

Appendix 4

Authority correspondence

Appendix 4.1

Letter accepting Scoping Report



agriculture, environmental affairs,
rural development and land reform

Department:
agriculture, environmental affairs,
rural development and land reform .
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

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Enquiries :
Dipatisiso : A. Nyakaza
Imibuzo :
Navrae :
Reference :
Tshupelo : NC/EIA/16/NAM/KHA/POF2/2021
Isalathiso :
Verwysing :

Date : 14 June 2022
Leshupelo :
Umhla :
Datum :

ATTENTION: Mr Maboe Nthejane

Environmental Consultant: **ENVIROAFRICA CC**
P.O. Box 5367
HELDERBERG
7135

TEL: +27 (21) 854 1616
FAX: +27 (86) 512 0154
EMAIL: info@enviroafrica.co.za

Dear Sir

APPLICATION FOR ENVIRONMENTAL AUTHORIZATION FOR THE PROPOSED STYR-KRAAL AGRICULTURAL DEVELOPMENT ON THE REMAINING EXTENT OF PORTION 0 OF FARM STYR-KRAAL, FARM NO 81, POFAADER, KHAI MA LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.

Listing Notice 1 (GNR. 327): Activity No 4,5,8,9,10,11,12,13,14,19,24,26,31,45,56.

Listing Notice 2 (GNR 325): Activity No 13,15 and 16.

Listing Notice 3 (GNR 324): Activity No 4,12,14,18,23.

The scoping report for environmental impact assessment which was submitted by you in respect of the above mentioned application and received by the Department on the 22nd April 2022 has been accepted by the Department. You may accordingly proceed with undertaking the environmental impact assessment in accordance with the tasks that are outlined in the plan of study for environmental impact assessment.

Mr A. Nyakaza: Environmental Officer
Aviwenyakaza.denc@gmail.com

Appendix 4.2

Letter commenting on Scoping Report



agriculture, environmental affairs,
rural development and land reform

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ATTENTION: Mr Maboe Nthejane

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TEL: +27 (21) 854 1616
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Dear Sir

RE: COMMENTS ON THE SCOPING REPORT FOR THE ROPOSED STYR-KRAAL AGRICULTURAL DEVELOPMENT ON THE REMAINING EXTENT OF PORTION 0 OF FARM STYR-KRAAL, FARM NO 81, POFAADER, KHAI MA LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE PROVINCE.

1. The Department of Agriculture, Environmental Affairs, Rural Development and Land Reform ("the Department") acknowledges receipt on 22nd April 2022 of the Scoping Report for the above-mentioned development.
2. The Department hereby provides comments for the consultative Scoping Report for the above mentioned proposed development:

3.CONTENTS OF A SCOPING REPORT

- 3.1) The EAP is reminded to re-look at the dates of the Proposed plan of study and tasks to be undertaken (reference is made to table 3 page 36 of the DSR).

4. DETAILS OF THE PROPOSED ACTIVITY AND PROJECT DESCRIPTION.

- 4.1) The Department requests a detailed description of the relevant and specific associated activities (Listed activities in terms of Government Notice R983, R984 & R985) and the reason for inclusion and relevance of the listed activities.

5. APPLICABLE LEGISLATION FRAMEWORK, POLICIES AND/OR GUIDELINES

5.1) List all legislation, policies and/or guidelines of any sphere of government that are applicable to the application as contemplated in the EIA regulations, if applicable:

5.2) A list of the applicable legislation for this development must be included, also indicate the relevance/applicability of each legislation to the proposed development and associated infrastructure.

6. SPECIALIST STUDIES

6.1) The specialist studies must comply with Appendix 6 of the 2014 regulations.

6.2) The specialist studies are to be further investigated.

7. PROVISION OF SERVICES:

7.1) Page 30 (30 of 43) of the DSR states that "Due to the scale of the development, services for the proposed development will be investigated". The Department looks forward to the outcome of the said determination. All services which include water, wastewater disposal, roads, stormwater, solid waste disposal and electricity must be investigated.

