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PPP: 25 February 2026 – 02 April 2026				
Date	**Comment**	**I&AP**	**Response**	**Respondent**
31/03/2026	**COMMENTS: NOTIFICATION FOR THE INTENTION TO SUBMIT A NEMA APPLICATION FOR THE PROPOSED CONSTRUCTION OF THE NEW JADE HILLS DAM ON PORTION 26 OF FARM STINKFONTEIN NO 383, CERES.** The Breede-Olifants Catchment Management Agency (BOCMA) has received the application notification as indicated above on 04 March 2026. The observations on the notification's letter of intent are outlined below. Consequently, to the observations, the outlined recommendations and conclusion need to be adhered to. **OBSERVATIONS** 1) This is an initial notification to the Interested and Affected Parties (I&AP) for the intention to submit a NEMA application for the proposed construction of the New Jade Hills Dam on Portion 26 of Farm Stinkfontein No 383, Ceres; 2) The new dam will store winter water for summer irrigation on Portion 26 of Farm Stinkfontein No 383, Ceres. 3) The dam will be of ±110 000 m3 capacity and a maximum wall height of ±12.5 m on a ±2.3 ha surface area; and	Siyabulela Lupa Breede-Olifants	The Breede-Olifants Catchment Management Agency (BOCMA) acknowledged receipt of the application notification on 04 March 2026. The observations provided are noted, and responses are provided below. Noted. The notification formed part of the pre-application Public Participation Process undertaken in accordance with the NEMA EIA Regulations, 2014 (as amended). The purpose of the notification was to inform Interested and Affected Parties, including BOCMA, of the proposed development and to invite comment at an early stage of the process. Noted and confirmed. The proposed Jade Hills Dam is intended to store surplus winter water derived from an existing lawful water use allocation associated with the Rietvalley Irrigation Scheme. The stored water will be used to support existing agricultural activities on the property during the dry summer months. Partially noted. The figures provided are generally consistent with the proposed development; however, the most recent engineering design indicates the following refined specifications:	EnviroAfrica

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			• Storage capacity: approximately 110 000 m³ • Maximum wall height: approximately 11.1 m • Estimated inundation area: approximately 1.7 ha • Total development footprint: approximately 2.0 ha These values are based on the latest available design information and are reflected in the Draft Scoping Report. Final dimensions will be confirmed during the detailed design phase and, where relevant, assessed during the EIA phase.	
	4) There will also be a 700 m pipeline with a diameter of 150 mm to deliver water from the Jade Hills Delivery Point through gravity feed.		Noted and confirmed. The proposed development includes a pipeline of approximately 700 m in length and 150 mm in diameter to convey water from the existing Jade Hills Delivery Point to the proposed dam. The system has been designed to operate primarily under gravity flow conditions, thereby minimising energy requirements and reducing long-term operational impacts. Where required, minor pumping infrastructure may be incorporated for operational flexibility. The pipeline alignment will make use of existing disturbed areas and farm infrastructure corridors as far as reasonably practicable in order to minimise environmental disturbance.	
	RECOMMENDATIONS AND CONCLUSION 1) A background information on the authorised water uses currently in practice in the Farm that will feed the proposed dam must be provided in the NEMA application. This background information must include any information on whether there's an existing winter water Licence or intention to apply for one, which will justify the need to construct a ±110 000 m3 capacity dam;		Noted and agreed. Background information on the existing lawful water use associated with Portion 26 of Farm Stinkfontein No. 383 is included in the Pre-Appliction Scoping Report and will be further detailed in the EIA phase documentation. The property benefits from an existing lawful water use allocation associated with the Rietvalley Irrigation Scheme, which allows for the abstraction of surplus winter water from the Titus River during the approved abstraction period.	

