

**PROPOSED HYDROPOWER STATION AND ASSOCIATED INFRASTRUCTURE AT BOEGOEBERG DAM ON THE ORANGE RIVER, NEAR GROBLERSHOOP,
NORTHERN CAPE:
AVAILABILITY OF THE DRAFT SCOPING REPORT
DEA Ref: 14/12/16/3/3/2/568; NEAS Ref: DEA/EIA/TBA**

COMMENTS AND RESPONSE REPORT 1

Available in Afrikaans upon request

This Comments and Response Report reflects the comments submitted during the Draft Scoping Report (DSR) public comment period (from **17 July 2013** until **26 August 2013**). Nine comments were received and are summarised below with the relevant responses. Please refer to **Annexure B** for the detailed comments as received.

SUBMISSIONS:

Ref.	Name	Organisation	Date Received	Method
1.	N.J. Toerien	The Department of Agriculture, Land Reform and Rural Development	5 August 2013	Letter
2.	F. Mokoma	Department of Agriculture, Forestry and Fisheries (DAFF)	7 July 2013	Email
3.	Walther van der Westhuizen	Department of Water Affairs (DWA)	22 July 2013	Email
4.	Thebe Olebogeng	Department of Water Affairs (DWA)	19 July 2013	Email
5.	John Geeringh	ESKOM	26 July 2013	Email
6.	Bennie Burger	Plaasboer Bo-Seekoebaard	14 August 2013	Email
7.	Mr. David Schalk Fourie	Plaasboer 307 & 308	25 August 2013	Website
8.	Kathryn Smuts	SAHRA	30 July 2013	Letter
9.	Natasha Wilson	WWF-SA	7 July 2013	Email

PUBLIC PARTICIPATION PROCESS

Comments and Responses

No.	Name	Issue	Response
1.	N.J. Toerien	– With the development of the abovementioned activities the developer must take care of the following: Article 7.(3)b of Regulation 9238: CONSERVATION OF AGRICULTURE RESOURCES, 1983 (Act 43 of 1983) Utilisation and protection of vleis, marshes, water sponges and water courses 7.(1) " no land user shall utilize the vegetation in a vlei, marsh or water sponge or within the flood area of a water course or within 10 meters horizontally outside such flood area in a manner that causes or may cause the deterioration of or damage to the natural agriculture resources." (3)(b) "cultivate any land on his farm unit within	– Noted. An aquatic ecology assessment will be undertaken by the relevant specialists to determine potential impacts on aquatic resources.

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		<p>the flood area of a water course or within 10 meters horizontally outside the flood area of a water course"</p> <ul style="list-style-type: none"> - Take also care of the following: who is the current landowner; will it be a subdivision of land or a lease contract between the developer and the landowner? Rezoning will also be applicable because the land use will change from the current agricultural status. - The Department of Agriculture, Land Reform and Rural Development foresees no problems in the development as mentioned above as long as the developer adheres to the articles of Act 43 of 1983. 	<ul style="list-style-type: none"> - The land will be leased from the owner for the full term of the Independent Power Producers contract. The land would be rezoned from agricultural to special use in a separate LUPO process which shall be initiated by the proponent. - Noted the developer confirms they will adhere to the articles of Act 43 of 1983.
2.	Francina Mokoma (DAFF)	<ul style="list-style-type: none"> - With reference to the above-mentioned matter this Department wishes to inform you that, the following information is outstanding: - Full EIA report - Layout plan - Title deed - On receipt of the outstanding information the matter will receive further attention. 	<ul style="list-style-type: none"> - Please note that this is the Scoping phase during which I&APs and authorities (such as DAFF) have the opportunity to identify issues and impacts for further investigation. This information is incorporated into a Scoping report, which will guide the scope of the next phase, being the Environmental Impact Assessment where the EIA report is compiled (including the final layout and title deeds) at which time an electronic copy of this report will be submitted for your review and comment.
3.	Walther van der Westhuizen (DWA)	<ul style="list-style-type: none"> - Mr van der Westhuizen noted the Boegoeberg dam is owned by the DWA and that plans would need to be discussed in detail with both him and Dries Visser as they are responsible for DWA infrastructure and the associated property on which it lies, and ultimately for the approval which would be required. 	<ul style="list-style-type: none"> - Noted. A meeting was held on 8 august 2013 between DWA representatives and the proponent at which the following was discussed: <ul style="list-style-type: none"> • Where this project's works would discharge in relation to the existing Boegoeberg weir and the length of the headrace past the existing weir. It was confirmed that the proposed tailrace would discharge no further than 200m downstream of the Boegoeberg weir and therefore would not be an impediment to the new DWA measuring weir, to be built some 2km downstream

