

APPENDIX C COMMENTS AND RESPONSES REPORT

All comments received have been captured and responded to in the Comments and Responses Report.

No.:	Details	Comment	Response from EAP/ Applicant/ Specialist
Comments and Responses Report - Draft Scoping Report			
1	31/01/2019 Email Earl Baillache – South Coast Sun Newspaper	I would like to register as an interested party regarding the subsea cable system. Can you send me all the relevant information so that I can publish an article on it or should I get the information from the project website? Any photos or artist's impressions you have would also be welcome.	You have been added to the stakeholder database and will receive correspondence and updates periodically.
2	09/02/2019 Email Lesla La Grange - SAHRA	Thank you for sending this notification. Can you kindly inform me whether this application has been lodged on the South African Heritage Resources Information System (SAHRIS) and what the Case ID is?	The application for the subsea cable has been lodged on SAHRIS portal and the assigned Case ID No is 13412 (5 February 2019). The application for the terrestrial cable has been lodged on SAHRIS portal and the assigned Case ID No is 13534 (4 March 2019).
3	05/02/2019 Uploaded to SAHRA Website Lesla La Grange - SAHRA	<p>The South African Heritage Resources Agency (SAHRA) thanks the applicant for providing the Draft Scoping Report (DSR) for comment.</p> <p>The applicant proposes to install a new subsea fibre optic cable connecting Mauritius to South Africa. The cable will run approximately 538 km (inclusive of Territorial Waters and Economic Exclusive Zone (EEZ)). The system includes a 14 mm to 35 mm diameter subsea cable that will enter the South African EEZ (approximately 370 km from the seashore) and continue through Territorial Waters (approximately 22 km from the seashore), to a landing site at Amanzimtoti Pipeline Beach in KwaZulu-Natal.</p> <p>This activity requires statutory comment from SAHRA in terms of Section 38(8) of the National Heritage Resources Act, No. 25 of 1999 (the "NHRA").</p> <p>SAHRA notes that the applicant has identified the need for a Maritime and Underwater Heritage Impact Assessment (MUCHIA), as referred to on Page 9 of the DSR, and supports the need for this specialist study.</p>	<p>"Marine Heritage" has been replaced with "Maritime Heritage" throughout the scoping report.</p> <p>The potential for the presence of heritage resources at the cable landing station is noted, and will be investigated in the Heritage Impact Assessment.</p>

		<ul style="list-style-type: none"> • Please replace the term "Marine Heritage" with "Maritime Heritage" throughout the document. The Heritage Impact Assessment referred to on Page 112 must also note the potential for the presence of heritage resources at the cable landing site, assess the potential impact, and make recommendations for mitigation where applicable. 	
		<ul style="list-style-type: none"> • The HIA must be submitted to SAHRA via the South African Heritage Resources Information System (SAHRIS) for comment. • All efforts must be made to avoid damage and/or disturbance of cultural heritage material along the offshore cable routes. • Should any shipwreck or cultural heritage material be detected below the high water mark via sidescan sonar or other means, the position must be recorded and SAHRA must be notified immediately. In this event, work must cease and may not commence until feedback has been received from SAHRA. • If shipwreck or cultural heritage material is detected along the offshore alignment is proven or suspected to be older than 60 years, and the applicant is unable to alter the alignment, a permit shall be required from SAHRA before work may commence. • SAHRA must be provided with information regarding any wrecks or anomalies found on or within 200m of the offshore alignment. Specifically, the name of the vessel (if known), any associated chronological data, and the sources for this information must be provided. 	<p>A Maritime Heritage Specialist Study will be undertaken for the Project and the results of this study will be included in the Draft EIA Report and uploaded onto the SAHRIS.</p> <p>The proposed route has been screened to ensure that it avoids locations of any known physical resources.</p> <p>Prior to installation, Sidescan Sonar Data has been used to confirm that the route is clear, by identifying any wrecks within the vicinity of the proposed subsea cable route. The subsea cable route will be modified, if necessary to avoid any known or identified wrecks or cultural heritage material.</p>
		<ul style="list-style-type: none"> • Page 101 - Please add a paragraph to Section 6.7.12 which summarises the remit of the South African Heritage Resources Agency in relation to the Provincial Heritage Resources Authority (Amafa KZN) - e.g. "SAHRA is responsible for maritime and underwater heritage resources, including those located on land and within 24 nautical miles seaward of the high-water mark." 	<p>The requested text has been added to Section 6.7.12 which summarises the remit of the South African Heritage Resources Agency in relation to the Provincial Heritage Resources Authority (Amafa KZN).</p>

		SAHRA particularly supports the following statement in the DSR: P. 103 - "Sidescan Sonar Data will be used to identify any wrecks within the vicinity of the proposed cable prior to installation. The subsea cable route will be designed to avoid any known or identified wrecks."	
4	15/02/2019 Email Theo Stokes – SA Navy: Captain	It is requested that this Office is approached as work commences to take the necessary action to notify the mariner bmo promulgating a Coastal Navigation Warning and taking the necessary charting action as required.	You have been added to the stakeholder database and will receive correspondence and updates periodically. The requirement for the vessel operator to notify the Office prior to marine activities will be added to the notification requirements in the EIA.
5	18/02/2019 Email Karen Moodley – KZN Department of Agriculture, Forestry and Fisheries: Senior Forester	Seeing that the cable route transverses through a section of KZN Coastal Lowlands (forest) vegetation before connecting to the existing infrastructure, DAFF would like to conduct a site inspection prior commenting on the project. It is noted that ERM consultants will be in Amanzimtoti on the 01 st - 02 nd March 2019 to have one on one sessions, however the comment end date is one the 04 th March 2019 (Monday), I think that this timeframe would be too short for DAFF to comment as we have internal processes that need to be followed prior submitting comments to the EAP. Based on the above I propose the following options: <ul style="list-style-type: none"> • A site inspection can be arranged with a representative from ERM prior the 01st March 2019. Or <ul style="list-style-type: none"> • The EAP can extend the comment end date by a week. 	The KMZ file for the two route alternatives as described in the Scoping Report was sent on 25 February 2019 and 26 February 2019 to DAFF for your desktop analysis. The terrestrial specialist will be going to site during March to identify indigenous vegetation present in the two route alternatives and to propose mitigation measures to minimize the impact to indigenous vegetation along the proposed routes. ERM would suggest that DAFF wait until they have seen the results of the terrestrial ecologist's report before going to site as their study will provide detailed information of the vegetation present at site and the area of vegetation likely to be disturbed. However, if DAFF would like to attend this site visit in the next two weeks arrangements can be made with the specialists. Please confirm as soon as possible if you would like to attend a site visit in the next two weeks? The case officer has also confirmed that they would like to go to site after the release of the Draft EIA Report and we are also happy to coordinate and organize for both authorities to go at the same time.

			<p>Unfortunately, we cannot extend the current commenting period as we need to meet the regulated timeframe in terms of NEMA.</p> <p>Please note that this phase 1 commenting period is on the scoping report alone and that a commenting period for the environmental impact phase of the Project is yet to follow. As such, DAFF may choose to make comments regarding their concerns in relation to the Draft Scoping Report. Following this, DAFF could take part in the site inspection with the case officer and submit any additional, site-specific comments to ERM to be included for consideration during the impact assessment public participation phase.</p>
6	<p>25/02/2019 Email Karen Moodley – KZN Department of Agriculture, Forestry and Fisheries: Senior Forester</p>	<p>The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that “natural forests may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits” This prescribes that no development affecting forests may be allowed unless “exceptional circumstances” can be proven. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal any indigenous living or dead tree in a forest without a licence, while section 15 places a similar prohibition on protected tree species listed under the Act.</p> <p>DAFF through the sub-directorate Forestry regulations and Support is the authority mandated to implement the National Forestry Act No. 84 of 1998 by regulating the use of natural forests¹ and protected trees species in terms of the said Act.</p> <p>With reference to the DSR received on 01/02/2019, majority of the subsea cable runs through South African waters however a portion of the cable will run on terrestrial land. It is noted that there are three alternatives for the landing site location of the subsea cable.</p>	<p>The practicality as well as environmental impact risk relating to the options will be carefully investigated during the EIA phase and the final route selected to ensure that disturbance to the natural forests is, as far as possible, minimised. ERM notes that DAFF will be contacted to organise a site visit during the EIA phase of the Project.</p>

