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**THE PROPOSED EXPANSION OF THE KLIPKRAAL DAM, THE REPAIR OF THE EXISTING
INSTREAM DAM AND THE DEVELOPMENT OF ASSOCIATED PIPELINES AND
INFRASTRUCTURE ON THE FARM POPLAR GROVE NO. 936, FARM NO. 828 AND
PORTIONS 10 & 15 OF THE FARM POPLAR GROVE NO. 105, CALEDON**

APPENDIX F6:

COMMENTS & RESPONSE REPORT

1. PUBLIC PARTICIPATION PROCESS

Two rounds of public participation will be undertaken as part of this BA process, one round prior to submission of the application for EA (done) and another after submission of the application for EA (this comment period). Both rounds of public participation allow for a 30-day comment period. All comments received will be incorporated in the Basic Assessment Report (BAR). The Public Participation Process (PPP) is described in detail below.

1.1. Pre-Application Public Participation Process

The pre-application PPP for this project will involve the following steps:

- All potential I&APs, the owner or person in control of the land; the occupiers of the site, owners and occupiers of land adjacent to the site, the municipal ward councillor and any organisation of ratepayers that represent the community in the area, the municipality which has jurisdiction in the area, any organ of state having jurisdiction in respect of any aspect of the activity, and any other party as required by the competent authority were notified in writing of the proposed development and the availability of the Pre-App BAR for their comment.

Refer to **Appendix F1** of the Pre-App BAR for a list of I&APs.

Proof of written notifications sent is included under **Appendix F2** of the Draft BAR.

- Letter drops, where possible, were done in order to inform occupiers of the site and adjacent landowners of the proposed development.

Proof is included under **Appendix F2** of the Draft BAR.

- An advertisement of the proposed development was placed in the Kontreinuus newspaper.

Proof of advertisements is included under **Appendix F3** of the Draft BAR.

- A site notice was placed on site informing the general public of the proposed development.

Proof is included under **Appendix F4** of the Draft BAR.

- A copy of the Pre-App BAR was made available in the Villiersdorp Public Library as well as on the Doug Jeffery company website (www.dougjeff.co.za).
- The Pre-App BAR and Environmental Management Programme (EMPr) were made available for a 30-day commenting period to all potential I&APs, state departments and authorities with jurisdiction in the area.
- All comments received during the 30-day comment period were included under **Appendix F5** of the Draft BAR. All comments received were responded to in the tables under Section 2 of this Comments and Response Report (CRR).

1.2. Statutory Process

After submission of the application for EA, registered I&APs and authorities will have one more opportunity to comment on the Draft BAR. No extensions will be allowed during the commenting period as a result of these strict timeframes. Below is a brief summary of the PPP that will be undertaken as part of the statutory process.

- The Draft BAR and EMPr will be made available for another 30-day commenting period to all registered I&APs, state departments and authorities with jurisdiction in the area.
- All registered I&APs, state departments and authorities with jurisdiction in the area, will be notified in writing of the availability of the Draft BAR.

Proof of written notifications sent will be included under **Appendix F2** of the Final BAR.

- All comments received during the 30-day comment period will be included under **Appendix F5** of the Final BAR. All comments received will be responded to in the comments and response (C&R) report which will be included in under **Appendix F6** of the Final BAR.
- The Final BAR and EMPr will then be submitted to the competent authority (DEA&DP), with all comments received as well as our responses thereto, for their consideration.

2. COMMENTS & RESPONSE TABLES

2.1. Pre-Application PPP

The Pre-Application PPP was undertaken from **Tuesday, 26 September** to **Thursday, 26 October 2017**. All comments received and responses were included in Table 1.

2.2. Statutory PPP

The Statutory PPP will be undertaken from Wednesday, 04 July until Friday 03 August 2018. All comments received will be included in this report after the 30-day comment period ended.

