



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Private Bag X 447 · PRETORIA · 0001 · Environment House · 473 Steve Biko Road, Arcadia, · PRETORIA
Tel (+ 27 12) 399 9372

DEA Reference: 14/12/16/3/3/1/1508

Enquiries: Matlhodi Mogorosi

Telephone: 012-399-9388 **E-mail:** mmogorosi@environment.gov.za

Ms Manda Hinsch
SRK Consulting (Pty) Ltd
P. O. Box 35290
MENLOPARK
0102

Tel: (012) 361 9821
E-Mail: hinm@srk.co.za

PER MAIL / E-MAIL

Dear Ms Hinsch

COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT (DBAR) FOR THE PROPOSED REHABILITATION OF THE SKOENMAKERS RIVER WITHIN BLUE CRANE LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE

The Draft Basic Assessment Report (DBAR) dated November 2015 and received by the Department on 30 November 2015, and the application form, refer.

The Department has the following comments on the DBAR:

Project description

- a) The project description must be expanded to provide a detailed description of what the rehabilitation intervention will entail. This should include structures that may be erected during rehabilitation and how they would relate to the project. If there are any existing infrastructures on site, these must also be described in detail in the project description.

Contents of the submitted DBAR

- b) The submitted DBAR includes information for separate applications (DEA Ref: 14/12/16/3/3/1/1361 – 1370) for the restoration of ten river crossings on the Skoenmaker's River (including public participation information, advertisements, comments and response report etc.). Please include in the BAR only the information which is relevant to this application, in order to avoid any confusion when reviewing the report. The BAR needs to be clear on which comments / objections were received, and where minimum requirements of the regulations were met specific to this project.

The locality map and layout plan must also only depict the proposed activity(ies) / site(s) relevant to this application (14/12/16/3/3/1/1508). (The EMPr may however include information for both projects, as it is understood that one management plan may be used by the proponent to manage and implement the mitigation measures on the Skoenmaker's River in a holistic manner).

- c) Please also ensure that the BAR includes the period for which the environmental authorisation is required and the date on which the activity will be concluded as per the 3(1)(q) of Appendix 3 of GN R. 982.

Public Participation Process

- d) The BAR indicates that the sites for the proposed rehabilitation interventions will only be known after the modelling of the river has been completed, that different alternatives are still being considered as part of the final designs of the interventions and that the details of these alternatives will be provided in the final BAR. This seems to imply that significant new information (i.e. project specific detail, alternatives and assessments), not previously made available to Interested and Affected Parties (I&APs), is still to be included in the BAR. Please note that the draft BAR will have to be made available to interested and affected parties for a further 30 day comment period, should significant new information be provided in the report, this must be done prior to the submission of the final BAR to the Department for decision making. Please also take note of Regulation 19(1)(b) in this regard.
- e) Please ensure that all issues raised and comments received during the circulation of the DBAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR. Proof of notification and correspondence with the various stakeholders must be included in the final BAR (since the draft BAR indicates that site notices, I&AP notifications and advertisements are still to be placed). Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014.

General

You are further reminded that the final BAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of basic assessment reports and EMPs in accordance with Appendix 1, Appendix 4 and Regulation 19(1)(a) of the Environmental Impact Assessment Regulations (2014). Please ensure that the final BAR also includes the details and expertise of the EAP, and the undertaking under oath or affirmation by the EAP that is required in terms of 3(1)(r) of Appendix 1 of GN R. 982.

Further note that in terms of Regulation 45 of the EIA Regulations, 2014, this application will lapse if the applicant fails to meet any of the timeframes prescribed in terms of these Regulations, unless an extension has been granted in terms of Regulation 3 (7).