		<p>Alternative 1 and 3 are situated near a sensitive dune system and therefore considered to be environmentally sensitive whilst Alternative 2 (preferred) is situated in a transformed area (tarred parking area). It is therefore recommended that although Alternative 2 is a longer route, it is the most preferred route by DAFF as it follows the road servitude in order to limit the disturbance of the natural vegetation. DAFF will provide further comments upon receipt of the Draft Environmental Impact report as this will entail a detail description of the route options as well as the vegetation specialist study which will address concerns regarding the disturbance of indigenous vegetation. A site visit will also be undertaken during the Draft Environmental Impact stage by DAFF officials.</p> <ul style="list-style-type: none"> • “Natural forest” means a group of indigenous trees- • Whose crowns are largely contiguous; or • Which have been declared by the Minister to be a natural forest under section 7(2); (xxviii) 	
7	<p>25/02/2019 Email Sabelo Malaza – DEA Integrated Environmental Authorisations: Chief Director</p>	<p>This department has the following comments:</p> <p>Activities applied for: Please furnish the development footprint in square metres in relation to both activity 15 and 17 of GNR 938 of NEMA regulations of 2014 as amended.</p>	<p>Activities applied for:</p> <p>The development footprint for Project is estimated in Table 2.1, and will be confirmed during the EIA Phase.</p>
		<p>Alternatives</p> <ul style="list-style-type: none"> • Please provide a description of the identified alternatives for the proposed activity that are feasible and reasonable, including the advantages and disadvantages that the proposed activity or alternatives will have on the environment and on the community that may be affected by the activity as per Appendix 2, (2) (1) (g) (i-xi), of GN R982 of 2014, as amended. • Alternatively, you should submit written proof of an investigation and motivation if no reasonable or feasible alternatives exist as per the requirements of Appendix 2, (2) (1) (g) (x). 	<p>Alternatives:</p> <p>The Project alternatives, including the advantages and disadvantages are described in Section 3 of the Final Scoping Report. Alternatives described include: subsea cable route alternatives, landing site location alternatives, terrestrial cable route alternatives, activity alternatives and technology alternatives.</p>

		<p>Impacts Assessment</p> <p>This Department requests the EAP to familiarise themselves with the requirements of Appendix 2 of GNR 982 of the EIA Regulations, 2014 (as amended) and ensure that the final SR submitted to this Department for consideration meets the requirements in terms of identifying, assessing and providing mitigation measures of the impacts on the alternatives and preferred site.</p>	<p>Impact Assessment:</p> <p>The Final Scoping Report will adhere to requirements of Appendix 2 of GNR 982 of the EIA Regulations, 2014 (as amended). Refer to Table 1.3 in the Final Scoping Report.</p>
		<p>Plan of Study of the EIA</p> <p>Please ensure that the Plan of Study of the EIA is compiled in accordance with Appendix 2(h-j) of NEMA EIA Regulations 2014 as amended.</p>	<p>Plan of Study of the EIA:</p> <p>The Plan of Study will be developed according to Appendix 2(h-j) of NEMA EIA Regulations 2014 as amended during the EIA Phase.</p>
		<p>Maps</p> <p>Please ensure that the final Scoping Report includes the following maps.</p> <ul style="list-style-type: none"> • Locality Map <p>An A3 locality map. The scale of the locality map must be relevant to the size of the development (at least 1:50000. For linear activities of more than 25km, a smaller scale e.g. 1:250 000 can be used. The scale must be indicated on the map).</p> <p>The map must include the following:</p> <ul style="list-style-type: none"> - an accurate indication of the Project site position as well as the positions of alternative sites, if any; indication of all alternatives identified; closest town(s) - road access from all major roads in the area; - road names or numbers of all major roads as well as the roads that provide access to the site(s); - all roads within a 1km radius of the site or alternative sites; and 	<p>Maps:</p> <p>The requested maps have been included in Appendix D.</p>

		<ul style="list-style-type: none"> - a north arrow; a legend and locality: GPS co-ordinates must indicate the position of the activity using the latitude and longitude of the centre point of the site for each alternative site. The co-ordinates must be provided in degrees, minutes and seconds. The Projection that must be used in all cases is the Hartebeesthoek94 WGS84 co-ordinate system, in line with Regulation 5(6) of the EIA Regulations, 2014 as amended. <ul style="list-style-type: none"> • A3 Layout Map <p>A detailed site plan must be prepared for the site. The site or route plans must indicate the following:</p> <ul style="list-style-type: none"> - the property boundaries and numbers of all the properties within 50 metres of the site; - the current land use, the land use zoning of the site and of each of the properties adjoining the site - the exact position of each structure to be developed triggered by the proposed development (including alternatives); - servitude(s) indicating the purpose of the servitude - a legend; and - a north arrow <ul style="list-style-type: none"> • Sensitivity Map <p>A sensitivity layout plan overlaid by the sensitive features i.e. no go areas and irreplaceable Critical Biodiversity Areas (CBA), Conservation Areas, sensitive ecosystems, no go areas and water bodies also the existing structures in the vicinity of the proposed development must be submitted as part of the report for the analysis of the effect of the proposed Project on the environment. Please ensure all features are clearly indicated on the legend of the sensitivity layout plan.</p>	
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		<p>Public Participation Process</p> <ul style="list-style-type: none"> • Please ensure that all issues raised and comments received during the circulation of the SR from the registered I&APs and the organs of state which have jurisdiction (including this Department's Biodiversity Section and Coastal Conservation and Strategies Directorate) in respect of the proposed activity are adequately addressed in the final SR. • Proof of correspondence with the various stakeholders must be included in the final SR. Should you be unable to obtain comments, proof of attempts that were made to obtain comments must be submitted to the Department. • The Public Participation process must be conducted in terms of Regulations 39, 40, 41, 42, 43 & 44 of the EIA Regulations 2014, as amended. 	<p>Public Participation:</p> <p>All stakeholder comments have been included in this CRR, and addressed in the Final Scoping Report submitted to the DEA. Please refer to Appendix B6 for comments received.</p>
		<p>General Comments</p> <p>You are further reminded that the final SR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Scoping Reports in accordance with Appendix 2 and Regulation 21(1) of the amended EIA Regulations, 2014.</p> <p>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 the these Regulations, unless an extension has been granted in terms of regulation 3(7).</p> <p>You are requested to submit one (1) copy of the final scoping report to the Department and two (2) unprotected electronic copy (CD/DVD-PDF Format) of the complete final report with the hard copy documents. All documents to be submitted must include the above DEA reference number. You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as</p>	<p>General comments:</p> <p>The Draft Scoping Report has been undertaken to meet the applicable South African legal requirements.</p> <p>Additionally, the EAP acknowledges that the Final Scoping Report was written in accordance with Appendix 2 and Regulation 21(1) of the amended EIA Regulations, 2014.</p> <p>Regulation 45 and Section 24F of the National Environmental Management Act, Act No 107 of 1998 are both understood and acknowledged by the EAP.</p>

		amended, that no activity may commence prior to an environmental authorisation being granted by the Department.	
Comments and Responses Report - Comments on Final Scoping Report			
8	11/04/2019 Email Sabelo Malaza – DEA Integrated Environmental Authorisations: Chief Director Acceptance of the Final Scoping Report	<p>The final Scoping Report (SR) and Plan of Study for Environmental Impact Assessment (poSEIA) dated 11 March 2019 and received by this department on 13 March 2019 refer.</p> <p>This Department has evaluated the submitted final SR and the PoSEIA dated 11 March 2019 and is satisfied that the documents comply with the minimum requirements of the Environmental Impact Assessment (EIA) Regulations 2014, as amended.</p> <p>You may proceed with the EIA process in accordance with the tasks contemplated in the PoSEIA and the requirements of the EIA Regulations 2014, as amended. However, you must take note of the following comments from the Department.</p>	Acceptance of the Final Scoping Report is noted. The Draft EIA Report will be compiled in accordance with the EIA Regulations 2014 as amended and incorporate the comments submitted by DEA.
		<p>Public Participation Process</p> <ul style="list-style-type: none"> • All comments and recommendations made by all stakeholders and various Interested and Affected Parties (I&As) in the draft SR and submitted as part of the final SR must be taken into consideration when preparing an Environmental Impact Assessment report (EIAR) in respect of the proposed development. • Please ensure that all relevant stakeholder's comments are submitted to the Department with the final EIAR. This includes but not limited to the Department of Environmental Affairs: Biodiversity and Conservation Directorate KwaZulu Natal Department of Economic Development, Tourism and Environmental Affairs, Ezemvelo KZN Wildlife, eThekweni Metropolitan Municipality, the Department of Agriculture, Forestry and Fisheries (DAFF): International Relation Fisheries, Department of Water and Sanitation (DWS), Department of Mineral Resources, South African Maritime Safety Authority, Department of Public Works, Petroleum Agency of South Africa, South African Navy Hydrographic Office, 	<p>Public Participation:</p> <p>All stakeholder comments have been included in this CRR, and addressed in the Final Scoping Report submitted to the DEA and in this Draft EIA Report. Please refer to Appendix B for documentation of correspondence.</p> <p>The Draft EIA Report will be made available for comment to registered I&As for the required 30 days (Reg 7).</p>