3. COMMENTS & RESPONSE TABLES

3.1. Pre-Application Basic Assessment Report PPP

Table 1: Comments and Response - Pre-Application PPP (comment period: Tuesday, 26 September – Thursday, 26 October 2017).

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
COMMENTS FROM STATE DEPARTMENTS & AUTHORITIES				
2018-03-23	<p>The Environmental Management Services Department of the Overberg District Municipality take cognisance of the proposed development as proposed in the Pre-application Basic Assessment Report.</p> <p>According to the Western Cape Biodiversity Spatial Plan part of the proposed development sites are categorised as Ecological Support Areas. Although these areas are not critical to meet biodiversity targets it does have conservation value.</p>	Overberg District Municipality	<p>Your comment is noted. However, no Critical Biodiversity Areas have been formally adopted by the Competent Authority in the Western Cape.</p> <p>These ESAs are featured as watercourses.</p> <p>It is unlikely that the proposed development will compromise the management objectives of ESAs on site. That is: Restore and/or manage to minimize impact on ecological processes and ecological infrastructure functioning, especially soil and water-related services, and to allow for faunal movement.</p> <p>The hydrological functioning of these watercourses is already highly modified through intensive agriculture occurring very close to the edges of these drainage lines and smaller tributaries. The development will occur within existing dam locations. No drainage lines / tributaries will be channelled / diverted and no additional tributaries will be affected by the dams. It is therefore likely that biodiversity processes will continue along these watercourses.</p>	<p>Doug Jeffery Environmental Consultants (DJEC)</p> <p>J. Krige – The Botanist</p>
	Based on the Botanical Impact Assessment Report the proposed development area falls within the Western RÜens Shale Renosterveld which is listed as a critically endangered ecosystem. It is noted that the areas of Renosterveld affected by the proposed development are degraded due to disturbance such as grazing,		All Renosterveld containing areas outside of the dam footprint will be excluded from any development or disturbances as recommended by the botanist.	DJEC

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	historical earthworks, and alien invasive vegetation encroachment. It is therefore important that the remainder of the Renosterveld remnants on these properties be conserved. Alien invasive species management needs to occur on the property to prevent further degradation of these listed critically endangered ecosystems.		Alien invasive species management will be undertaken on the property where necessary.	
	The mitigation measures as proposed in the Freshwater Impact Assessment should be implemented to minimise the impact of construction activities that will take place within riparian areas.		Noted and agreed.	DJEC
2018-03-26	<ol style="list-style-type: none"> 1. The pre-application BAR dated 21 February 2018, as received by the Department on the same day, refers. 2. The Sub-Directorate: Waste Management Licensing has the following comments with regard to the above-mentioned report: <ol style="list-style-type: none"> 2.1. The disposal of waste should be considered as a last resort after having considered waste minimisation, such as avoidance, treatment, waste-to-energy projects, reuse and recycling of waste. 2.2. Any vegetation removed during the execution of this project may be taken to a green/garden waste chipping facility for composting or be disposed of at an appropriately licenced facility, but may not be disposed of on the adjacent land. 	Department of Environmental Affairs and Development Planning (DEA&DP) Directorate: Waste Management		
	2.1. The disposal of waste should be considered as a last resort after having considered waste minimisation, such as avoidance, treatment, waste-to-energy projects, reuse and recycling of waste.		Your comment is noted. The disposal of waste is addressed under Section 2.11 of the EMPr.	DJEC
	2.2. Any vegetation removed during the execution of this project may be taken to a green/garden waste chipping facility for composting or be disposed of at an appropriately licenced facility, but may not be disposed of on the adjacent land.		<p>Your comment is noted. The removal of vegetation is addressed under Section 2.8.4 of the EMPr.</p> <p>The EMPr states that indigenous plant material can be removed from cleared areas and may be stockpiled for mulching. Alien vegetation may be used for mulching if it is not in seed. All remaining vegetation shall be removed and disposed of at an appropriately licensed landfill site or should the landowner have an approved</p>	DJEC