7.2) Water Services; **The Applicant is advised to conduct a legal validation to identify all the water use activities associated with this project that will require authorisation by the Relevant Authority (DWS). Ensure the additional required water supply capacity is catered for and thus the development will not contribute to long term water shortages.**

7.3) The next phase of assessment (EIAR) has to provide a full indication of how the existing or current services versus the new proposed infrastructure services are to be incorporated and how this will be facilitated.

7.4) Confirmation and/or Provision of services must be demonstrated; and any upgrades that may be required to service the development.

7.5) Ensure Agreements with service providers on how they will assure such services are provided in their required amounts.

8. DEPARTMENT TO REQUEST THE FOLLOWING BE UNDERTAKEN AS PART OF THE EIAR:

The Applicant is reminded to include the following details in the subsequent environmental process:

8.1) detailed breakdown of the water requirements for all phases of this development/project.

8.2) The design and operational capacities of the said water storage dam must be provided in EIAR.

9. ADDITIONAL STUDIES:

9.1) Wetland assessment must include delineated buffers, Delineation of the affected streams and drainage lines.

9.2) Bulk Services Report (to be concluded and submitted)-Internal and external connections to services, the installation of services and the maintenance of services should be fully addressed in the services agreement.

CONCLUSION:

1) An environmental impact assessment report must contain all information that is necessary for the CA to consider the application and to reach a decision.

2)The EAP is requested to provide an Updated Plan of study for the EIA (Scoping Report page 36 of 43) accompanied by clear timelines.

3) All changes required as a result of comments herein must also be incorporated in the EIAR phase.

Kindly bring to the attention of the applicant the fact that this development must not commence prior to the Department deciding on the application.

Please do not hesitate to contact the Department should you have any queries in this respect.



Mr A. Nyakaza: Environmental Officer
Aviwenyakaza.denc@gmail.com

Appendix 4.3

Ecological comment on Scoping Report



90 Long Street, Kimberley, Northern Cape, South Africa, 8300, Tel: (053) 807 7300,
E-mail: zmogorosi@ncpg.gov.za, web: www.agrinc.gov.za

Date:	10 June 2022	Reference:	NC/EIA/16/NAM/KHA/POF2/2021
To:	A Nyakaza	From:	P. Cloete
Proposed establishment of Agricultural fields, farm workers residences, water storage dam, water delivery pipeline and associated infrastructure on the Remainder of Portion 0 of the Farm Styr-Kraal No.81			

Dear Aviwe

RE: Proposed establishment of Agricultural fields, farm workers residences, water storage dam, water delivery pipeline and associated infrastructure on the Remainder of Portion 0 of the Farm Styr-Kraal No.81

Introduction

On the 6th May 2022, a site visit was conducted to Farm Styr-Kraal (Portion 0 Farm Styr-Kraal No.81) for the proposed establishment of Agricultural fields, farm workers residences, water storage dam, water delivery pipeline and associated infrastructure. The site visit was accompanied by:

Mr. Peter Cloete (DAERL: Research and Development Support)

Mr. Aviwe Nyakaza (DAERL: Impact Management)

Mr. Bernard De Witt (EnviroAfrica: Consultant)

The landowner of the property belongs to Schamboua Community Property Association (CPA) and are held in a trust (Figure 1) .