		<p>Department of Transport, Department of Human Settlement, the South African Heritage Resources Agency (SAHRA), AMafa KwaZulu Natal, the Wildlife & Environment Society of South Africa (WESSA) and Birdlife South Africa, South Africa Institute for Aquatic Biodiversity, Fresh Tuna Exporters Association, Fish SA, South African Commercial Line Fishing Association, South African Deep-Sea Trawling Industry Association and South African Squid Management Industrial Association.</p> <ul style="list-style-type: none"> • You are also required to address all issues raised by Organs of state and I&APs prior to the submission of the EIAr to the Department • Proof of correspondence with the various stakeholders must be included in the EIAr. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to obtain comments • The EAP must in order to give effect to regulation 7, give registered I&APs access to and an opportunity to comment on the draft report in writing within 30 days before submitting the final EIAr to the Department 	
		<p>Maps</p> <ul style="list-style-type: none"> • Environmental sensitivity map • An environmental sensitivity map indicating environmental sensitive areas and features identified during the EIA process must be on an A3 page with a clear legend. • Topographical Map <p>A topographical map combining the final layout map superimposed (overlain) on the environmental sensitivity map must be submitted with the final EIAr.</p>	<p>Maps:</p> <p>The specified sensitivity map and the topographical map is included in Chapter 6 and Appendix D of the Draft EIA Report.</p>
		<p>Environmental Management Programme</p>	<p>Impact Assessment:</p> <p>The EMPr in the Draft EIA Report includes all recommendations and mitigation measures specified in</p>

		<p>The EMPr to be submitted as part of the EIAR must include the following:</p> <ul style="list-style-type: none"> • All recommendations and mitigation measures recorded in the EIAR and the specialist studies conducted. • A good quality site final layout map with clear legend • A plant rescue and protection plan which allows for the maximum transplant of conservation important species from areas to be transformed. This plan must be compiled by a vegetation specialist familiar with the site and be implemented prior to commencement of the construction phase. • A re-vegetation and habitat rehabilitation plan to be implemented during the construction and operation of the facility. • A traffic management plan for the site access roads illustrating how traffic will be controlled especially on local commuters travelling on public road during peak hours and how traffic or any other impacts as a result of traffic will be managed, • Measures to protect archaeological sites, artefacts, paleontological fossils or graves from construction and operational impacts. 	<p>the specialist studies in Appendix F. The following management plans have been developed to support the EMPr:</p> <ul style="list-style-type: none"> • Site final layout map (Chapter 2 and Appendix D); • Plant Rescue and Protection Plan (Appendix G); • Re-Vegetation and Habitat Rehabilitation Plan (Appendix G); and • Traffic Management Plan (Appendix G). • <p>The EMPr (Chapter 9 and Appendix G), has mitigation measures included to address impacts to both terrestrial and maritime heritage and cultural heritage</p>
		<p>General Comments</p> <ul style="list-style-type: none"> • You are hereby reminded that should the EIAR fail to comply with the requirements of this acceptance letter, Regulation 23(2) and Appendix 3 and 4, the proposed METTIS subsea cable system to be landed in Amanzimtoti, KwaZulu Natal Province will be refused in terms of the EIA Regulations 2014, as amended. • Furthermore, it must be reiterated that, should an application for Environmental Authorisation be subject to the provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999, then this Department will not be able to make nor issue a decision in terms of your application for Environmental Authorisation pending a letter from the pertinent heritage authority categorically stating that the application fulfils the requirements of the relevant heritage resources authority as described in Chapter II, 	<p>Environmental Impact Assessment Report: The EAP will ensure that the EIA Report complies with the requirements of the acceptance letter as well as NEMA Regulation 23(2) and Appendix 3 and 4.</p> <p>The project will not impact heritage resources and as such is not subject to provisions of Chapter II, Section 38 of the National Heritage Resources Act, Act 25 of 1999. In any case, the Draft EIA Report will be submitted to SAHRA and comments received shared with the DEA in the Final EIA Report Comments and Responses Report</p> <p>The EAP notes that 2 electronic copies (CD/DVD) and one (1) hard copy of the EIA Report are to be provided to the Department.</p>

		<p>Section 38(8) of the National Heritage Resources Act, Act 25 of 1999. Comments from SAHRA and/or the provincial department of heritage must be provided in the EIAr.</p> <ul style="list-style-type: none"> You are requested to submit two (2) electronic copies (CD/DVD) and one (1) hard copy of the EIAr to the Department as. <p>You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, which stipulates that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p>	<p>Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended will be adhered to and no activity will commence prior to authorisation.</p>
Comments Received Post-Submission of the Final Scoping Report			
10	<p>25/03.2019 J.S. Ndebele Email</p> <p>Development Planning, Environment and Management</p>	<p>eThekwini Electricity Department</p> <p>The H.V. Operations has no objection to the above mentioned application, however please note:</p> <ul style="list-style-type: none"> The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development. The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant. 	<p>It is noted that the HV Operations have no objection to the proposed project.</p> <p>The Department was engaged regarding the presence of underground electrical services and confirmed that there is a 33kVA line on Andrew Zondo Road. There is no alternative to this crossing and as such Liquid Telecoms will be meeting with the Electricity Department to agree on the crossing methodology.</p>
		<p>Environmental Planning and Climate Protection Department.</p> <p>The Environmental Planning and Climate Protection Department has no Biodiversity objection to the proposed Installation and Operation of the METISS Subsea Cable.</p> <p>The landing area along the beach, is easily accessible, and no vegetation is envisaged to be lost.</p>	<p>The comment has been noted.</p>

		<p>This Department will comment further on the submission of the Final Scoping Report.</p>	
		<p>Land Use Management Branch.</p> <p>There are no adverse comments from the Land Use Management Branch at this stage.</p>	<p>The comment has been noted.</p>
		<p>Strategic Spatial Planning Branch.</p> <p>The Strategic Spatial Planning Branch (SSPB) notes the Draft Scoping Report for the installation and operation of the Melting Pot Indianoceanic Submarine System (METISS) in South Africa. In this regard, the SSPB do hereby request clarity regarding:</p> <ul style="list-style-type: none"> • The equipment and infrastructure that will be visible pre and post construction; • To what extent will this proposal affect commercial as well as subsistence fisheries and what mitigation measure will be put in place; - • Post construction, what will the daily/routine operations be, and how will this impact on the beach; • How will the pre and post construction impact on tourism given that Amanzimtoti is a tourist destination. <p>In terms of Landing Site Location Alternative, the SSPB prefers Alternative 2: Amanzimtoti Pipeline Beach, due to the fact that from an environmentally sensitivity point of view the Beach Manhole will be located in a transformed area.</p> <p>With regards to the Terrestrial Cable Route Alternatives, the SSPB prefers the Alternative 2 alignment route as it follows the road servitude thus limiting disturbance of the natural vegetation.</p> <p>Finally, it should be noted that the SSPB will comment further upon receipt of the Final Scoping Report.</p>	<p>Equipment and infrastructure descriptions are discussed in the Project Description (Chapter 2) of the Draft EIA Report. The terrestrial cable and subsea cable (in shallow waters) will be trenched and buried and therefore not be visible after construction.</p> <p>The impact on fishing has been assessed in Chapter 8 and appropriate mitigation is included in Chapter 9 and Appendix G.</p> <p>The impact of the project on tourism was considered non-significant and screened out because the installation of the terrestrial cable route will be completed within 3.5 months, and as such, any impact will be temporary in nature.</p> <p>Preference for Alternative 2 for the terrestrial route alignment has been noted and this option has been selected as the preferred alternative (Chapter 3).</p>
		<p>Project Executive: Coastal Policy.</p>	<p>The comment has been noted.</p>