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
			burning permit the plant material may be burned in accordance with this permit.	
	2.3. Any construction waste, diesel, lubricants and/or other oils should be managed so as to prevent spillage. The Environmental Management Programme (EMPr) must address this as a potential source of environmental impact and should include measures for preventing and/or mitigating such impacts. During construction, fuel and any other hazardous liquids must be stored in suitably banded areas and appropriate containers which are clearly marked.		The management of construction and hazardous waste are addressed under Section 2.11 of the EMPr (Appendix H).	DJEC
	3. The EMPr must be easily accessible to the person responsible for managing the proposed activity construction and operation and the adherence to its conditions must be strictly monitored.		Noted and agreed. This is addressed under Section 1.9 of the EMPr (Appendix H).	DJEC
2018-03-28	<p>The Breede-Gouritz Catchment Management Agency (BGCMA) has the following comments:</p> <p>1. Section 21 Water Use:</p> <p>The following Water Use in terms of Section 21 of the National Water Act, 1998 (Act 36 of 1998) may be applicable:</p> <p><i>Section 21 (a) – taking water from a water resource</i></p> <p><i>Section 21 (b) – storing water</i></p> <p><i>Section 21 (c) – impeding or diverting the flow of water in a watercourse</i></p>	Breede-Gouritz Catchment Management Agency	Noted and agreed.	DJEC

COMMENTS & RESPONSE REPORT

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	<i>Section 21 (j) – altering the bed, banks, course or characteristics of a watercourse</i>			
	<p>2. Water Use Authorisation:</p> <p>The above Water Uses require water use authorisation in terms of the National Water Act, 1998 (Act 36 of 1998). In this instance, it has been determined that a Water Use License is required.</p> <p>This office can therefore confirm that it has received a Water Use License Application which has been preliminary assessed; a site inspection as part of the assessment process took place on 24/11/2017. The license is therefore in the process of assessment with a letter drafted to the applicant dated 09/03/2018 requesting outstanding information to be able to process the application further. The applicant has requested that the process be put on hold until the information can be provided as it would impact the 300-day legislated time frame.</p>		<p>Agreed.</p> <p>Your comment is noted.</p>	DJEC
	<p>3. A total environmental flow of 20.70% of the MAR to be released downstream of the Houtveld Dam, downstream of the diversion to the Klipkraal dam of which 10.29% of the MAR are required to maintain the low flow in the downstream river system. This is especially necessary in the low flow period (December to April).</p>		Your comment is noted.	DJEC
	<p>4. Operational rules for the dam should be compiled to indicate how the environmental flow requirements are to be met in the river downstream of the dam.</p>		Operational rules were compiled and included in the Dam Design Report under Appendix G5 of the BAR and Appendix 7D of the EMPr.	Ingerop (the appointed Engineers)