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			Historically, this allocation has not been fully utilised on the property due to the absence of on-site storage infrastructure. The proposed dam is therefore required to store this available winter water for use during the dry summer months, thereby enabling the efficient and beneficial use of an existing lawful water entitlement. A Water Use Licence (WUL) has been issued for the proposed storage and associated water uses. All water use activities will be undertaken in accordance with the conditions of the WUL. Further clarification and supporting documentation will be included in the Environmental Impact Assessment Report (EIR).	
	2) The proximity of the intended pipeline route to the nearby watercourses and its effect on the watercourses must be clear as well in the NEMA application; and		Noted and agreed. The proposed pipeline alignment (±700 m, 150 mm diameter) from the Jade Hills Delivery Point to the proposed dam will be clearly illustrated in the application documentation, including locality and layout maps. The pipeline has been designed, as far as reasonably practicable, to follow existing disturbed areas such as farm roads and previously cultivated land in order to minimise environmental disturbance. Where the pipeline is located in proximity to, or intersects with, any drainage features or watercourses, potential impacts will be identified and assessed. The potential effects on watercourses, including construction-related disturbance, erosion, sedimentation, and alteration of surface water flow, will be considered in the EIA phase and addressed through appropriate mitigation measures and compliance with the applicable Water Use Licence conditions.	
	3) Comprehensive comments will be provided on the Pre-App BAR, which will have all the information with regards to details of the intended activities.		Noted. The Applicant and Environmental Assessment Practitioner welcome further detailed input from BOCMA during the Pre-	

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	Therefore, BOCMA will wait for the first phase of the NEMA application to be submitted for comments before any water use of the National Water Act, 1998 (Act No 36 of 1998) that would be triggered by the proposed activities can be identified and confirmed for a Water Use Licence Application (WULA). **General conditions:**		Application Basic Assessment Report (BAR) review phase. All comments received will be duly considered and addressed in the Comments and Responses Report, and where necessary, incorporated into the final Environmental Impact Assessment documentation.	
	• All relevant sections and regulations of the National Water Act, 1998 (Act 36 of 1998) regarding water use must be adhered to.		Noted and agreed. All applicable provisions of the National Water Act (Act No. 36 of 1998) will be complied with. The development will be implemented in accordance with the conditions of the approved Water Use Licence (WUL) and any additional requirements imposed by the Department of Water and Sanitation or BOCMA.	
	• No water must be taken from a water resource for any purpose without authorisation from the National Water Act, 1998 (Act 36 of 1998).		Noted and agreed. Water abstraction associated with the proposed development is based on an existing lawful water use allocation linked to the Rietvalley Irrigation Scheme. Any water use requiring authorisation will be undertaken strictly in accordance with the applicable Water Use Licence.	
	• No waste or water containing waste may be disposed without authorisation from the National Water Act, 1998 (Act 36 of 1998) and National Environmental Management: Waste Act, 2008 (Act 59 of 2008).		Noted and agreed. No disposal of waste or water containing waste into any water resource will occur without the necessary authorisations. All waste management practices during construction and operation will comply with the National Water Act and the National Environmental Management: Waste Act (Act No. 59 of 2008), as well as the Environmental Management Programme (EMPr).	
	• No pollution of surface water and/or groundwater resources may occur.		Noted and agreed. Measures to prevent pollution will be implemented during both construction and operation. These will include appropriate storage and handling of fuels and hazardous substances, spill prevention and response measures, and compliance with EMPr provisions.	

