDP designed for the Matzikama district?</i> <i>• Is the food for local human consumption ?</i> <i>• What proportion of the total crop(s) is available in the Matzikama district ?</i> <i>• List in order of what foods are most beneficial to the long term health of both young and old members of the human communities.</i> <p><i>Water Supply Disruption pg 19 from (DMP Matzikama Municipality 2022)</i> <i>“Provide incentives for water saving e.g. reduction in water use. “</i></p>		
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	<ul style="list-style-type: none"> • <i>What incentives have been offered such as drip irrigation and or mulching, cover crops between rows?</i> <p><i>Conclusions</i> <i>"It is to be built outside of the riparian zone on land"</i> <i>pg 31 the amount of plastic if required for sealing the bottom of the dam is not mentioned, would S. Bester Ingineurs respond:</i></p> <ul style="list-style-type: none"> • <i>How is the dam wall and the bottom to be prepared to prevent leaks?</i> <p><i>The amount of evaporation is important factor as if the amount is more than 20-30% of the storage capacity of the dam, it may be better from a catchment management perspective to keep the water in the cooler river.</i></p> <p><i>Comments on P.B. Consults Botanical Statement (2021)</i> <i>This following statement from the summary, section, is short of moderated ecological sustainability. pg i " Although the proposed alternative will extent the footprint within 32m of the Olifants River it will optimize land use".</i></p> <p><i>Specialists botanists must become serious about his/her professional impact on water & land usages. Optimize land-use for real value, usch as biodiversity conservation and ecosystem services, particularly in CBA's. As both current and future predicted extraction rates in the lower Olifants are over the upper threshold of the sustainable yield; Certified and registered botanical consultants are required to safeguard the country's floral, soil and water (& ecological processes)</i></p>		
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	<p><i>assets for both wild animals and future humans, in order for sustainable resource management. Rather err on the side of sustainability and utilise precautionary principles - when making land-use alternative</i></p> <p><i>AES – EIA 1st Comments Melkboom 384 Klaver 3 decisions. No development with the 32 m buffer of from the riparian woodland (see Figure 4), it's National Law. One reason to respect the law is that former aquatic and riparian specialist (some scientists long since retired), pooled their expertise to arrive at a figure that protects wetland and riparian woodland, for 'normal ecological processes and functions to continue, for both upstream and downstream users, to withstand droughts, floods and wildfires. "As a result, it is not expected to have any impact on the ESA" direct quote pg 1. is unsubstantiated. The absence of detailed food web estimation by the botanical consultant voids the consultants above sentence as lacking sufficient evidence. Always consider that ESA's may have animals that stray out to the still or running water, in search of refuge, forage and prey.</i></p> <p><i>A separate avifaunal study should include these preliminary findings There are many species of waterfowl, waders and raptors that would potentially visit the isolated water body. The over 127 species of birds have been recorded in Olifants river estuary (Birdlife 2015), an Important Bird &</i></p>		
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	<p>Biodiversity Area (IBA), about 70 km's downstream. The lower Olifants river is a biodiversity corridor (CES 2019), that links, the estuary (60 sp of aquatic birds some that range up to the Clanwilliam area) with Cederberg IBA (adjacent to study site), has data for over 234 sp of birds (Birdlife 2015.) The Knersvlakte East-West biodiversity corridor is the terrestrial section of a larger corridor of free movement for terrestrial and coastal birds (see Figure 8.2 pg iv, in WDCM 2023). In this regard ;</p> <ul style="list-style-type: none"> • What are the densities, abundances and distribution of hydrophilic birds in the locality (50 km's radius)? <p>The species distribution data (below) is from BirdLife (2015) atlas summary, that requires an update.</p> <p><i>Olifants River Estuary (ORE wetland IBA)</i> <i>Namib-Karoo biome-restricted assemblage and other arid-zone species, including Karoo Korhaan <i>Eupodotis vigorsii</i>, Southern Black Korhaan Grey Tit <i>Parus afer</i>, Karoo Lark <i>Calendulauda albescens</i>, Tractrac Chat <i>Cercomela tractrac</i>, Karoo Chat <i>C. schlegelii</i>, Sickle-winged Chat <i>C. sinuata</i> and Blackheaded Canary <i>Serinus alario</i>, Namaqua Warbler <i>Phragmacia substriata</i> occurs in the acacia thickets and the reedbeds along the river margin, and Cape Long-billed Lark <i>Certhilauda curvirostris</i> is also found here, particularly along the rocky northern bank. African marsh harriers were recorded to use the estuary</i></p>		