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	5. The recommended environmental flow requirements should be achieved in the Bot River downstream of the Klipkraal Dam.		This will be achieved by EWR releases from both Houtveld and Klipkraal dams. Refer to the Operating Rules included in the Dam Design Report under Appendix G5 of the BAR and Appendix 7D of the EMPr.	Ingerop
	6. Proper metering and recording of the monthly water balance determined at the dam should be kept and submitted regularly to the authorities for scrutiny. This practice and its impact on the downstream waterbody should be assessed and audited annually.		The Operating Rules require monthly water balances for both Houtveld and Klipkraal dams. Refer to the Operating Rules included in the Dam Design Report under Appendix G5 of the BAR and Appendix 7D of the EMPr.	Ingerop
	7. A buffer with a minimum width of 10m as measured from the top of bank of the watercourses must be implemented along the watercourses and be treated as "no-go zones". Any of the proposed works that takes place within the riparian zones of the streams (such as pipeline crossing) and any disturbed areas should be rehabilitated. These areas must also be kept free of invasive alien plant species.		A 10m buffer, measured from the top of bank of the watercourses, will be implemented along the watercourses and will be treated as "no-go zones". All areas within the riparian zones disturbed as a result of construction works and maintenance activities will be rehabilitated in accordance with the EMPr and MMP. Refer to the EMPr included under Appendix H of the BAR and the MMP included under Appendix 7C of the EMPr.	DJEC
	8. The invasive alien plants affecting the watercourses must be removed and revegetate the areas with local indigenous vegetation where necessary.		Your comment is noted. The removal of invasive alien plants and revegetation will be done in accordance with the EMPr. Refer to Appendix H of the BAR.	DJEC
	9. The burrow pit excavation must not extent beyond the footprint of the enlarged dam.		The burrow pit excavation will not extent beyond the footprint of the enlarged Klipkraal Dam.	DJEC
	10. The indigenous vegetation must be rescued from the area that will be inundated by the balancing dam and must be used to revegetate the banks of the stream downstream of the proposed balancing dam.		Your comment is noted. Indigenous vegetation will be rescued from the area that will be inundated by the balancing dam and will be used to revegetate the banks of the stream downstream of the proposed balancing dam.	DJEC

COMMENTS & RESPONSE REPORT

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			As stated in the Botanical Impact Assessment (Appendix G1 of the BAR), stream banks down-stream of the balancing dam will be revegetated with indigenous vegetation as per the recommendations for stabilising and rehabilitation of the dam wall.	J. Krige – The Botanist
	11. The rehabilitation of the channel downstream of the proposed balancing dam would be required with some infilling of the channel and use of boulders to stabilize the stream bed as well as reshaping of the eroded banks before planting the rescued plants.		The rehabilitation of the channel downstream will be carried out as part of the dam construction contract. Erosion will be backfilled with soil to the original channel dimensions and then rip-rap stone protection will be provided to prevent future erosion.	Ingerop
	12. The balancing dam should provide some seepage of water or be managed to allow a very low flow downstream of the dam that will support the vegetation downstream of the wall. The ongoing establishment of vegetation downstream of the dam is important to mitigate the ongoing erosion of this channel.		The Operating Rules require that a 1 l/s release be made when more than 150 mm per month of rainfall has been recorded. Refer to the Operating Rules included in the Dam Design Report under Appendix G5 of the BAR and Appendix 7D of the EMPr.	Ingerop
	13. All of the above recommendations are to be included in the Management Maintenance Plan (MMP) for the project that would form part of the Environmental Management Plan (EMP).		All the recommendations will be incorporated in the EMPr (Appendix H of the BAR) and the MMP (Appendix 7C) of the EMPr.	DJEC
	14. The water quality impacts during the construction phase in particular should be addressed through the Construction EMP for the project, and implemented by an on-site Environmental Officer. Contaminated runoff from the construction site should be prevented from directly entering the water features.		Noted and agreed. Water quality impacts are addressed throughout the EMPr. Refer to Appendix H of the BAR. Furthermore, the EMPr states that an ECO must be appointed to monitor compliance with the EMPr during the construction and maintenance phases.	DJEC
	15. Construction should take place during the drier months when flow in the streams and run off from the surrounding land is low.		Noted and agreed.	DJEC