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Signed by: Ms Sindiswa Dlomo

Designation: Deputy Director (Acting): Integrated Environmental Authorisations

Date: 22/01/2016

CC:	Mr D Coetzee	DWS	Tel: 041 508 9700	Email: CoetzeeD@dwa.gov.za
-----	--------------	-----	-------------------	----------------------------



09 February 2016
472748

Deputy Director: Integrated Environmental Affairs
Department of Environmental Affairs
Environment House
Cnr Steve Biko and Soutpansberg rd
Pretoria
0001

Attention: Matlhodi Mogorosi

Dear Matlhodi Mogorosi

Final Basic Assessment Report for the proposed Rehabilitation of the Skoenmakers River in the Eastern Cape Province. DEA Reference Number: 14/12/16/3/3/1/1508.

SRK Consulting (Pty) Ltd (SRK) has been appointed by BVI Consulting Engineers to conduct the Environmental Authorisation Application process for the proposed rehabilitation of the Skoenmakers River, Eastern Cape.

To this end, the application form and Draft Basic assessment report have been submitted to the DEA as competent authority concurrently. The DBAR was also distributed to the relevant commenting authorities and was placed in the public domain for the requisite 30 day comment period.

Herewith, please accept the Final Basic Assessment Report (FBAR) for the proposed project. Please note that the FBAR has also been distributed to the relevant commenting authorities and has been placed in the public domain.

The following comments on the DBAR that were received from the DEA on the 22 of January 2016 have been addressed as follows.

The project description must be expanded to provide a detailed description of what the rehabilitation intervention will entail. This should include structures that may be erected during rehabilitation and how they would relate to the project. If there are any existing infrastructures on site, these must also be described in detail in the project description.

- Details of what the rehabilitation interventions will entail have been included into the FBAR. Please refer to section A for a brief project description as well as Appendix C for the design drawings. Appendix J contains the Skoenmakers River Erosion Protection Report. Please refer to this for a detailed account of what the rehabilitation intervention will entail.

Partners AH Bracken, MJ Braune, JM Brown, CD Dalgliesh, JR Dixon, BM Engelsman, R Gardiner, GC Howell, WC Joughin, DA Kilian, PR Labrum, BF Liber, DJ Mahlangu, RRW McNeill, HAC Meintjes, MJ Morris, GP Nel, VS Reddy, M Ristic, PE Schmidt, PJ Shepherd, MJ Sim, VM Simposya, AA Smithen, HFJ Theart, KM Uderstadt, AT van Zyl, DJ Venter, MD Wanless, ML Wertz, A Wood

Directors AJ Barrett, JR Dixon, GC Howell, V Maharaj, DJ Mahlangu, VS Reddy, PE Schmidt, PJ Shepherd

Associate Partners R Armstrong, N Brien, SE Coetser, M Hinsch, AH Kirsten, LH Kirsten, S Kisten, JA Lake, V Maharaj, SA McDonald, RD O'Brien, T Shepherd, JJ Slabbert, D Visser

Consultants AC Burger, *BSc(Hons)*; JAC Cowan, *PrSciNat, BSc(Hons)*; JH de Beer, *PrSci Nat, MSc*; T Hart, *MA, TTHD*; Dr GA Jones, *PrEng, PhD, TR Stacey, PrEng, DSc*; Dr OKH Steffen, *PrEng, PhD*; PJ Terbrugge, *PrSciNat, MSc*; DW Warwick, *PrSciNat, BSc(Hons)*

SRK Consulting (South Africa) (Pty) Ltd

Reg No 1995.012890.07

African Offices:

Cape Town	+ 27 (0) 21 659 3060
Durban	+ 27 (0) 31 279 1200
East London	+ 27 (0) 43 748 6292
Johannesburg	+ 27 (0) 11 441 1111
Kimberley	+ 27 (0) 53 861 5798
Pietermaritzburg	+ 27 (0) 33 347 5069
Port Elizabeth	+ 27 (0) 41 509 4800
Pretoria	+ 27 (0) 12 361 9821
Rustenburg	+ 27 (0) 14 594 1280
Accra	+ 23 (3) 24 485 0928
Harare	+ 263 (4) 49 6182
Lubumbashi	+ 243 (0) 81 999 9775

Group Offices:

Africa
Asia
Australia
Europe
North America
South America



The submitted DBAR includes information for separate applications (DEA Ref: 14112i16/3t3/1/1361 -1370) for the restoration of ten river crossings on the Skoenmakers River (including public participation information, advertisements, comments and response report etc.). Please include in the BAR only the information which is relevant to this application, in order to avoid any confusion when reviewing the report. The BAR needs to be clear on which comments / objections were received, and where minimum requirements of the regulations were met specific to this project.