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	• Stormwater management must be addressed both in terms of flooding, erosion and pollution potential. • No stormwater runoff from any premises containing waste, or water containing waste emanating from industrial activities and premises, may be discharged into a water resource. Polluted stormwater must be contained. Please be advised that no activities may commence without the appropriate approvals/authorizations where needed from the responsible authority. The onus remains with the registered property owner to confirm adherence to any relevant legislation that such activities might trigger and/or need authorisation for. This office reserves the right to amend and revise its comments as well as to request any further information. Please do not hesitate to contact this office if you have any further queries. Please ensure to quote the above reference in doing so.		Noted and agreed. Stormwater management will be addressed as part of the engineering design and Environmental Management Programme. Measures will include erosion control, management of runoff, and protection of downstream environments. Noted and agreed. Polluted stormwater will be contained and managed on-site, and no discharge of contaminated runoff into water resources will be permitted. Appropriate mitigation measures will be implemented to manage stormwater quality. Noted and agreed. No construction or related activities will commence prior to obtaining all required environmental and water use authorisations. The Applicant acknowledges that compliance with all relevant legislation remains the responsibility of the property owner. Noted. The Applicant and Environmental Assessment Practitioner will continue to engage with BOCMA throughout the process and will provide any additional information required to support informed decision-making. Noted.	
2026/03/24	Good morning I assume no documents are available yet, please register me as an I&AP. I could give comment now if required, can you just explain the fase one and two of the dam. Otherwise, I will wait for the application.	Mr Elmo Maree Department of Agriculture	Good morning, Elmo. Thank you for the email. Yes, no documents are available yet. I would advise waiting for the application, and then I can give you all the information. Thank you.	EnviroAfrica

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2026/07/13	**NOTICE OF INTENT ("NoI") TO SUBMIT AN APPLICATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT NO. 107 OF 1998) ("NEMA") AND THE 2014 ENVIRONMENTAL IMPACT ASSESSMENT ("EIA") REGULATIONS FOR THE PROPOSED CONSTRUCTION OF THE NEW JADE HILLS DAM ON PORTION 26 OF FARM STINKFONTEIN NO. 383, CERES.** 1. The electronic copy of the NoI received by this Department's Directorate: Development Management, Region 1 ("this Directorate") on 1 July 2026, refers. 2. This letter serves as an acknowledgement of receipt and as comment on the NoI. 3. Following the review of the information submitted to this Directorate, is noted that: • The proposed development entails the construction of the New Jade Hills Dam on Portion 26 of Farm Stinkfontein No. 383, Ceres. • The proposed dam will have a storage capacity of 110 000m³, a maximum wall height of approximately 11.1 meters, a wall length of approximately 237 meters, an inundation area of approximately 1.7 hectares and a footprint of approximately 2 hectares. • The proposal also includes a 700 meters long pipeline with a diameter of approximately 150 millimeters, a pump house of approximately 40 square meters and associated infrastructure. • According to the available mapping resources indigenous vegetation is present on the site, namely Ceres Shale Renosterveld vegetation, which is classified as a critically endangered ecosystem. • According to the available mapping resources a watercourse is present on the site.	WCDEADP	Noted. Noted. Agree. The Department's summary of the proposed development and the receiving environment is correct. The Scoping Report has been reviewed to ensure that the project description, development specifications and environmental baseline information are accurately and consistently reflected throughout the report. Amendments requested elsewhere in this letter have been addressed under the relevant comments.	EnviroAfrica

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	• The site is zoned for Agricultural purposes and is located outside the urban area of Ceres. <u>Indigenous vegetation status</u> 4. Please note that the vegetation status of Ceres Shale Renosterveld vegetation is not classified as vulnerable but as critically endangered according to the National Environmental Biodiversity Act, 2004 (Act No. 10 of 2004) dated 18 November 2022. This must be corrected in the Draft Scoping Report. <u>Screening Tool</u> 5. 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 it is noted that some of the Protocols are applicable to your proposed development. According to the Protocols, before commencing with a specialist assessment, the current use of the land and environmental sensitivity of the site under consideration identified by the screening tool must be confirmed by undertaking a site sensitivity verification. The outcome of the site sensitivity verification must be recorded in the format of a report and must be appended to the Basic Assessment Report. 6. This Directorate notes that the Screening Report for the dam (dated 23 March 2026) has identified twelve specialist studies to be conducted. Confirmation of the relevant specialist studies and a motivation as to why some of these specialist studies will not be conducted have been included in a Site Sensitivity Verification Report ("SSVR").		Comment acknowledged. All references to the conservation status of Ceres Shale Renosterveld have been corrected throughout the Scoping Report to reflect its current status as Critically Endangered in terms of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004) – Threatened Ecosystems List (2022). Comment acknowledged. A Site Sensitivity Verification Report (SSVR) has been compiled in accordance with the Environmental Themes Protocols (GN 320 of 2020) and is included as an appendix to the Scoping Report. Comment acknowledged. The SSVR confirms the specialist studies to be undertaken and provides motivations where specialist assessments are not considered necessary, in accordance with the Environmental Themes Protocols.	