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	16. A monitoring programme must be developed and implemented.		An Environmental Control Officer (ECO) will be appointed to monitor compliance with the EA, EMPr and MMP during the development and maintenance phases	DJEC.
	17. The flood hydrology calculations did not take into consideration the MAR from the dam catchment.		Noted, the hydrology report was updated. Refer to the Operating Rules dated 18 April 2018 included in the Dam Design Report under Appendix G5 of the BAR.	Ingerop
	18. The hydrology report is vague with regards to the issue of the proposed balancing dam.		Noted, the hydrology report was updated. Refer to the Addendum Report dated 20 April 2018 included in the Dam Design Report under Appendix G5 of the BAR.	Ingerop
	19. From the Engineers calculations the MAR from the dam catchment is significant and as such the dam design report should include operating rules on how this run off will be released.		The dam design report was updated to include operating rules. Refer to the Operating Rules dated 18 April 2018 included in the Dam Design Report under Appendix G5 of the BAR.	Ingerop
	20. The dam design report should also be updated to incorporate the proposed balancing dam.		The dam design report was updated to incorporate the proposed balancing dam. Refer to the Addendum Report dated 20 April 2018 included in the Dam Design Report under Appendix G5 of the BAR.	Ingerop & DJEC
	<p>This office reserves the right to amend and revise its comments as well as to request any further information.</p> <p>The onus remains on the registered property owner to confirm adherence to any relevant legislation with regards to the activities which might trigger and/or need authorisation.</p>		Your comment is noted.	DJEC
2018-03-29	CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity-related impacts and not to the overall desirability of the application.	Cape Nature	Your comment is noted.	DJEC

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>The pre-application basic assessment report is for the following developments:</p> <ol style="list-style-type: none"> 1. Expansion of existing Klipkraal Dam by 569 000m³ 2. Repair of existing in-stream balancing dam by 48 000m³ 3. Pipeline between Klipkraal Dam and balancing dam (1 250m) 4. Pipeline between Klipkraal Dam and existing Houtveld Dam pipeline (950m) 5. Relocation of pump house, pumps, power line and transformer to further downstream of Klipkraal Dam 6. New irrigation areas (70ha) 			
	<p>Biodiversity value of site</p> <p>According to the Western Cape Biodiversity Spatial Plan, the pump house, balancing dam, and Klipkraal Dam fall within an Ecological Support Area that is restorable (ESA2). The pipelines between Klipkraal Dam and the balancing dam and Houtveld Dam pipeline also intersect with an ESA2. These ESA2 coincide with artificial and natural wetlands that have been categorised as National Freshwater Ecosystem Priority Areas (NFEPA). Although not within the direct development footprint, the Droeloop and Bankrotrivier watercourses that will be affected by the development is also within an ESA2. Note that although the wetlands on site are non-perennial, and that the site is mostly transformed, this does not necessarily detract from the ESA2 status.</p> <p>The vegetation that would have occurred naturally on the development footprint is critically endangered Western Rûens Shale Renosterveld. However, according</p>		<p>Your comment is noted.</p>	<p>DJEC</p>

COMMENTS & RESPONSE REPORT

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	to the botanical specialist reports and satellite imagery, the development footprint contains three patches of indigenous renosterveld that will be inundated after the Klipkraal Dam is expanded. These patches are roughly in-fact apart from grazing damage and soil erosion. The remaining footprint has been previously transformed by wheat fields, and alien tree stands in the riparian zone.			
	Note that in terms of the Conservation of Agricultural Resources Act (CARA 1983) and National Environmental Biodiversity Act (NEM:BA) Alien and Invasive Species Regulations (2014), all landowners are required to implement an alien invasive management plan.		Alien invasive species management will be undertaken on the property where necessary.	J. Krige – The Botanist
	Botanical survey recommendations CapeNature supports the recommendations from the botanical specialist, particularly regarding erosion control/prevention, alien clearing and rehabilitation of vegetation using stockpiled topsoil and rescued plants.		Your comment is noted.	DJEC
	The botanist did not report any Species of Conservation Concern (SCC). However, the botanical survey was done in mid-winter, which may have resulted in type II false negative errors for the detection and identification of spring- and autumn-flowering geophytes that are SCC. CapeNature therefore recommends that the applicant follow up with at least a spring botanical survey to determine if any SCC are present within the development footprint.		A follow-up survey will be conducted between August and September to survey for potential plant species of conservation concern. The EAP confirms that a follow-up survey will be conducted between August and September, prior to commencement of the construction phase. This will be a condition of authorisation.	J. Krige – The Botanist DJEC
	Note that although degraded due to alien trees, trampling and grazing, any remnants of Western Rûens Shale Renosterveld is of high conservation importance given that only 9.3 % of the original extent remains (State of Biodiversity, 2017). Therefore the ~1 ha of indigenous		Noted. It is likely that the relevant renosterveld patches which are already degraded will continue to deteriorate if the dam enlargement will not be conducted as a result of edge effects from adjacent agriculture. A number of larger, intact natural renosterveld patches are evident	J. Krige – The Botanist

