



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Directorate: Forestry Management (Other Regions)
P.O. Box 2782, Uppington, 8800, Tel 054 338 5909, Fax 054 334 0030

Enquiries: J Mans
E-mail: JacolineMa@daff.gov.za
Date: 5 January 2017
Ref: 40.8.14.2/NC/64

Mokgope Consultants cc
P.O. Box 2363
HIGHLANDS NORTH
Johannesburg
2037

ATTENTION: Ms Judith Fasheun (judy@mokgope.co.za)

FAX: 086 607 9481

RE: COMMENTS ON DRAFT SCOPING REPORT FOR THE PROPOSED AGGENEYS-PAULPUTS 400 kV TRANSMISSION LINE AND UPGRADE OF SUBSTATIONS, NORTHERN CAPE

1. DEPARTMENTAL MANDATE

The Directorate: Forestry Management (Other Regions) in the Department of Agriculture, Forestry and Fisheries (DAFF) is responsible for implementation of the **National Forests Act, Act 84 of 1998 (NFA)** and the **National Veld and Forest Fires Act, Act 101 of 1998** as amended. The developer must take note of the following sections of the NFA:

1.1 Section 12(1): "The Minister may declare-

- (a) a particular tree,
- (b) a particular group of trees,
- (c) a particular woodland; or
- (d) trees belonging to a particular species, to be a protected tree, group of trees, woodland or species.

1.2 Section 15(1): "No person may-

- (a) **Cut, disturb, damage or destroy any protected tree;** or
- (b) Possess, collect, remove, transport, export, purchase, sell, donate or in any other manner acquire or dispose of any protected tree, or any forest product derived from a protected tree, **except-**
 - (i) **under a license** granted by the Minister; or
 - (ii) in terms of an exemption from the provision of this subsection published by the Minister in the Gazette on the advice of the Council."

- 1.3 "Any person who contravenes the prohibition on-
- (i) The cutting, disturbance, damage or destruction of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(a); or
 - (ii) The possession, collection, removal, transport, export, purchase or sale of temporarily protected trees or groups of trees referred to in section 14(2) or protected trees referred to in section 15(1)(b), or any forest product derived from a temporarily protected tree, group of trees or protected tree, is guilty of a first category offence.
- 1.4 Section 58 (1): "Any person who is guilty of a first category offence referred to in sections 62 and 63 may be sentenced to a fine or imprisonment for a period of up to three years, or to both a fine and such imprisonment."
- 1.5 The list of protected tree species under section 12(1) (d) of the National Forests Act, 1998 (Act No. 84 of 1998) was published in GN1161 of 20 November 2015.

2. COMMENTS ON DRAFT SCOPING REPORT

- 2.1 The Department has studied the Draft Scoping Report (DSR) and would hereby like to make a few comments which can be incorporated into the Final Scoping Report or EIA Report (if too late for the Scoping Phase).
- 2.2 Kindly furnish this office with a hardcopy of the Fauna and Flora Specialist Impact Assessment Reports, once available.
- 2.3 The Draft Scoping Report mentioned that NFA listed protected tree species may occur in the study site. The powerline should avoid large, slow growing protected tree species as far as possible.
- 2.4 A site sensitivity map should be developed to identify sensitive areas with high diversity plant species and/or areas with high density protected trees, which must be avoided as far as possible.
- 2.5 Impacts on provincially protected and specially protected plant species as listed under the Northern Cape Nature Conservation Act, 9 of 2009 (NCNCA), must be assessed.
- 2.6 The proposed powerline is said to traverse Critical Biodiversity Areas (CBA), as well as Ecological Support Areas (ESA), thus it is crucial to obtain comments from Nature Conservation. The servitude of 55 m over a distance of 98 km may result in the loss of ± 539 ha natural indigenous plant species, which may be significant.
- 2.7 Page 50 of the Draft Scoping Report stated that *Aloe dichotoma* could occur within the proposed corridors. Please take note of the Moratorium in place in the Northern Cape, prohibiting the removal or relocation of Quiver trees from the wild. For more information about the Moratorium, please contact Nature Conservation in Kimberley.

Regards,



Jacoline Mans
Chief Forester: NFA Regulation

Please note my DAFF e-mail is currently out of order.

