



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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

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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

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