COMMENTS & RESPONSE REPORT

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	<p>vegetation that would be inundated at Full Supply Level (FSL) is a significant loss.</p>		<p>within the immediate surrounding areas. Natural habitat within this critically endangered ecosystem will thus be preserved locally. It is the specialist's opinion that the development should be authorised under the condition that deterioration of adjacent natural vegetation remnants and the relevant watercourses are prevented.</p>	
	<p>The botanist recommends that watering of revegetated areas will be required. The botanist should provide further information on the source and quantity of water required for the vegetation to re-establish.</p>		<p>Revegetated areas should be irrigated using sprinklers at least through the first summer.</p>	<p>J. Krige – The Botanist</p>
	<p>Freshwater survey recommendations</p> <p>CapeNature supports the recommendations from the freshwater specialist in regard to the mitigation of flow modification; disturbance and loss of aquatic habitat; alien vegetation and water quality impairment.</p> <p>The development will have the greatest impact on the ecological reserve, which is critical to the freshwater ecology on site and downstream of the site. While the specialist mentions that there is sufficient flow remaining for the ecological reserve and that this flow contribution be allowed for in the low-flow period between December and April, this may be difficult to monitor; therefore, an engineered solution should be implemented.</p> <p>The analysis of freshwater ecosystems was undertaken at a rapid level and did not involve detailed habitat and biota assessments. At this stage, it can be assumed that no freshwater fish surveys are required since the watercourses are non-perennial. However, the applicant should provide information as to why SASS assessments were not considered as a means of obtaining baseline</p>		<p>A SASS5 (South African Scoring System Version 5) assessment was not done as the aquatic habitats were not suited for the assessment. There was only low flow and stagnant water or wetland areas which would just have given a low SASS5 Score and ASPT (average score per taxa).</p>	<p>T. Belcher – Blue Science</p>

COMMENTS & RESPONSE REPORT

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	data for monitoring and comparing biota upstream and downstream of the Klipkraal Dam and balancing dam.			
	<p>Associated infrastructure recommendations</p> <p>The pipelines to be laid from the Klipkraal Dam to the balancing dam and the Houtveld Dam pipeline are 1 250 m and 950 m in length, respectively. The working buffer around these pipes that are required to dig the trenches have not been specified in the application. Given that the pipes are fairly narrow (250 mm and 315 mm in diameter), CapeNature suggests that this working buffer is no more than 2 m wide, thereby making the development footprint of the pipelines approximately 4 400 m².</p>		<p>3m wide working widths are required to allow the movement of a small excavator. Therefore, the development footprint of the pipelines is approximately 6 600m².</p> <p>The draft BAR was updated accordingly.</p>	<p>Ingerop & DJEC</p> <p>DJEC</p>
	CapeNature supports the recommendations in the stormwater management plan. In line with these recommendations, the methods for the upgrading of the natural channels must be pre-approved by an environmental consultant to ensure that no conservation areas are disturbed or polluted by construction materials and methods.		<p>Your comment is noted.</p> <p>The methods for the upgrading of the natural channels will be pre-approved by the Environmental Control Officer (ECO) prior to commencement with the works.</p>	DJEC
	The recommended upgrades to gravel roads include an unlined excavated side drain channel to divert runoff. This upgrade will constitute an additional development footprint and would need to be added to the development footprint.		The draft BAR was updated accordingly.	DJEC
	The proposed location of the pump house will be within 50 m of indigenous vegetation. The pump house should be relocated further into the adjacent cultivated land to reduce the risk of any oil and fuel spills from leaking into the indigenous vegetation.		The proposed pump house footprint was reduced to approximately 65m ² . The pump house will be roofed and bunded and the surface will be impermeable to prevent any oil and fuel spills from leaking into the surrounding environment.	DJEC