	No objection	
	<p>Coastal, Storm-water and Catchment Management.</p> <p>This Department has no objection.</p>	The comment has been noted.
	<p>Parks, Leisure and Cemeteries.</p> <p>No comment received.</p>	No comments received.
	<p>Pavement and Geotechnical Engineering.</p> <p>No geotechnical objection in principle. Once on-shore at Amanzimtoti, this Branch prefers the Option 2 alignment along the road as the dune crossing of Option 1 is already oversteep and zoned potentially unstable, the feasibility of crossing the dune will depend on the proposed methods of laying the cable.</p>	<p>The preference for Alternative 2 for the terrestrial route alignment has been noted and this is the preferred alternative (Chapter 3).</p> <p>The preferred installation method for the terrestrial cable is a combination of Horizontal Directional Drilling and trenching). This methodology avoids destruction of sensitive vegetation and dune ecosystems, as well as allow for the terrestrial cable to be installed underneath road crossings without destroying infrastructure.</p> <p>Refer to Chapter 3 for details of Alternative 1, which was screened out as an option during Scoping.</p>
	eThekweni Transport Authority	No comments received
	<p>Environmental Health Department.</p> <p>In principle, this Department supports the proposed development of the above mentioned project, however, it is recommended that the development be conducted within the following parameters:</p> <ul style="list-style-type: none"> • Construction to be in accordance with the Occupational Health and Safety Act and any other applicable bylaws and Regulations. • Waste generated during/and or after construction to be disposed of at an approved landfill site (records thereof to be kept). • Water and ablution facilities at the construction site to be available at the beginning through to the end of construction. Effluent to be disposed of at an approved site (records to be kept) 	<p>The construction of the subsea cable system will be in line with the Occupational Health and Safety Act as well all other applicable by laws and regulations, as per Chapter 9 and Appendix G.</p> <p>Waste management is detailed in the EMPr as per Chapter 9 and Appendix G.</p> <p>As per sanitation requirements, potable water and ablution facilities will be available throughout construction. Effluent will disposed of as per the EMPr as per Chapter 9 and Appendix G.</p>

		<ul style="list-style-type: none"> • Dust control measures to be in place during the construction phase. • Trenches to be safe guarded ensuring human and animal safety. <p>This Department reserves the right to call for additional requirements should any health nuisance arise.</p>	
		<p>eThekwini Water and Sanitation Department.</p> <p>No comment received.</p>	No comments received
		<p>Cleansing and Solid Waste.</p> <p>No comment received.</p>	No comments received
		<p>Disaster Management.</p> <p>No comment from this Department.</p>	No comments received
		<p>Fire Safety.</p> <p>Full compliance with all applicable Legislative requirements.</p>	The applicable fire safety legislation will be adhered to throughout the construction and operation process.
11	05/04/2019 Email Bernadet Pawandiwa – AMAFA	<p>Thank you for the opportunity to comment on this project. The motivation for exemption from a full heritage impact assessment on this project submitted by the heritage practitioner, John Gribble is noted and approved. The developer should however note that there is a high possibility of encountering maritime deposits, informal burials, historical, fossil or archaeological material and features in this region.</p> <p>The KwaZulu Natal Amafa and Research Institute therefore have no objection to the development. You are also required to adhere to the below-mentioned standard conditions:</p> <p>Conditions:</p> <p>1. The KwaZulu Natal Amafa and Research Institute should be contacted if any heritage objects are identified during earth-moving activities and all development should cease until further notice.</p>	Comments noted. The listed conditions will be adhered to and have been included in the Final EMPr which can be found in Chapter 9 and Appendix G of the Final Environmental Impact Assessment Report.

		<p>2. No structures older than sixty years or parts thereof are allowed to be demolished altered or extended without a permit from the KwaZulu Natal and Amafa Research Institute.</p> <p>3. Under no circumstances may any heritage material be destroyed or removed from site unless under direction of the KwaZulu Natal and Amafa Research Institute and a heritage specialist.</p> <p>4. Should any remains be found on site that is potentially human remains, the South African Police Service (SAPS) should also be contacted. No SAPS official may disturb or exhume such remains, without the necessary permission from the KwaZulu Natal and Amafa Research Institute.</p> <p>5. No activities are allowed within 50m of a site, which contains rock art.</p> <p>6. Sources of all natural materials (including topsoil, sands, natural gravels, crushed stone, asphalt, etc.) must be obtained in a sustainable manner and in compliance with the heritage legislation.</p> <p>Failure to comply with the requirements of the National Heritage Resources Act and the KwaZulu Natal Amafa and Research Institute Act could lead to legal action being instituted against the applicant. Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	
11	03/05/2019 Email Judy Bell – I&AP	<p>Please would you ensure that this next phase of the project includes an in depth review of assumptions following the recent coastal flooding and dune slumping in Toti.</p> <p>Please also ensure this comment is formally recorded.</p>	<p>Potential impacts of the subsea cable system to the coastal environment were evaluated as part of the EIA process. The impact of the subsea cable system was determined to not be significant. The installation of the subsea cable system will not contribute to flooding or dune slumping.</p> <p>In addition, potential damage to the subsea cable system by natural changes in the coastal environment was also considered.</p> <p>The design includes protection measures as listed below:</p>

			<ul style="list-style-type: none"> • Cable armoring, • Deep burial, • Conduits, • Concrete encasement, and • Horizontal Directional Drilling. <p>Therefore the mitigation measures include protecting the subsea cable system from damage, rather than avoiding coastal erosion.</p>
12	03/05/2019 Email Diane VanRensburg – eThekweni EIA Planning Division	Please provide 4 hard copies and 6 CD copies of the full report for circulation/comment by the relevant Municipal Departments once the documents are ready for review.	4 hard copies and 6 CD copies will be provided to the eThekweni Planning Division.
Comments Received on the Draft Environmental Impact Assessment Report			
13	06/05/2019 Email Karen Moodley – KZN Department of Agriculture, Forestry and Fisheries: Senior Forester	Request copy of this report.	<p>An electronic copy of the Final Scoping Report and Appendices was sent to Karen Moodley via email on 28 May 2019.</p> <p>One hard copy and one soft copy of the Draft EIA Report was sent to the KZN Department of Agriculture Forestry and Fisheries upon release of the Draft EIA Report on 31 May 2019.</p> <p>The project website is as follows www.erm.com/metiss-fibre-optic-submarine-cable-system.</p>
14	07/05/2019 Email Karen Moodley – KZN Department of Agriculture, Forestry and	With regards to the above-mentioned project, please may you forward us a copy of the finalized report.	<p>An electronic copy of the Final Scoping Report and Appendices was sent to Karen Moodley via email on 28 May 2019.</p> <p>One hard copy and one soft copy of the Draft EIA Report was sent to the KZN Department of Agriculture Forestry</p>