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	<p><i>for breeding and the Black harrier has been seen as an itinerant species. Common biomerestricted species include Cape Spurfowl (Birdlife 2015).</i></p> <p><i>Cederberg IBA Fynbos and Karoo transition vegetation supports the following rare and endangered bird species to persist in the Cederberg; Karoo Long-billed Lark, Karoo Chat, Namaqua Warbler, Palewinged Starling, Black-headed Canary, Layard's Tit-Babbler and then Southern Black Korhaan, locally commo Karoo Korhaan. Uncommon species in this category include Ludwig's Bustard, Karoo Lark, Sclater's Lark, Black-eared Sparrow-lark, Tractrac Chat, Sickle-winged Chat, Karoo Eremomela and Cinnamon-breasted Warbler., Black Harrier (Circus maurus) are rare itinerant residents. The Olifants riverine acacia woodland holds Namaqua Warbler (Phragmacia substriata). Karoo Long-billed Lark (Certhilauda subcoronata) occurs in rocky areas. Cape Spurfowl occur in well vegetated shrublands (Birdlife 2015).</i></p> <p><i>AES – EIA 1st Comments Melkboom 384 Klawer 4 To allow geneflow for bird species to remain robust, reproductively successful at species and population levels, there needs to be safe passage from the Cederberg IBA to the ORE IBA. These species are most at risk as they require several, days/ weeks or even months to complete the journey successfully; Namaqua warbler, Karoo Long-billed lark, Karoo and Southern Black Korhaans,</i></p>		
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	<p><i>Tractrac chat, Black-headed Canary, Sickle-winged Chat Cape Spurfowl, and Black Harrier (a known frog predator).</i></p> <p><i>Promote and protect heritage resources along the Olifants River Corridor are part of the Matzikama Municipality values. So is Biodiversity conservation, thus a continuous corridor between the mountains and the sea should be promoted. Especially along the historic farms of Vredendal, Melkboom and Windhoek (Matzikamma Streek, Disaster Management Plan, 2022).</i></p> <p><i>Veld rehabilitation Landowners should be encouraged to give their land to: conservation farming legacy statuscategories 1-5, that may include tourism activities to provide income to manage the area, in accordance with biodiversity and soil conservation objectives.</i></p> <p><i>Groete (signature saved to conserve paper) Marc Caplan (Principal)”</i></p>		
<p>DEA&DP (13/10/2023)</p>	<p>2. Having considered the information contained in the aforementioned report, this Department in accordance with Regulation 7 (5) of the EIA Regulations 2014, hereby provides the following comments with regard to the draft EIA Report:</p> <p>2.1 Alternatives</p> <p>Since the application has reached the EIA phase, please be reminded to</p>	<p>2.1 Done</p>	

	<p>provide full details of what each alternative comprises as well as the reasons why each alternative is either preferred or rejected.</p> <p>2.2 Environmental Management Programme (“EMPr”)</p> <p>2.2.1 Please ensure that all relevant mitigation measures as proposed throughout the Scoping and EIA process, specialist study(s) and recommended elsewhere (e.g. commenting authorities) are included in the EMPr.</p> <p>2.2.2 Your attention is drawn to Appendix 4 of the EIA Regulations, 2014 (as amended), for the requirements with respect to the ‘Content of Environmental Management Programme’. Please ensure that you fulfil these requirements.</p> <p>2.3 Requirements in terms of the National Water Act, 1998 (Act No. 36 of 1998) (“NWA”)</p> <p>It is noted that a Water Use Licence (dated 15 March 2023), as issued by the National Department of Water and Sanitation has been provided. It is, however, further detailed in the abovementioned draft EIA Report that a permit from the Dam Safety Office of the National Department of Water and Sanitation is required. You are therefore required to submit proof of having submitted the said application to the Competent Authority.</p> <p>2.4 Public Participation</p>	<p>2.2.1 Done</p> <p>2.2.2 Done</p> <p>2.3 Please refer to Appendix O for proof that the application has been lodged</p>	
