



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Directorate: Forestry Management (Other Regions)
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ATTENTION: Mr. Clinton Geyser (Clinton@enviroafrica.co.za)
cc (admin@enviroafrica.co.za)

RE: COMMENTS ON DRAFT BASIC ASSESSMENT REPORT FOR PROPOSED OWK RAISIN PROCESSING AND PACKAGING FACILITY, ERF 151, BLAAUWSKOP SETTLEMENT, KEIMOE, KAI! GARIB MUNICIPALITY, NORTHERN CAPE (DENC REF: NOT SUPPLIED)

1. DEPARTMENTAL MANDATE

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

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

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

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

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


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

2. COMMENTS ON DRAFT BASIC ASSESSMENT REPORT AND BOTANICAL SCAN

- 2.1 The O.W.K. Raisin factory will have a development footprint of ± 4 to 5.22 ha. The report confirmed the presence of provincially protected plants and trees on site such as *Boscia foetida* and stated on page 16 that there will be impacts on *Aloe* and *Euphorbia* species. These plant species are protected under the Northern Cape Nature Conservation Act, Act 9 of 2009 (NCNCA) and may not be damaged or disturbed without a valid Flora Permit as alluded to in the Botanical Scan. Page 18 of the Draft Basic Assessment Report refers to applicable legislation. It only mentioned the National Water Act. The NCNCA was not mentioned, but is definitely applicable due to the presence of provincially protected plant species.
- 2.2 The report stated that although Camel thorn trees were observed, it falls mostly outside the boundaries of the property and none will be impacted on. If so, the Department of Agriculture, Forestry and Fisheries has no objection against the proposed development.

Thank you very much for notifying the Department of the proposed project.

Kind Regards,



Jacoline Mans
Chief Forester: NFA Regulation