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	7. This Directorate notes that a Freshwater Impact Assessment and a Terrestrial Biodiversity Impact Assessment will be conducted. **8.** Please note that comments from Heritage Western Cape must be obtained to confirm whether any further studies will be required. **Although Heritage Western Cape confirmed more than 5 years ago on the previous lapsed application that there was no reason to believe that the proposed development would impact heritage resources, a revised comment must be obtained.** **9. Furthermore, should any authority that has jurisdiction in respect of any aspect of the proposed development request that further specialist studies be conducted, and where the request is supported by this Directorate, this must take precedence.** <u>Water Use License</u> 10. It is noted that the proposed dam triggers water uses in terms of Section 21 of the National Water Act, 1998 (Act No. 36 of 1998) and therefore requires a Water Use License. Please note that the Water Use License from the water authority must be included in the Final EIA Report. It is noted that existing lawful water use is available. Confirmation of the existing lawful water use must be included in the Scoping Report. <u>Process</u> 11. Having considered the information contained in the NoI, the Department concurs that the proposed development constitutes listed activities as defined in terms of the NEMA EIA Regulations, 2014.		Comment acknowledged. A Freshwater Impact Assessment and a Terrestrial Biodiversity Assessment will be undertaken, and the findings will inform the Environmental Impact Assessment phase. Comment acknowledged. Heritage Western Cape, will be contacted for updated comments during the Scoping phase. Any additional heritage requirements identified by Heritage Western Cape will be addressed accordingly. Comment acknowledged. Should any commenting authority request additional specialist investigations, and where supported by the Competent Authority, such specialist studies will be undertaken and incorporated into the Environmental Impact Assessment process. Comment acknowledged. The Water Use Licence has been obtained. Confirmation of the existing lawful water use has been included in the Scoping Report, and the Water Use Licence is appended to the Scoping Report. Comment noted. The listed activities have been identified and are reflected in the Application Form and Scoping Report.	

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	12. In light of the activities identified, you are herewith advised that a Scoping / Environmental Impact Reporting process must be followed in order to apply for Environmental Authorisation. Only those activities applied for shall be considered for environmental authorisation. The onus is on the applicant to ensure that all the applicable listed activities are applied for and assessed as part of the Scoping / Environmental Impact Reporting process.		Comment noted. The application is being undertaken as a Scoping and Environmental Impact Reporting Process in accordance with the EIA Regulations, 2014 (as amended).	
	13. You are advised that when undertaking the Scoping / Environmental Impact Reporting process, you must take into account all applicable guidelines, including the guidelines developed by the Department. These can be downloaded from the Department's website, (http://eadp-westerncape.kznsshf.gov.za/your-resource-library/policies-guidelines).In particular, the guidelines that may be applicable to the proposed development include, inter alia, the following: • Circular EADP 0028/2014: One Environmental Management System. • Guideline for the Review of Specialist Input in the EIA process (June 2005). • Guideline for Environmental Management Plans (June 2005). • Guideline on Alternatives (March 2013). • Guideline on Need and Desirability (March 2013). • Other (as applicable).		Comment acknowledged**.** The Scoping and Environmental Impact Reporting Process has been, and will continue to be, undertaken with due consideration of the applicable Departmental guidelines and relevant environmental legislation.	
	14. Please ensure the Scoping Report contains all information requirements outlined in Appendix 2 of the EIA Regulations, 2014.		Comment acknowledged. The Scoping Report has been compiled in accordance with the requirements of Appendix 2 of the EIA Regulations, 2014 (as amended).	
	<u>Public Participation</u>			
	15. A public participation process ("PPP") that meets the requirements of Regulation 41 of the EIA Regulations, 2014 must be undertaken. You are advised that public participation may be undertaken prior to the submission of		Comment acknowledged. The Public Participation Process will comply with Regulation 41 of the EIA Regulations, 2014 (as amended). The newspaper advertisement will be placed	