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	The proposed access road will add an additional development footprint of 1 440 m ² (4 m x 360 m).		The draft BAR was updated accordingly.	DJEC
	<p>EMP and MMP recommendations</p> <ul style="list-style-type: none"> Construction materials should be certified free of alien seed. 		Noted and agreed. All materials imported to site will be certified clean and free of alien seed.	DJEC
	<ul style="list-style-type: none"> A topsoil management plan will need to be included if topsoil is to be stockpiled for longer than six months. 		Noted and agreed. A method statement will be compiled as part of the EMPr detailing the management of top soil during the construction phase.	DJEC
	<ul style="list-style-type: none"> There is a typographical error in section 2.16.2 a. Vegetation Rehabilitation. The text should read: "Non-indigenous and non-endemic species are not permitted." 		Noted. The typographical error was corrected.	DJEC
	<ul style="list-style-type: none"> The EMP notes that smoking and braai fires are allowed in designated areas. Please note that the renosterveld is a fire-driven ecosystem, and coupled with the alien tree stands, the site may have a high fire risk. CapeNature suggests that intentional fires shall not be burned on site, and that smoking be restricted to an enclosed smoking area with a sand drum to extinguish cigarettes. 		Your comment is noted and Section 2.15.1 of the EMPr has been updated accordingly.	DJEC
	<p>CapeNature would like the above queries and recommendations to be considered, and will be able to comment further in the next round of public participation.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>		CapeNature's queries and recommendation were considered, changes were made in the draft BAR, EMPr and MMP, where needed.	DJEC

COMMENTS & RESPONSE REPORT

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2018-03-29	1. The abovementioned pre-application Basic Assessment Report ("BAR"), dated February 2018, received by the Department on 21 February 2018, and the Department's correspondence dated 26 February 2018, refer.	DEA&DP Directorate: Development Management (Region 2)		
	<p>2. Further to review the information submitted to this Department, the following is noted:</p> <p>2.1. The proposal entails the expansion of the Klipkraal Dam, repair of an existing in-stream dam north-east of the Klipkraal Dam, installation of pipelines from the dam to the existing Houtveld Dam pipeline and balancing dam, relocation of existing infrastructure and installation of stormwater management measures.</p> <p>2.2. The aforementioned proposal will be undertaken on Portions 10 and 15 of Farm No. 105, Farm No. 93 and Farm No. 828, Caledon.</p> <p>2.3. The properties are largely cultivated and actively farmed. They are situated south-west of Villiersdorp and the Theewaterskloof Dam.</p>		True and correct.	DJEC
	<p>3. The following is the Department's provisional comment on the pre-application BAR:</p> <p>3.1. Comments from, but not limited to, the following relevant authorities must be obtained during the Public Participation Process ("PPP") and included in the final BAR submitted for decision-making:</p> <ul style="list-style-type: none"> Theewaterskloof Municipality; 		<p>The authorities identified by the Department were requested to provide comment during the pre-application PPP, however the Theewaterskloof Municipality and the Department of Agriculture did not respond.</p> <p>Refer to the proof of notification sent included under Appendix F2 of the BAR.</p>	DJEC