	Fisheries: Senior Forester		and Fisheries upon release of the Draft EIA Report on 31 May 2019.
15	04/06/2019 Email Judy Bell – I&AP	Please would you ensure you protect personal information as per legal requirements and use bcc for these notifications. Please would you also send me the draft report.	Noted, we will ensure that your personal information is hidden in future emails to stakeholders and in the Final EIA Report. A link to access the Draft Environmental Impact Assessment Report from the Project website shared with Judy Bell on 04 June 2019.
16	04/06/2019 Email Ashantia Nerissa Pillay – Ezemvelo KZN Wildlife	Thank you for your email. Please note that an application is only considered and assessed by Ezemvelo's Conservation Planning division once the hardcopies of the relevant documents are received by our offices. Please can you submit the hardcopy DEIR.	A hard copy of the report was submitted to Ezemvelo KZN Wildlife on 06 June 2019.
17	04/06/2019 Email Sabelo Malaza – DEA Integrated Environmental Authorisations: Chief Director	<p>The Department confirms having received the Draft Environmental Impact Assessment Report for the abovementioned project on 31 May 2019. We further confirm that you have submitted these documents to comply with the National Environmental Management Act, 1998 (Act No. 107 of 1998) Environmental Impact Assessment Regulations, 2014 published under Government Notice R982 in Government Gazette No. 38282 dated 04 December 2014, as amended ('the EIA Regulations, 2014').</p> <p>Please take note of Regulation 40(3) of the EIA Regulations, 2014, which states that potential Interested & Affected Parties, including the Competent Authority, may be provided with an opportunity to comment on reports and plans contemplated in Regulation 40(1) of the EIA Regulations, 2014, as amended, prior to the submission of an application but must be provided an opportunity to comment on such reports once an application has been submitted to the Competent Authority.</p> <p>You are hereby reminded of Section 24F of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as</p>	<p>Acknowledgement of receipt of the Draft EIA Report by the Department of Environmental Affairs is noted.</p> <p>Regulation 40(3) of the EIA Regulations, 2014, has been adhered to throughout the EIA and Scoping phases of the Project. All interested an affected parties were informed of the commenting periods for the Scoping and EIA phases via notification letters (Appendix B). The Draft Scoping Report was released for comments from 1 February 2019 to 4 March 2019 and the Draft EIA Report was released for stakeholder review and comment from 4 June 2019 to 5 July 2019.</p>

		<p>amended, that no activity may commence prior to an Environmental Authorisation being granted by the Department.</p> <p>Kindly quote the abovementioned reference number in any future correspondence in respect of the application.</p>	
18	<p>06/06/2019 Email Victor Mashishi – Department of Water and Sanitation</p>	<p>Your correspondence has reference: D26880</p> <p>On behalf of Mr Squire Mahlangu, the Acting Director-General of the Department of Water and Sanitation, I hereby acknowledge receipt of your Letter dated 03 June 2019.</p> <p>Please be advised that the matter has been referred to the relevant officials in the department.</p>	<p>Acknowledgement of receipt of the letter dated 03 June 2019 is noted.</p>
19	<p>25/06/2019 Email Sabelo Malaza – DEA Integrated Environmental Authorisations: Chief Director</p>	<p>The application form and draft Environmental Impact Assessment report (EIAR) dated 30 May 2019 as received by this Department on 31 May 2019 refers.</p> <p>The Department has noted that the draft EIAR has complied with the requirements of EIA regulations, 2014 as amended.</p> <ul style="list-style-type: none"> • The report has assessed the proposed development impacts in detail and efficient mitigation measures for the identified impacts were recorded in the report. • Efficient public participation process (PPP) during circulation of the final scoping report was undertaken and comments were addressed in the draft EIAR. <p>However, the Department draws your attention to the following:</p> <ul style="list-style-type: none"> • Please provide the area in hectares to be occupied by the subsea cable as it relates to activity 15 and 17 of Listing Notice 1 (GNR 983) of the EIA regulations as amended. • The Department has noted on page 59 of the draft EIAR dated 30 May 2019, in table 4-1 titled Project specific listed activities, it is stated in relation to activity 12 of Listing Notice 3 that "<i>The proposed development may require the removal of indigenous, primary dune vegetation from the Landing Site to the Beach</i> 	<p>Acknowledgement of receipt of the Application form and Draft Environmental Impact Assessment Report is noted.</p> <p>All issues raised and comments received during the circulation of the Draft EIA Report from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity have been included and addressed in the Final EIA Report.</p> <p>Proof of correspondence with the various stakeholders during the Draft EIA Report has been included in Appendix B of the Final EIA Report. Proof of attempts to obtain comments from Commenting Authorities have been included in Appendix B of the Final EIA Report.</p> <p>The Final EIA Report has been compiled in terms of the scope of assessment and content of Environmental Impact Reports in accordance with Appendix 3 and Regulation 23(1) of the amended EIA Regulations, 2014.</p> <p>The application for Environmental Authorisation (EA) has been amended to exclude Activity 12 of LN 3 as this activity is not triggered by the Project. The Final EIA Report and the application for EA has also been updated to include the area in hectares (0.5121 ha) to be occupied</p>

		<p><i>Manhole and for the new section of the terrestrial cable route from the Beach Manhole to the Cable Landing Station. The anticipated footprint of vegetation clearance from the Landing Site to the Cable Landing Station will be confirmed in the EIA Phase by a specialist". Therefore please confirm whether or not this activity is triggered by this development and submit an amended application form.</i></p> <ul style="list-style-type: none"> • Furthermore, you are reminded to ensure that all issues raised and comments received during the circulation of the draft EIAr from registered I&APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final EIAr. • Also ensure that proof of correspondence with the various stakeholders during the draft EIAr must be included in the final EIAr. • Should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be submitted to the Department for consideration. 	<p>by the terrestrial cable as it related to Activity 15 and 17 of LN 1. This amended application has been submitted to the DEA along with the Final EIA Report.</p>
		<p>General Comments</p> <p>You are further reminded that the final EIR to be submitted to this Department must comply with all the requirements in terms of the scope of assessment and content of Environmental Impact Reports in accordance with Appendix 3 and Regulation 23(1) of the amended EIA Regulations, 2014.</p> <p>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).</p> <p>You are requested to submit one (1) hard copy of the final EIR to the Department and two (2) unprotected electronic copy (CD/DVD-PDF Format) of the final report. All documents to be submitted must include the above DEA reference number.</p>	<p>It is noted that in terms of Regulation 45 of the EIA Regulations 2014, this application will lapse if the prescribed timeframes in terms of these Regulations have not been adhered to, unless an extension has been granted in terms of Regulation 3(7).</p> <p>One (1) hard copy of the Final EIA Report to the Department and two (2) unprotected electronic copy (CD/DVD-PDF Format) of the final report was submitted to the DEA. All submitted documents include the DEA reference number.</p> <p>It is noted that in terms of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, no activity may commence prior to an EA being granted by the Department.</p>

		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.	
20	28/06/2019 Email Karen Moodley: KZN Department of Agriculture, Forestry and Fisheries: Senior Forester	<p>The Department of Agriculture, Forestry and Fisheries appreciates the opportunity given to review and comment on the Draft Environmental Impact Assessment report (DEIAR) for the above mentioned project.</p> <p>The National Forests Act of 1998 (as amended) provides the strongest and most comprehensive legislation and mandate for the protection of all natural forests in South Africa. The principles of the Act in Section 3 state clearly that "natural forests may not be destroyed save in exceptional circumstances where, in the opinion of the Minister, a proposed new land use is preferable in terms of its economic, social or environmental benefits" This prescribes that no development affecting forests may be allowed unless "exceptional circumstances" can be proven. Section 7 of the Act prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act.</p> <p>DAFF through the sub-directorate Forestry Regulations and Support is the authority mandated to implement the National Forest Act No. 84 of 1998 by regulating the use of natural forests 1 and protected trees species in terms of the said Act.</p> <p>With reference to the DEIAR, received on the 03/06/2019 and the site inspection conducted on the 13/06/2019, majority of the subsea cable runs through South African waters however a portion of the cable will run on terrestrial land which consists of transformed areas (roads, residential dwellings), the Northern Coastal Forest that occurs in narrow strips within the Terrestrial Ecology study area and the KwaZulu-Natal Coastal grassland. It is noted that initially there were two alternatives for the landing site location of subsea cable. Alternative 1 was situated near a sensitive dune system and</p>	<p>It is noted that Section 7 of the National Forests Act of 1998 (as amended) prohibits the cutting, disturbance, destruction or removal of any indigenous living or dead tree in a forest without a licence, while Section 15 places a similar prohibition on protected tree species listed under the Act. This condition has been included in the EMPr (Chapter 9 and <i>Appendix G</i>).</p> <p>DAFF's support of the preferred alternative (Alternative 2) is noted. Should the project be authorised, the following aspects will be adhered to throughout the duration of the Project (Chapter 9 and <i>Appendix G</i>):</p> <ul style="list-style-type: none"> • Individual species of <i>Mimusops caffra</i> that occur along the route (Segment B) will be avoided, no disturbance should occur to the tree rooting system during the earthworks phase. • All indigenous vegetation in segment 1 (30.033090'8 S, 30.889873'E to 30.030702'8 S, 30.886754'E including <i>Bridelia micrantha</i> and <i>Erythrina caffra</i> will remain undisturbed. A license application will be submitted to KZN DAFF by Liquid Telecom should there be any potential disturbance to the indigenous vegetation. • The appointed Environmental Control Officer (ECO) will ensure that the conditions outlined in the EMPr (Chapter 9 and <i>Appendix G</i>) are strictly adhered to in order to minimize the anticipated negative impacts on the environment. The ECO is required to be on site daily during the construction of the subsea cable onshore to the CLS.