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			<p>from the existing weir.</p> <ul style="list-style-type: none"> • The proponent is aware of the current problems resulting from the high silt load being entrained by the weir and they (the proponent) will seek an engineering solution to ensure that their works do not in any way aggravate the current silt problems. This will be reported on in the EIA phase. • The current DWA flow measurement regime at the two weirs (Neusberg & D7H008 – Zeekoebaardt measuring weir) was discussed and it was agreed that BHEP (Boegoeberg Hydro Electric Power) will not be required to install measurement devices for the benefit of DWA, but that they would make plant flow measurement information available to the DWA. • Economic Development was briefly touched on and it was confirmed that this should be similar to that achieved at Neus. Economic Development will be discussed further in the EIR. • From the above it appeared that DWA was satisfied with the proponent’s explanations and comments.
4.	Thebe Olebogeng (DWA)	<p>– I think there is a need for a public meeting to be held as outlined. Another issue I have raised in similar projects from your company was the advertisement of such a project. It is limiting to say that an Afrikaans and English version was advertised in local media (newspapers), if it was advertised (with an English & Afrikaans clip) in an Afrikaans newspaper. Most English news readers simply do not buy the Afrikaans newspaper. Therefore the English advert never gets to reach the English reader.</p>	<p>– The following activities were undertaken as part of the Boegoeberg Public notification process:</p> <ul style="list-style-type: none"> • At initiation of the public notification the owners of all affected property portions and their neighbours are identified, registered and informed directly via mail, email, sms or fax. For notification of the wider public within the area popular and widely read local and regional publications were identified in which to advertise. In this instance the number of publications is limited due to the remoteness of the site and limited

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		<ul style="list-style-type: none"> - I therefore request that this project be advertised in the “both” the English and Afrikaans newspapers separately to attract the attention it deserves. - Other forms of media should also be used e.g. local radio stations and newspapers etc. 	<p>surrounding settlements. Furthermore the choice of publication is based on the newspaper distribution in relation to the proposed site where the majority of those interested or affected parties would be found. The public notification guidelines (GUIDELINE ON PUBLIC PARTICIPATION, EIA GUIDELINE AND INFORMATION DOCUMENT SERIES (MARCH 2013)) indicate that where impacts will be localised, as is the case in this project, an advertisement must be placed in the local newspaper circulating in the area where the site and any alternative site is located, as was done. The paper selected was the Volksblad which has the largest distribution in the Free State and Northern Cape. There is no equivalent English local paper. It is felt that this is adequate as the demographics of the Northern Cape show that only 3.4% of the population are English and only 1.1% of the !Kheis municipality have English as a first language being only . Afrikaans is thus the first language of 92.9% of the population (Census 2011).</p> <ul style="list-style-type: none"> • Various other methods are also used to capture English speakers in the area, namely placing notices (English & Afrikaans) on community boards at the library and municipality as well as the entrance to the proposed site.
		<ul style="list-style-type: none"> - Under “Legal Requirements,” I would like you to include the National Water Act. As application to DWA must be launched with the relevant authority. I am aware that DEA will normally have as a condition in the authorisation that all other legislative requirements must be complied with; however I would like to see this being emphasised from the beginning 	<ul style="list-style-type: none"> - Please note that the detailed legal requirements including the National Water Act, Act No. 36 of 1998 (NWA) are captured in the Draft Scoping Report (DSR). The Applicant has been in on-going discussions with DWA with regard to the abovementioned project and is in the process of applying for the necessary authorisations.

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		by the applicant.	
		<ul style="list-style-type: none"> - DWA does flow measurements from the Boegoeberg dam structure as well as downstream of the dam to effectively manage the scarce resource. No flow measurements in this precinct should be adversely affected by the “proposed project.” I would therefore request that all designs should be discussed with the “Specialist Design Engineer” from DWA national office Dr. Pieter Wessels as well as any implications on flow measurements directly through my office. 	<ul style="list-style-type: none"> - Dr. Pieter Wessels has been added to the project database and will be informed of the environmental process going forward. In addition the applicant will consult with Dr Wessels on the design engineering of the proposed project. The statement that “No flow measurements in this precinct should be adversely affected by the proposed project” is noted As such any flow measurement implications will be communicated directly through the DWA office, as requested. - Flows through the Boegoeberg Hydro Electric Project will be a maximum of 120m³/s. This is less than the capacity of the measuring weir downstream of the Boegoeberg Weir (circa 156m³/s), so no impact is envisaged on the ability to measure low flows. The project will record discharge through the turbines and these flows will be provided to DWA as a matter of interest.