COMMENTS & RESPONSE REPORT

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	<ul style="list-style-type: none"> • CapeNature; • Department of Agriculture; and • Department of Water and Sanitation/Breede Gouritz Catchment Management Agency ("BGCMA"). 		These authorities will be requested in writing to provide comment on the draft BAR as well.	
	3.2. The report and Environmental Management Programme ("EMPr") makes reference to the EIA Regulations in terms of Government Notice ("GN") Numbers 983 and 985. Please note reference to the EIA Regulations should refer to GN No. 327 and GN No. 324 respectively.		The Government Notice Numbers were corrected in the BAR and EMPr.	DJEC
	3.3. The Department advises that Critical Biodiversity Areas have not been formally adopted by the Competent Authority in the Western Cape. As such, activity 23 of Listing Notice 3 is not triggered.		Your comment is noted.	DJEC
	3.4. Please ensure that proposed storm water management measures that are proposed within watercourses are included in the development description applicable to Activity 19 of Listing Notice 1. For example, where erosion control measures are proposed at discharge locations within tributaries.		Noted. The development description has been amended accordingly.	DJEC
	3.5. It is recommended that an indication of the buffer and no-go areas are depicted on the site development plan, particularly the version included in the EMPr.		Noted. The site development plan was updated to indicate the buffer and no-go areas. Refer to the updated site development plan under Appendix 1B of the EMPr.	DJEC
	3.6. Please ensure all relevant mitigation measures recommended by the specialists are included in the EMPr, where practical and appropriate.		All relevant mitigation measures recommended by the specialists are included in the EMPr. Refer to the EMPr included under Appendix H of the BAR.	DJEC

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>3.7. Method Statements for anticipated maintenance activities must be included with the Maintenance Management Plan.</p>		<p>Noted. The Maintenance Management Plan (MMP) will be updated to include the method statements for anticipated maintenance activities. Refer to the MMP included under Appendix 7C of the EMPr.</p>	<p>DJEC</p>
	<p>3.8. The applicant/Environmental Assessment Practitioner ("EAP") is reminded to include the following PPP information, in terms of the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), in the BAR for decision-making:</p> <p>3.8.1. Details of the public participation process undertaken in terms of regulation 41 of these Regulations, including copies of the supporting documents and inputs; and</p>		<p>Please refer to proof of the PPP undertaken included under Appendix F of the BAR.</p>	<p>DJEC</p>
	<p>3.8.2. A summary of the issues raised by Interested and Affected Parties ("I&APs"), and an indication of the manner in which the issues were incorporated, or the reasons for not including them.</p>		<p>Please refer to Section C3 and C4 of the BAR.</p>	<p>DJEC</p>
	<p>3.9. Please ensure that original signed and dated applicant, EAP and specialist declarations are submitted with the final BAR to this Department for decision-making.</p>		<p>Noted. The original signed and dated declarations will be included in the final BAR.</p>	<p>DJEC</p>
	<p>4. Please note that omission of any required information in terms of Appendices 1 and 4 of GN No. 326 with regards to the final submission to the Department of the BAR and EMPr respectively, may result in the application for environmental authorisation being refused.</p>		<p>Noted and agreed.</p>	<p>DJEC</p>

COMMENTS & RESPONSE REPORT

DATE	COMMENT	AUTHORITY / I&AP	RESPONSE	RESPONDENT
	<p>5. The Department awaits the submission of the Application Form prescribed by Regulation 16 of the EIA Regulations, 2014 (as amended).</p> <p>6. Kindly quote the abovementioned reference number in any future correspondence in respect to the application.</p> <p>7. Please note that the activity may not commence prior to an environmental authorisation being granted by the Department. It is an offence in terms of Section 49 A(1)(a) 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. Failure to comply with the requirements of Section 2F of the NEMA will 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 both such final and imprisonment.</p> <p>8. This Department reserves the right to revise or withdraw any comments or requests further information from you based on any information received.</p>		<p>Your comment is noted.</p>	<p>DJEC</p>
COMMENTS FROM INTERESTED AND AFFECTED PARTIES				
<p>2018-02-28</p>	<p>We are an interested and affected party and would like to be kept informed of the developments.</p>	<p>Mr. Desmond Mudge, Mr. Emile Pretorius & Mr. Justin Mudge</p>	<p>The I&APs were registered on the project database and will be kept informed.</p>	<p>DJEC</p>