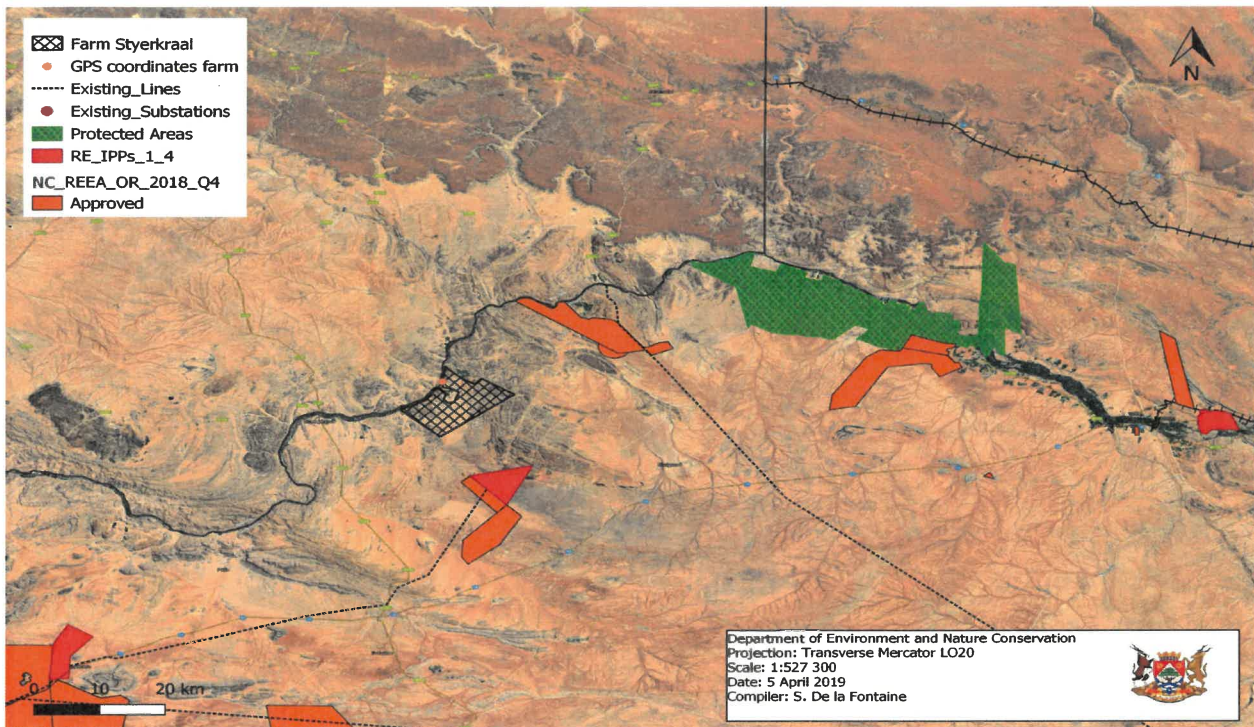


Figure 1: Orientation of Styr-Kraal Farm

The proposed development comprised of the agricultural developments:

- Vineyards - 83 hectares
- Dates - 78 hectares
- Drying bed - 10.7 hectares
- Housing - 3.8 hectares
- Grapes 62 hectares
- Dates 121hecatres

The purpose of the site visit was to evaluate and record the environmental setting for the proposed development as part of the EIA requirements. A Final Scoping Report was submitted to the DAERL for review and pending approval. A request from Impact Management for R&DS to provide comments and recommendations on the Final Scoping Report.

Herewith recommendations and comments on the Final Scoping Report.

- The Farm Styr-Kraal is covered by sand, low shrubby vegetation (refer to the grey and coloured areas on map 2 and compare those with the areal view in map 3). This does however not mean that there is NO vegetation, it is just sparsely distributed. There are also 2 ephemeral rivers bordering the farm on the eastern and western borders. The vegetation is more concentrated towards the 2 rivers and the Orange River.