- All the information submitted in the FBAR is relevant to the proposed river rehabilitation in this application. All mention of the river crossing applications have been removed.

The locality map and layout plan must also only depict the proposed activity(ies)/site(s) relevant to this application (14/12/16/3/3/1/1508). (The EMPr may however include information for both projects, as it is understood that one management plan may be used by the proponent to manage and implement the mitigation measures on the Skoenmakers River in a holistic manner).

- The locality map, layout plan and sensitivity map submitted for the FBAR only depict the proposed activity(ies) / site(s) relevant to this application (14/12/16/3/3/1/1508). Please refer to Appendix A for the above mentioned Maps.

Please also ensure that the BAR includes the period for which the environmental authorisation is required and the date on which the activity will be concluded as per the 3(1)(q) of Appendix 3 of GN R. 982.

- The period for which the environmental authorisation is required and the date on which the activity will be concluded as per the 3(1)(q) of Appendix 3 of GN R. 982 have been included in the FBAR. Please refer to Section A of the FBAR for this information.

The BAR indicates that the sites for the proposed rehabilitation interventions will only be known after the modelling of the river has been completed, that different alternatives are still being considered as part of the final designs of the interventions and that the details of these alternatives will be provided in the FBAR. This seems to imply that significant new information (i.e. project specific detail, alternatives and assessments), not previously made available to Interested and Affected Parties (I&APs), is still to be included in the BAR. Please note that the draft BAR will have to be made available to interested and affected parties for a further 30 day comment period, should significant new information be provided in the report, this must be done prior to the submission of the final BAR to the Department for decision making. Please also take note of Regulation 19(1)(b) in this regard.

- Alternatives have been provided in the FBAR. Please note that the FBAR will be made available to the interested and affected parties for a further 30 day comment period from 9 February 2016.

Please ensure that all issues raised and comments received during the circulation of the DBAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR. Proof of notification and correspondence with the various stakeholders must be included in the final BAR (since the draft BAR indicates that site notices, I&AP notifications and advertisements are still to be placed). Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments. The Public Participation Process must be conducted in terms of Regulation 39, 40, 41, 42, 43 & 44 of the EIA Regulations, 2014.

- All issues and comments that were received during the circulation of the DBAR from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the FBAR. Please refer to section C in the FBAR and Appendix E for the Comments and Responses report.

You are further reminded that the final BAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of basic assessment reports and EMPrs in accordance with Appendix 1, Appendix 4 and Regulation 19(1)(a) of the Environmental Impact Assessment Regulations (2014). Please ensure that the final BAR also includes the details and expertise of the EAP, and the undertaking under oath or affirmation by the EAP that is required in terms of 3(1)(r) of Appendix 1 of GN R. 982.

- The FBAR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of basic assessment reports and EMPrs in accordance with Appendix 1, Appendix 4 and Regulation 19(1)(a) of the Environmental Impact Assessment Regulations (2014).

The FBAR also includes the details and experience of the EAP and the undertaking under oath or affirmation by the EAP that is required in terms of 3(1)(r) of Appendix 1 of GN R. 982. Please refer to the cover documentation for the required contents of the BAR as per Appendix 1 of GN R. 982.

Please note that this basic assessment forms part of a large project that aims to rehabilitate the river as well as rebuild river crossings along the Skoenmakers River.

Should you have any queries, please contact our office

Yours faithfully,

SRK Consulting - Certified Electronic Signature

 
472746/42163/Report 1
4765-9961-S411-P/NM
This signature has been printed digitally. The Author has given permission for its use for this document. The details are stored in the SRK Signature Database

Manda Hinsch
Associate Partner
SRK Consulting (South Africa) (Pty) Ltd