		<p>therefore was considered to be environmentally sensitive whilst Alternative 2 (preferred) is situated in a transformed area (tarred parking area) and this route transverses the existing road network and smaller fragments of mostly degraded vegetation. DAFF therefore supports Alternative 2 as this route has minimal disturbance to the natural vegetation. However, should the proposed project be authorized the following conditions should be strictly adhered to:</p> <ul style="list-style-type: none"> • Individual species of <i>Mimusops caffra</i> that occur along the route (Segment B) should be avoided, no disturbance should occur to the tree rooting system during the earthworks phase. • In segment 1 (-30.033090'8, 30.889873'E to -30.030702'8, 30.886754'E), it was observed that although there was a relatively high cover of alien invasive plant species, several of the canopy trees were indigenous including <i>Bridelia micrantha</i> and <i>Erythrina caffra</i>. It is noted that the servitude will run adjacent to this forested habitat. If disturbance of the indigenous trees will occur, a licence application should be forwarded to DAFF offices in Pietermaritzburg for review. • The appointed environmental control officer should ensure that the conditions outlined in the Environmental management plan should be strictly adhered to in order to minimize the anticipated negative impacts on the environment. • The re-vegetation and rehabilitation plan that has been compiled for the project should be implemented and monitored to ensure success of the plan and to control the problematic alien invasive plant species that will mostly invade new areas in response to disturbance of land during the excavation phase. <p>This letter does not exempt you from considering other environmental legislations. Should any further information be required, please do not hesitate to contact this office.</p>	<ul style="list-style-type: none"> • The re-vegetation and rehabilitation plan (Appendix G of the Final EIA Report) that has been compiled for the Project will be implemented and monitored to ensure success of the plan and to control the problematic alien invasive plant species that will mostly invade new areas in response to disturbance of land during the excavation phase.
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21	<p>02/07/2019</p> <p>Email</p> <p>Stanley Tshitwamulomoni: Control Biodiversity Officer Gr B; Biodiversity Conservation – Department of Environmental Affairs</p>	<p>The Directorate: Biodiversity Conservation confirms having received the aforementioned draft Environmental Impact Assessment Report (DBAR) for comments. After evaluation of the DBAR and its specialist reports the Directorate has noted the Metiss subsea cable system traverses two Threatened Ecosystems and the Critical Biodiversity: Irreplaceable Areas as per the KZN Systematic Biodiversity Conservation Assessment. Development within these areas is not recommended; however the specialist report concluded that the vegetation on site is transformed.</p> <p>Based on the above, the Directorate does not have any objections to the proposed project provided that the proposed mitigation measures and the following recommendations are adhered to:</p> <ul style="list-style-type: none"> • All sensitive habitats must be clearly demarcated as No-Go Areas with fencing or orange mesh netting. Barricading measures to be utilized must not restrict the movement of fauna in the project area; • The development footprint must be prohibited, within the high sensitivity area as far as possible by aligning the cable to the existing infrastructure; • A botanist must be appointed to perform a final walkthrough on site to identify plant species of conservation importance; • All protected and listed species must not be disturbed or removed without a permit from relevant authorities; • Construction activities must take place during the dry season to reduce the potential for erosion on the exposed; • All disturbed, exposed earth and cleared areas must be rehabilitated with indigenous vegetation; and • Recommendations from DEA: Oceans and Coast must be implemented and adhered to. 	<p>It is noted that the Directorate of Biodiversity Conservation, Department of Environmental Affairs has no objections to the proposed Project.</p> <p>Please note that a terrestrial ecology specialist (botanist) will be appointed by Liquid Telecom to perform a walkthrough on site with the ECO to identify plant species of conservation importance, prior to construction. This has been included as a mitigation measure in the EMP (Chapter 9 and Appendix G).</p> <p>The terrestrial ecology specialist study has been included as Appendix F of the Final EIA Report. A terrestrial ecology management plan has also been included in Appendix G.</p> <p>The recommended mitigation measures provided will be adhered to as follows (Chapter 9 and Appendix G):</p> <p>All sensitive habitats must be clearly demarcated as No-Go Areas with fencing or orange mesh netting. Barricading measures to be utilised must not restrict the movement of fauna in the Project Area;</p> <ul style="list-style-type: none"> • During the earthworks phase, where possible, excavating the sidewalk for placement of the terrestrial cable and associated manholes will be undertaken rather than vegetation. However, where this is not possible, then forest/thicket habitat will be clearly demarcated using barrier tape to avoid disturbance to these habitats. Disturbances outside these direct impact zones should be prohibited and regulated by a competent Environmental Control Officer (ECO) as per the plan rescue and protection plan (Appendix G); • Avoid undue damage and destruction of indigenous vegetation and promote rehabilitation of natural vegetation is disturbed areas;
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			<ul style="list-style-type: none"> • All protected and listed species will not be disturbed or removed without a permit from relevant authorities; • The trenching that is proposed for the terrestrial portion of the cable will be 1 m by 3 m and next to the road on a relatively flat slope. At the Project site, rainfall occurs year-round (as is the anticipated climate in the Indian Ocean Coastal belt), with the peak during Southern Hemisphere summer months. The lowest rainfall is received in June and the highest in January. As the trenching will take place next to the existing road it is deemed unnecessary to conduct construction during the dry season only; trenching will not take place on days with high rainfall. • All disturbed, exposed earth and cleared areas will be rehabilitated with indigenous vegetation as per the Rehabilitation plan in Appendix G of the Final EIA Report. <p>All recommendations from DEA: Oceans and Coast have been addressed below and are included in the Environmental Management Programme (EMPr).</p>
22	02/07/2019 Email Diane VanRensburg – eThekwini EIA Planning Division	<p>1. eThekwini Electricity Department.</p> <p>Please liaise directly with Jonathan Lawrenz from H.V. Operations to determine their requirements, phone 031-3119293 or email lawrenzJR@elec.durban.gov.za</p> <p>Further, please note:</p> <p>1.1. The applicant must consult eThekwini Electricity's mains records (held in the drawing office at eThekwini Electricity Headquarters, 1 Jelf Taylor Crescent, for the presence of underground electrical services. In addition should any overhead line and/or servitude be affected, the specific permission of the Head: Electricity must be sought regarding the proposed development.</p>	<p>The Department was engaged regarding the presence of underground electrical services and confirmed that there is a 33kVA line on Andrew Zondo Road. There is no alternative to this crossing and as such Liquid Telecom will be meeting with the Electricity Department to agree on the crossing methodology.</p> <p>It is acknowledged that the relocation of any MV/LV electrical services, if required, will be carried out at the expense of the applicant.</p>

	<p>1.2. The relocation of MV/LV electrical services, if required in order to accommodate the proposed development, will be carried out at the expense of the applicant.</p>	
	<p>2. Environmental Planning and Climate Protection Department.</p> <p>The Environmental Planning and Climate Protection Department has No Biodiversity objection to the proposed Installation and Operation of the METISS Subsea Cable.</p> <p>The landing area along the beach, is easily accessible, and no vegetation is envisaged to be lost.</p>	<p>It is noted that Environmental Planning and Climate Protection Department has no objection to the proposed Project.</p>
	<p>3. Land Use Management Branch.</p> <p>This Department has no objections to the installation and operation of the METISS Subsea Cable System.</p>	<p>It is noted that Land Use Management Branch has no objection to the proposed Project.</p>
	<p>4. Strategic Spatial Planning Branch.</p> <p>The Strategic Spatial Planning Branch (SSPB) notes the Draft Environmental Impact Assessment Report for the installation and operation of the Melting Pot Indianoceanic Submarine System (METISS) in South Africa.</p> <p>Given that all of the concerns raised in this Branch's previous comments have been adequately addressed, coupled with the fact that there is alignment on the preferred alternative, the SSPB raises no major concerns at this point.</p>	<p>It is noted that Strategic Spatial Planning Branch policy has no major concerns regarding the proposed Project.</p>
	<p>5. Project Executive: Coastal Policy.</p> <p>No objection.</p>	<p>It is noted that Project Executive: Coastal Policy has no objection to the proposed project.</p>
	<p>6. Coastal, Stormwater and Catchment Management.</p> <p>This Department has no objection.</p>	<p>It is noted that Coastal, Stormwater and Catchment Management has no objection to the proposed project.</p>
	<p>7. Parks, Leisure and Cemeteries.</p> <p>No comment received.</p>	<p>Noted, no comments were received from Parks, Leisure and Cemeteries.</p>