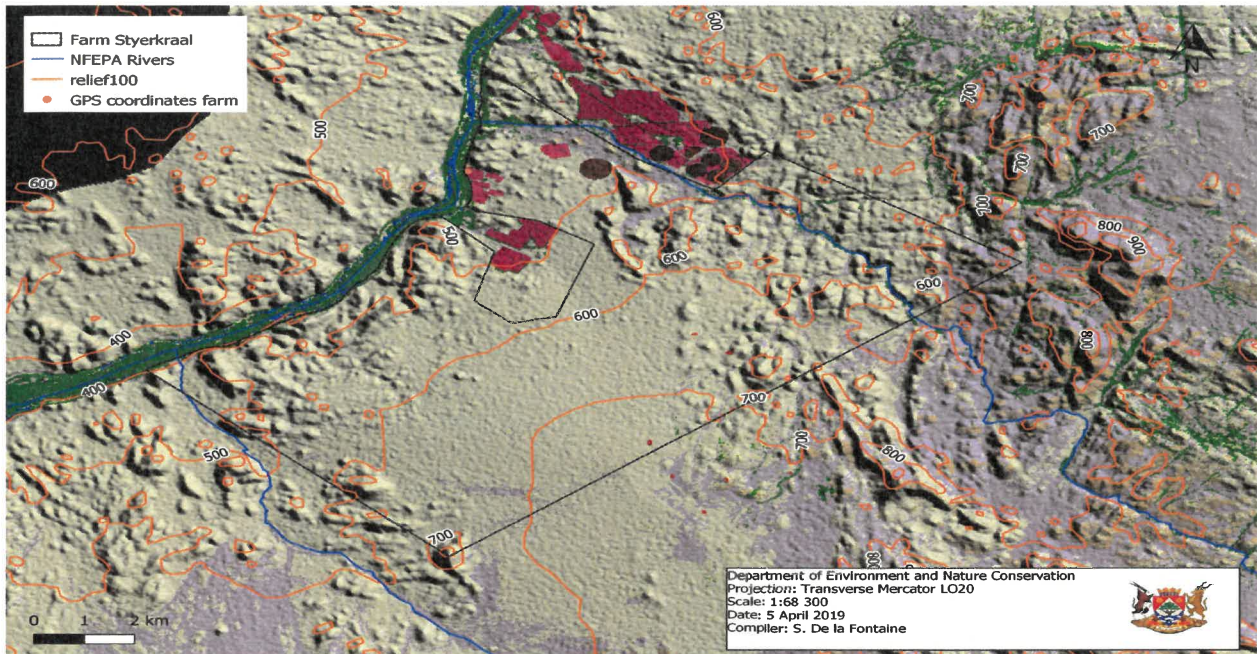


Figure 2: Relief and cover map of Styr- Kraal Farm

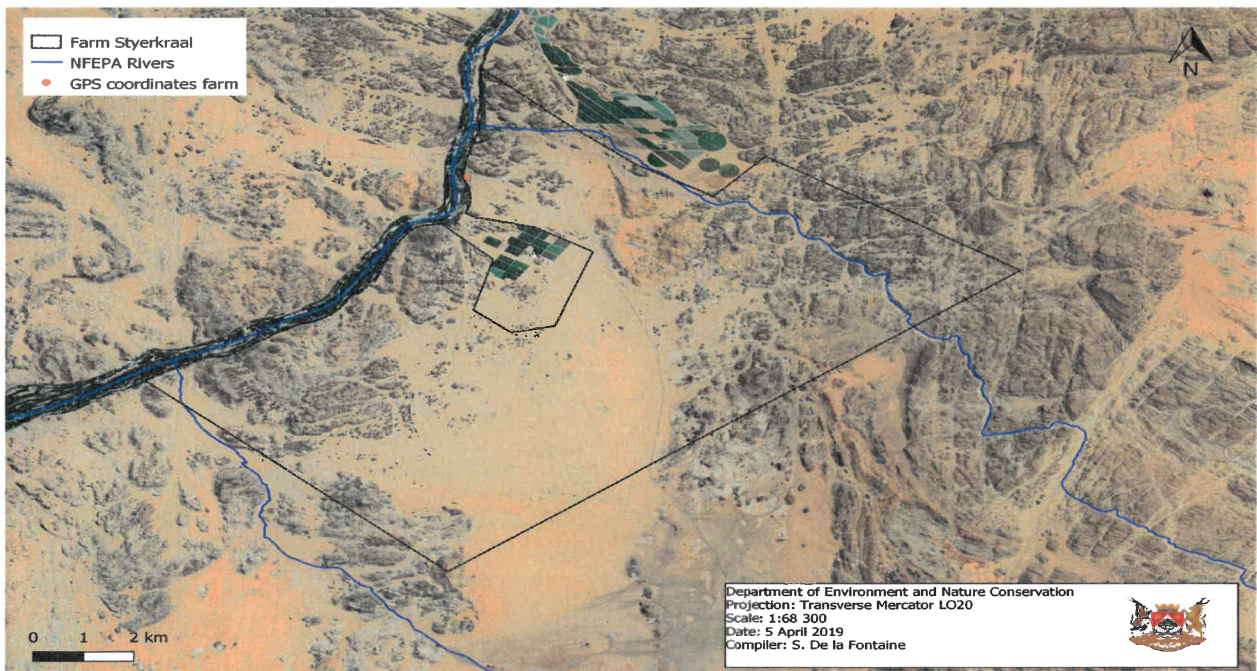


Figure 3: Areal Map of Styr-Kraal Farm

- The farm is covered by three (3) vegetation types ie. Bushmanland Arid Grassland (Least Concern; Hardly Protected), Lower Gariep Broken Veld (Least Concern, poorly protected) and the endangered Lower Gariep Alluvial Vegetation of which some already been disturbed through the development of vineyards located close to the river.