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5.	John Geeringh (ESKOM)	<ul style="list-style-type: none"> – Will the proposed 132kV power line cross the river? How wide is the river at the proposed point of crossing? If the line cross the river, you will have to do a bird impact assessment, and also make sure it is technically feasible to cross the river with the line. 	<ul style="list-style-type: none"> – The proposed transmission line will most likely be a 33kV line (the Scoping Report indicates a maximum of 132kV will be considered) and will cross the river. Andrew Jenkins from Avisense will undertake an avifaunal specialist studies for the lines and mitigations recommended will be in line with Eskom’s requirements, this may include measures such as bird flappers on H-pole structures. The point proposed for the actual crossing, will be approximately 200m in width and it is proposed that on the most appropriate structural technologies would be used to minimise any areas if in the birds’ flight paths. More detailed information will be provided in the EIA phase, including the findings of studies and recommended mitigations.
6.	Bennie Burger (Plaas Bo- Seekoebaard)	<ul style="list-style-type: none"> – I do not have a problem with the proposed Hydropower plant at Boegoeberg dam but if the water level drops by more than one meter in the dam I will not be able to pump water for my irrigation. The next big problem is that our dirt roads are already in such a bad state that any increase in traffic and especially that of heavy vehicles will make our situation even more desperate. We regularly run up against a wall at the Roads Administration and are forced to take these roads so we can deliver our products to Groblershoop Upington etc. The poor state of the roads, cause for enormous high maintenance costs on our vehicles. I hope these problems will be definitely paid attention to in this project. 	<ul style="list-style-type: none"> – Lowering of water level: In terms of the Water Use Licence Application (WULA) the proponent will not at any time be lowering the water level below that of the crown (“kruin”) height of the weir. Thus, at worst case, all famers using water for irrigation will have full supply through the existing irrigation canal and the top of the weir will show a small flow passing over it before the plant can even begin to draw any water. This will be reflected as such in the WULA. – Access Roads: The increase in traffic during construction will be minimal. The potential impact will however be discussed in the EIA phase. The following trips would be anticipated; <ul style="list-style-type: none"> – <u>Daily</u> <ul style="list-style-type: none"> ○ Site Management to and from site in LDV – 3 x LDV x 2 trips (to and from) average = 6 LDV trips per day ○ Site staff – Taxis to and from site – 3 Taxis x 2 trips average = 6 taxi trips per day –

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			<ul style="list-style-type: none"> remainder of staff staying on site ○ Visitors – 2 trips to and from per week = 0.4 LDV trips per day ○ Sub-contractors – let's allow 60% of the above items for them – thus 7.45 trips per day – <u>Irregularly</u> <ul style="list-style-type: none"> ○ Cement Trucks – estimated that a total concrete volume will not exceed 3500m3 = 25000 bags @ 1200 bags per trip = 21 trips over 24 months = < 1 trip per month ○ Reinforcing = 400 tons at 30 tons per trip = 13.33 trips = < 0.5 trip per month ○ Turbines & generators – 6 Trips to site. – Further to this a Traffic Impact statement will be included in the Draft EIR confirming that the potential impact on road due to the increase in traffic during the construction phase would be minor.
7.	Mr. David Schalk Fourie (Plaasboer 307 & 308)	<ul style="list-style-type: none"> – I am the owner of farm 307 and 308 and farm cattle, sheep and goats. The increase in traffic will have a direct impact on the gravel (Koegas / Groblersshoop) dirt road between my house and the Boegoeberg dam which is covered with white gravel and with the increase in traffic will cause a thick layer of white / gray dust to settle on everything. The gravel road is not regularly scraped but the farmers try to sustain it by dragging it with a tractor. The road cannot handle the traffic now already. Also to be affected the vegetation along the dirt roads and the camps in which animals graze. We would like to request for road to be established taking into consideration the flora and fauna and the current farming practises. 	<ul style="list-style-type: none"> – Noted. HydroSA has agreed that access control measures will be taken from the entrance off the main road where it would be manned requiring sign in to access the property and would serve as traffic calming zone. Furthermore it was agreed that main road through the farmer's yard is to be tarred and then continue thereafter as gravel. It is also suggested that a speed bump is placed in this section to ensure that vehicular traffic keep to low speeds.
8	Kathryn Smuts (SAHRA)	<ul style="list-style-type: none"> – In your Draft Scoping Report received by SAHRA, it is indicated that there will be an assessment of the heritage 	<ul style="list-style-type: none"> – Noted. A desktop Paleontological study will be undertaken to assess whether or not the development will impact upon

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		resources; this should be inclusive of an Archaeological and Paleontological Impact Assessment. The Phase 1 Archaeological Impact Assessment Report that will identify the archaeological sites and assess their significance and make recommendations (as indicated in section 38) about the process to be followed. A Paleontological study must be undertaken to assess whether or not the development will impact upon paleontological resources - or at least a letter of exemption from a Palaeontologist is needed to indicate that this is unnecessary. If the area is deemed sensitive, a full Phase 1 Paleontological Impact Assessment will be required and if necessary a Phase 2 rescue operation might be necessary.	paleontological resource and has been added to the Plan of Study in the FSR.
9.	Natasha Wilson (WWF-SA)	– WWF-SA has no comments regarding this scoping report	– Noted.