		<p>8. Pavement and Geotechnical Engineering.</p> <p>The steep sand dune above Beach Road is zoned unstable and may not be modified in any way (by trenching or directional drilling) without a stability assessment by an approved (by eThekwini Pavement and Geotechnical Engineering Branch), suitably experienced, SACNASP registered engineering geologist. The project locality maps show the pipeline starting on the seaward side of Beach Road after landing but crossing to the base of the dune after Rogies Road to go up Carlyle Street. That section along the dune toe, according to the drawings, is scheduled to be trenched; this is of particular stability concern and must be specifically assessed to ensure no excavations there may destabilise the sands as a failure at the toe may well migrate up slope and negatively impact the homes a short distance up the dune face. There will probably be construction constraints such as trenching in short sections so that the dune is not unsupported for long periods; those will come out of the geotechnical investigation.</p>	<p>It is noted that the steep sand dune above Beach Road is regarded as unstable and may not be modified in any way (by trenching or directional drilling) without a stability assessment.</p> <p>A suitably experienced, SACNASP registered geotechnical engineer will be contracted to analyze and mitigate all risks to the dune system (after Rogies Road to go up Carlyle Street) during installation and any maintenance activities.</p>
		<p>9. eThekwini Transport Authority.</p> <p>Please be advised that there is no objection in principle to the Installation and operation of the METISS Subsea cable System which is to be landed at Amanzimtoti. The implementation of this infrastructure is supported subject to the submission of a Traffic Management Plan to the local authority prior to the commencement of the construction/implementation phase. In this regard the implementing agent is to engage with this Department's Traffic Operations Branch for the submission and approval of the Traffic Management Plan.</p>	<p>It is noted that eThekwini Transport Authority has no objection to the proposed Project. A traffic management plan has been compiled is attached as Appendix G to this Final EIA Report. The Traffic Management Plan will be submitted to eThekwini transport Authority Traffic Operations Branch prior to commencement of construction.</p>
		<p>10. Environmental Health Department.</p> <p>No comment received.</p>	<p>Noted, no comment were received from Environmental Health Department.</p>
		<p>11. eThekwini Water and Sanitation Department</p> <p>No comment from this Department.</p>	<p>Noted, no comment were received from eThekwini Water and Sanitation.</p>

		12. Cleansing and Solid Waste. No comment received.	Noted, no comment were received from Cleansing and Solid Waste.
		13. Disaster Management. No comment from Disaster Management.	Noted, no comment were received from Disaster Management.
		14. Fire Safety. Full compliance with all applicable Legislative requirements.	All legislative fire safety requirements will be adhered to during the construction and operational phase of the Project.
23	12/07/2019 Email Funanani Ditini – DEA Integrated Coastal Management	The Department of Environment Forestry and Fisheries DEFF in its Branch Oceans & Coasts reviewed the Draft Environmental Impact Assessment Report and does not have an objection to the proposed project. Comments and recommendations are provided below: (1) The applicant must take note that the Branch Oceans and Coasts in DEFF has the mandate to ensure that the use of natural resources in the coastal zone and development associated with the coastal zone is socially and economically justifiable and ecologically sustainable. To ensure the achievement of the objectives of the ICM Act, 2008, and guarantee that the coastal environment will be protected and conserved throughout all phases of the proposed project.	We note that the Department does not have an objection to the proposed Project. We also note the Department’s mandate to protect the coastal zone.
		(2) The report outlines that the marine portion of the subsea cable which will be connected to the terrestrial portion of the cable route will be constructed at the shoreline above the high water mark and buried with an access port at the ground surface on the proposed grassed island near the car park. The report further specifies that it is expected that the construction of the BMH will take approximately 1-2 weeks (Monday – Sunday) for completion. While this DEFF: OC is in support of the proposed project, this Branch further raises concerns over the impact of these proposed construction activities.	We acknowledge that the Department is in support of the Project and note the concern over impacts of proposed construction activities. We note that the proposed activities are typical for such a development and that they have been carried out without incident for numerous similar projects in South Africa and globally. The impacts were fully assessed in the Final EIA Report. As per the specialist studies conducted (Appendix F and Chapter 8 of the Final EIA Report), the majority of the impacts assessed were found to be short-term, and

			mitigation measures have been proposed for all potential impacts.
		(3) Section 13 of the Integrated Coastal Management Act (No 24 of 2008) provides that any person in the Republic has a right of reasonable access to coastal public property and is entitled to use and enjoy coastal public property provided such use does not adversely affect the rights of members of the public to use and enjoy coastal public property or cause adverse effects on the environment. As such, this Branch advocates against the restriction of access to coastal public property to any member of the public. The applicant should ensure that public access to the beach is granted at all times during all phases of the proposed project. In the event where construction activities are scheduled to take place, the applicant should take the necessary measures to ensure that the locals are informed and made aware of the scheduled times and dates as well as alternative beach access points for the duration of the construction phase. It is further recommended that the applicant ensures that construction activities are restricted to Monday - Friday during normal working hours to ensure that locals and tourists are not disadvantaged from using and enjoying the coastal public property.	<p>Access to Amanzimtoti beach will not be restricted at any stage of the Project, although one of the beach access pathways will be partially obstructed for 1 to 2 weeks to accommodate works nearby.</p> <p>Depending on activities, the path may be closed for safety reasons. Fences will be installed close to the burial perimeter, minimising the impact on the beach.</p> <p>The beach will still be easily accessed by the public at all times, through multiple alternate access points.</p> <p>Prior to and during installation, the public will be informed of activities that may impact user (eg, notices at the site).</p> <p>Construction and reinstatement activities on the beach will be restricted to seven consecutive days in order to reduce disturbance on neighbouring land owners and beach goers.</p> <p>This activity is weather sensitive, and we cannot lose the opportunity allowed by the weather conditions if work is required during weekends.</p>
		(4) To ensure the safety of the public during all phases of the proposed project, it is a recommendation of this DEFF: OC that all proposed access areas should be identified through adequate demarcation. The applicant must ensure that they erect signs along with access areas where activities associated with the proposed project will be/ are being undertaken. Furthermore, the competent authority must ensure that the applicant is familiarized and adheres to Section 13 of the ICM Act, which provides further guidance on how issues relating to access to the coastal public property should be dealt with and adhered to.	<p>The ICM Act has been considered in Project Design and the EIA Report. The objectives of the ICM Act is to preserve and enhance coastal public property and ensure equitable access to coastal property thus ensuring that the public has access to benefits and opportunities provided by the coastal zone.</p> <p>Adequate signage will be erected along the terrestrial cable route to advise the public of the installation timeframe and of any disturbance.</p>