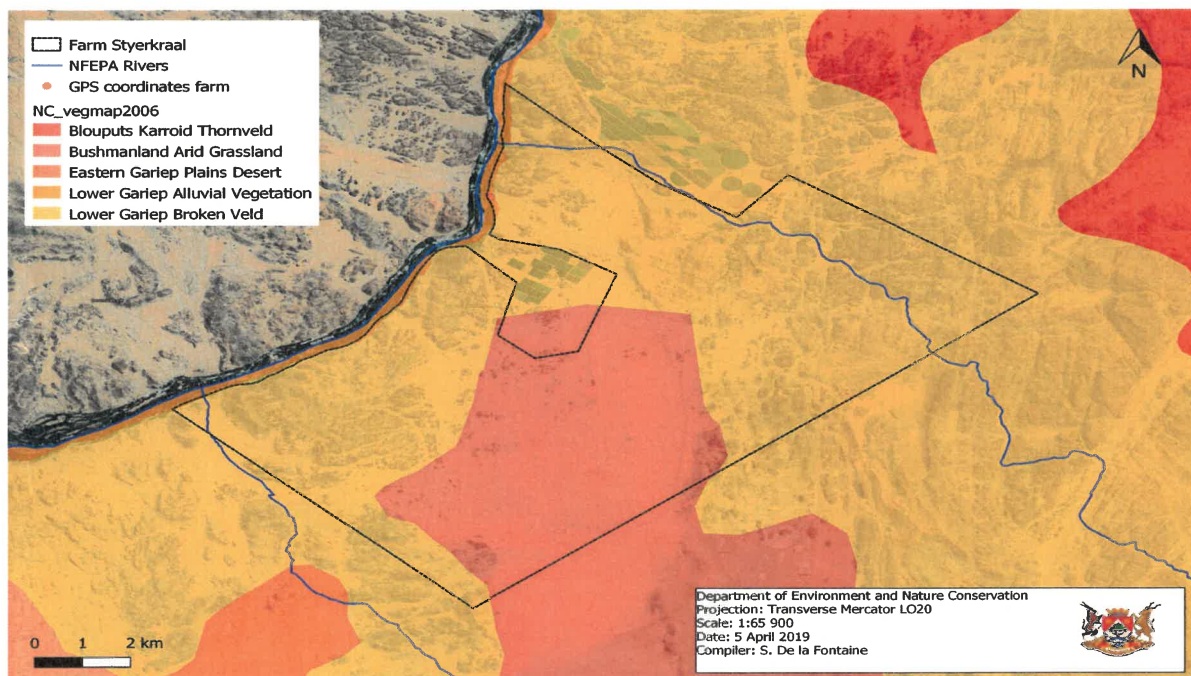


Figure 4: Vegetation Map for Styr-Kraal Farm

- The entire property falls within an area earmarked by our department for expansion of protected areas i.e. it falls within the Augrabies falls expansion focus area (as per NCAPAES).
- The entire property, aside from the areas already disturbed were earmarked as per CAB2 areas, the Lower Gariep Alluvial Vegetation Type is a CBA 1 area (as per Northern Cape Critical Biodiversity Map)