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	the application, although this is not mandatory. It is the Environmental Assessment Practitioner's discretion at what stage the requirements of Regulation 41 are met, whether during the proposed application (pre-application) process or formal application process. Please ensure that the newspaper advertisement is placed after the submission of a notice of intent or the application form.		after submission of the Notice of Intent or Application Form, as required by the Department.	
	16. You are reminded that a period of at least 30 days must be provided to all potential or registered interested and affected parties to submit comment on the Scoping Report.		Comment acknowledged. A minimum 30-day public review period will be provided for the Draft Scoping Report in accordance with the EIA Regulations, 2014 (as amended).	
	17. Should a public participation process, which includes the circulation of the pre-application Scoping Report for comment, be undertaken prior to submission of an Application Form to the Department, in terms of Regulation 40, the pre-application Scoping Report may also be submitted to the Department for commenting purposes.		Comment noted. The Department's guidance has been noted and the pre-application process will be undertaken accordingly.	
	18. In terms of Section 24O (2) and (3) of NEMA and Regulations 7(2) and 43(2) of the EIA Regulations, 2014, any State Department that administers a law relating to a matter affecting the environment relevant to the application must be requested to comment within 30 days. Please note that the Environmental Assessment Practitioner ("EAP") is responsible for such consultation. Therefore, it is requested that the EAP include proof of such notification to the relevant State Departments in terms of Section 24O (2) and (3) of NEMA in the Scoping Report, where appropriate.		Comment acknowledged. Relevant State Departments and Organs of State will be consulted in terms of Section 24O of NEMA and the EIA Regulations. Proof of notification and comments received will be included in the Scoping Report.	
	19. The Department awaits the submission of the Application Form or pre-application Scoping Report prescribed by the EIA Regulations, 2014.		Comment noted**.** The Application Form and accompanying documentation have been prepared for submission in accordance with the EIA Regulations, 2014 (as amended).	

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	20. Please note that an electronic copy of the Application Form or pre-application Scoping Report must be submitted. Please note that it is an offence in terms of Section 49A(1)(a) of the NEMA for a person to commence with a listed activity unless the Competent Authority has granted an Environmental Authorisation for undertaking it. Failure to comply with the requirements of Section 24F of the NEMA shall result in the matter being referred to the Environmental Compliance and Enforcement Directorate of this Department. A person convicted of an offence in terms of the above is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.		Comment noted. The requirements relating to submission, environmental authorisation and compliance with the provisions of NEMA are noted.	
	21. Please note that the pre-application consultation is an advisory process and does not pre empt the outcome of any future application which may be submitted to the Department.		Comment noted. The advisory nature of the pre-application process is acknowledged.	
	22. No information provided, views expressed and/or comments made by officials during the pre-application consultation should in any way be seen as an indication or confirmation: • that additional information or documents will not be requested • of the outcome of the application		Comment noted. The contents of the Department's pre-application comments are acknowledged.	
	23. This Directorate reserves the right to revise or withdraw initial comments or request further information from you based on any new or revised information receive. Having considered the information contained in the NoI, this Directorate concurs that the proposed development constitutes a listed activities as defined in terms of the EIA Regulations, 2014 (as amended).		Comment noted. The Department's reservation of rights is acknowledged, and any additional information requested during the application process will be provided where required.	