		<p>(5) The assessment and review of the alternatives presented for the installation of the subsea cable from the shoreline to the Beach Man Hole, concludes that DEFF: OC is in support of Alternative 1 "Trenching only" on the basis that this alternative is less evasive and would result in a smaller area of the seabed being disturbed than the second alternative presented which proposed combination of Horizontal Directional Drilling (HOD) and Trenching.</p>	<p>Alternative 1- Trenching has been selected as the preferred alternative for this section.</p>
		<p>(6) Assuming trenching will be implemented for the subsea cable's shore crossing, the report further documents that that five benthic habitats rated as 'Vulnerable' will be affected by the proposed subsea cable routing, namely; the Natal Canyon, Natal Sandy Inshore, Natal Sandy Shelf, and Natal Shelf Reef Natal-Delagoa Intermediate Sandy Coast. Taking into account the importance of benthic habitats in terms of nutrient exchange and sedimentation of organic material, this Branch is of the opinion that the magnitude of potential and or cumulative impacts to the marine environment as a result of the proposed project are high and largely unavoidable. While this Branch is in support of promoting economic development, it has the mandate to ensure that development that balances the competing needs of environmental, economic and social limitations without compromising the ability of future generations to meet their needs. It is a recommendation that the applicant ensures that the final subsea cable routing plan is designed to minimize the disturbance to sensitive benthic habitats in the coastal and nearshore zone as far as practically possible.</p>	<p>As the subsea cable routing passes through coastal and inshore benthic habitats identified as "Vulnerable" the impact can be considered of Medium Sensitivity. Impacts to vulnerable habitats are, however only temporary.</p> <p>This impact is of moderate significance without mitigation measures and will be mitigated with the following measures:</p> <ul style="list-style-type: none"> • Using the results of the seabed survey undertaken to design the subsea cable routing, planning the routing to as far as practicably possible avoid sensitive benthic habitats in the coastal and nearshore zone. • Ensuring that construction activities required for subsea cable installation occur concurrently, and timeously thereby minimizing the disturbance duration in the coastal and nearshore zone.
		<p>(7) The report clearly outlines that sub-tidal trenching would result in the mobilization and redistribution of sediments tidal currents and the littoral drift. Furthermore, the report sets out that this would result in localized increased suspended sediment concentrations in the water column. The findings of the specialist report conclude that trenching and subsea cable burial process would result in the disturbance of high shore, intertidal and shallow sub-tidal sandy beach habitats and their associated micro-benthic communities through displacement, injury or crushing. To mitigate impacts to benthic organisms, it is a</p>	<p>The Project is committed to minimising disturbance to the seabed and benthic habitat. The following mitigation measures are set out in the EMPr (Appendix G) of this report.</p> <ul style="list-style-type: none"> • Using the results of the seabed survey undertaken to design the subsea cable routing, planning the routing to as far as practicably possible avoid sensitive benthic habitats in the coastal and nearshore zone.

		<p>recommendation of this branch that the applicant ensures that construction activities occur concurrently and timeously to ensure minimal disturbance. Furthermore, the applicant should ensure that final subsea cable routing is designed to minimize the disturbance to sensitive benthic habitats in the coastal and nearshore zone.</p>	<ul style="list-style-type: none"> • Ensuring that construction activities required for subsea cable installation occur concurrently, and timeously thereby minimizing the disturbance duration in the coastal and nearshore zone.
		<p>(8) The report identifies that during the installation of the subsea cable shore-crossing, noise and vibration as a result of the use of excavation machinery could have a potential impact on surf-zone biota, marine mammals and shorebirds in the area. Furthermore offshore underwater noise generated during subsea cable installation could negatively affect a wide range of benthic invertebrates and vertebrates occurring throughout the water column and in the pelagic habitats nearshore. To mitigate the impact of disturbance and injury to marine fauna due to construction noise, it is a recommendation of this DEFF: OC that the Final Environmental Impact Assessment Report specifies in more detail the planned the trenching distance; ship buffer for the fisheries and proposed timeframes for installation to ensure that the proposed project will not be in conflict with whale migration season.</p>	<p>Potential impacts to marine fauna was assessed in the EIA Report. Noise levels during construction are generally at a frequency lower than that used by marine mammals for communication and these are therefore unlikely to be significantly affected. Both fish and marine mammals are highly mobile and should move out of the noise-affected area.</p> <p>As the noise associated with construction and subsea cable installation is unavoidable, no direct mitigation measures, other than the no-project alternative, are possible. Impacts of construction noise can, however, be kept to a minimum through responsible construction practices.</p> <p>The installation of the subsea cable -including shore crossing- will be limited to 30 days. A buffer of 500 m safety exclusion zone either side of the vessel will be in place for fisheries. Refer to section 8.3.5 of the Final EIA Report for more detail.</p> <p>The duration of the burial operation is dependent on the length installed. We may assume 1 day for shore end landing and beach joint, and a plough burial operation of 12-16 km/day. The subsea cable will be trenched and buried in waters shallower than 1,000 m. Depending on the length of burial, we may consider the plough burial impact could range from few hrs (if we assume nearshore 2 to 3 km we may consider 4 to 6 hrs), to maximum 2.5 days in territorial waters.</p>

			<p>Installation during whale migration season will be avoided as best possible. If subsea cable installation is scheduled during the whale migration period (June to November) further protections will be put in place.</p> <p>Consideration will be given for the subsea cable-laying vessels to accommodate dedicated independent Marine Mammal Observers (MMOs).</p> <p>These MMO's will have experience in seabird, turtle and marine mammal identification and observation techniques, and would carry out daylight observations of the subsea cable route and record incidence of marine mammals, and their responses to vessel activities. Data collected will include position, distance from the vessel, swimming speed and direction, and obvious changes in behaviour. Both the identification and the behaviour of the animals will be recorded accurately. Alternatively, relevant vessel staff trained in seabird, turtle and marine mammal identification and observation techniques will be assigned for observation, distance estimation and reporting, to perform marine mammal observations and notifications.</p>
		<p>(9) In terms of the terrestrial cable alternatives, this Branch concludes that it is in support of Terrestrial Cable Route 2 on the basis that it follows existing road servitudes and has the least environmental impact.</p>	<p>The Department's support of the preferred alternative (Terrestrial Cable Route 2) is noted.</p>
		<p>(10) The report clearly stipulates that the proposed installation of the subsea cable would result in some activities that would require driving on the coastal area. According to the National Environmental Management: Control of Use of Vehicles in the Coastal Area Regulations, authorization in the form of a permit would be required to use a vehicle in the coastal area. It is a recommendation of this DEFF: OC that the applicant ensures that they have obtained an Off-Road Vehicle Permit from this Branch prior to undertaking proposed activities on the coastal zone.</p>	<p>The municipality will be notified about the intention to bring vehicles and equipment on to the beach for the shore crossing installation. Contractors will take account of any recommendations made by the municipality.</p> <p>An Application for Exemption: Vehicle use in the Coastal Zone will be made to DEA prior to any activities involving vehicles on the beach.</p>

		<p>(11) To ensure that impacts in the marine environment are minimized and managed, the applicant must ensure that the construction footprint in the marine environment is limited to the construction area. The Contractor shall restrict all activities, materials, equipment, and personnel within the area specified or restrict activities to areas that are necessary to undertake the works. It is a recommendation of this Branch that the applicant is familiarized with Section 28 Duty of Care under the National Environmental Management Act (NEMA) to take reasonable measures to prevent pollution or degradation to the environment to avoid further disturbance.</p>	<p>The Project is committed to implementing measures to minimise the physical footprint of construction activities and disturbance. All activities will be restricted to the construction area (within a few meters either side of the cable) so as to avoid disturbance to adjacent areas. Vehicles will be restricted to clearly demarcated access routes and construction areas only.</p> <p>The applicant will familiarize itself with Section 28 Duty of Care under the National Environmental Management Act (NEMA) prior to start of installation. These requirements were considered in the EIA Report as part of the regulatory framework.</p>
		<p>(12) Taking into account the type of project the applicant intends to implement and its vicinity to the coastal zone, specifically coastal public property, the applicant is advised to adhere to and implement Section 63 of the ICM Act by taking into account all relevant factors, including how the proposed will impact on coastal public property and on coastal access land to ensure that proposed mitigation measures will ensure the conservation and protection of the coastal zone.</p>	<p>The ICM Act was considered in Project Design and the EIA process. The Act's intent to preserve and enhance coastal public property and ensure equitable access to coastal property was used to guide to assessment of impacts and specification of mitigation measures.</p>
		<p>(13) The applicant should ensure that these comments are forwarded to the competent authority.</p>	<p>These comments have been forwarded to the Competent authority along with the submission of the Final EIA Report.</p>
		<p>The applicant is reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no activity may take place in the coastal zone prior to an environmental authorization being granted by the Department. Failure to adhere to this requirement may result in statutory enforcement measures being taken against the applicant.</p> <p>These comments must be sent to the competent authority for consideration and implementation, and proof thereof sent to Fditintl@environment.gov.za.</p>	<p>No activity will take place in the coastal zone prior to an environmental authorisation being granted by the Department.</p>