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	<p>Please be reminded to provide all proof of having conducted the Public Participation Process in terms of Chapter 6 of the EIA Regulations, 2014 (as amended).</p> <p>2.5 EIA Reporting</p> <p>Your attention is drawn to Appendix 3 of the EIA Regulations, 2014 (as amended), for the requirements with respect to the 'Content of Environmental Impact Assessment Report'. Please ensure that you fulfil these requirements, with specific reference to the following –</p> <p>2.5.1 Section 3 (1)(l) - an environmental impact statement which contains</p> <p>(i) a summary of the key findings of the environmental impact assessment;</p> <p>(ii) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred development footprint on the approved site as contemplated in the accepted scoping report indicating any areas that should be avoided, including buffers; and</p> <p>(iii) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives.</p> <p>2.5.2 Section 3(1)(p) - a description of any assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed.</p>	<p>2.4 Done. Please refer to Appendices 1D and 1E</p> <p>2.5.1 and 2.5.2</p>	
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	<p>2.6 General</p> <p>In accordance with Regulation 23(1) of the NEMA and the EIA Regulations, 2014 (as amended), the Final EIA Report must be submitted within 106 days of the acceptance of the Scoping Report, calculated from 05 July 2023. In terms of Regulation 45 of the NEMA EIA Regulations, 2014 (as amended), an application in terms of the EIA Regulations, 2014 (as amended) lapses and the competent authority will deem the application as having lapsed, if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations.</p> <p>3. You are reminded that it is an offence in terms of Section 49A of the NEMA for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity.</p>	<p>2.6 Noted</p> <p>3. Noted</p>	
<p>Marc Caplan (17/10/2023)</p>	<p>hello Bernard and Co,</p> <p>1. "Could not see the photograph of the 1 in 100 year flood line, Try send it again in a different format.</p> <p>2. By the way in other melkbos comments Appendix 1E there is a question from CapeNature to EAP that was channeled to one of the so called specialists. Reading a comments from CapeNature (03/08/2022) they were made before the 1 in 30 year flooding that</p>	<p>1. Please refer to the 1: 100 year flood zone drawing attached hereto as a pdf document.</p> <p>2. The proposed site is located beyond the reach of the recent floods that you keep referring to and evidence of this is contained in the photographs that are also attached hereto for your convenience</p>	

	<p>occurred in mid June 2023. The question is on pg 2, 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?" The answer is from Dirk von Driel Question 3.2 id also answered by D. von Driel as follows. direct quote "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..... Please note that this is a low rainfall area, tantamount to semi-desert conditions (machia/fynbos in not all semi desert) and that major erosion is unlikely (this statement is incorrect given that the 1 in 30 year flood removed large amounts of topsoil from the catchment an AES report sent to the Disaster management team investigating this is evidence). 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. Until the 1 in 30 year flood arrived!</p> <p>3. Now where are AES's comments in the Appendices on the project, sent on 14/5/2023 AES Ref: 1st Comments Melkboom 384 offstream storage dam/Klawer, located on your server?</p>	<p>Furthermore, the response given to CapeNature concerning the issue of how the wall of the proposed dam will be protected from erosion was confirmed as satisfactory by CapeNature. A further response from EnviroAfrica on the matter would be superfluous and will therefore not be given.</p> <p>3. The comments received from AES on 15/05/2023 and all other comments received on the application during the public participation process are made available to the public on the website of EnviroAfrica and not on the server.</p>	
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