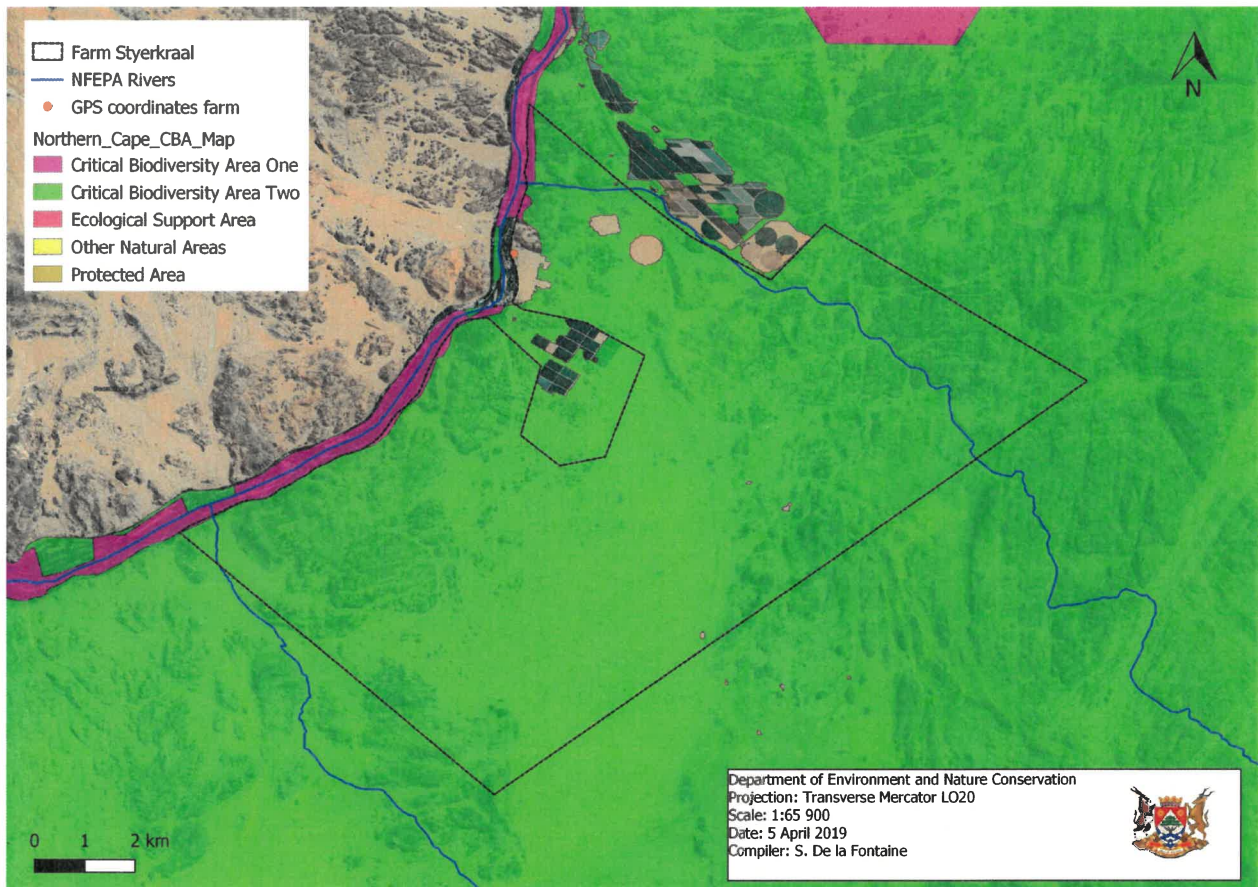


Figure 5: Critical Biodiversity Areas Map

- During the site visit it was evident that a great number of Camel thorn trees (*Vachellia erioloba*) as well as the great number of stink bush or false shepherd tress (*Boschia foetida*) encountered on the site. Ebony trees (*Euclea pseudebenus*) and several Shepherd Trees (*Boschia albitrunca*) were located within the development footprint. These trees species are protected under the Northern Cape Nature Conservation Act (No.9 of 2009). They are keystone species for ecosystem services. A buffer of 10m are perceived as a suitable measure for the Camel thorn trees.
- It must be noted that the vegetation of the Lower Gariep Alluvial Vegetation Type, is considered to be a Critically Endangered vegetation type. However, the site has been transformed by agricultural activities and there is no significant natural vegetation remaining.
- A substantial buffer (>100m) must be allowed for between the agriculture and the Orange River. Berms should also be constructed on the eastern edge of the site to prevent runoff from the compost site flowing directly to the stream.

- Loss of agricultural land for the proposed activities must not lead to expansion of cultivation into sensitive or natural areas elsewhere.
- The landowner must be reminded that in terms of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983) (CARA), landowners must prevent the spread of alien invasive plants on the property. The level of alien infestation is therefore not be seen as reducing the sensitivity of the site, nor is the subsequent removal of alien vegetation from a property regard as a mitigation measure due to this being a legal requirement. Infestation by alien plants does not necessarily mean that an area is not important for biodiversity as some vegetation types are particular prone to invasive alien infestation, but may recover when cleared of alien vegetation. The EAP needs to take cognisance of this fact in all statements regarding mitigation of the NO- Go Alternative impact. The landowner is legally required to remove all alien plants from the farms and therefore the No -Go Alternative has to rake into account.
- In addition to CARA, in terms of the Alien Invasive Species Regulations. NEM:BA, 2014, specific alien plant species (e.g. *Prosopis glandulosa*) are either prohibited or listed as a restricted activity concerning their spread. All alien trees present on the properties should be removed as they are a propagate source for further spread of invasive alien plants. It should also however be noted that although brush cutting vegetation is permissible, the frequency of such activities should not exceed thresholds that would result in the succession of the vegetation unit.
- The proponent must provide suitable measures for the loss of the *Boschia albitrunca`*s. Considering the ecological impacts and the loss of a ecological keystone specie (transplanting of the specie is not viable), the proponent must provide counterbalance measures whether in a form offset/compensation. This matter should be robustly assessed and discussed with DFFE and DEARL in order to make an informed decision as well for permitting requirements.
- Efforts must be made to relocated reptiles, groundwelling animals and bird nets out of the construction footprint to areas that are not affected by the development to minimise mortality during the construction phase.
- The pipeline trench should be dug by hand to avoid any unnecessary and destruction of vegetation from heavy machinery.

- The working buffer on either side of the pipeline can be reduced from the proposed 5m to 1m, thereby reducing the footprint from approximately 3 500 m² to 750 m² along the 350m length of pipeline.
- No fire are allowed within the Alluvial Vegetation (e.g *Oewerbos*). This vegetation type is a fire - driven ecosystem. All vegetation that will be removed must be transported off-site for disposal.

I hope you find these recommendations in order and please do not hesitate to contact me if there any uncertainties.

Yours truly

A handwritten signature in black ink, appearing to read "A. Poete". The signature is written in a cursive, slightly stylized font.

District Ecologist: Research and Development

Appendix 4.4

Letter dealing with services



agriculture, environmental affairs,
rural development and land reform

Department:
agriculture, environmental affairs,
rural development and land reform .
NORTHERN CAPE PROVINCE
REPUBLIC OF SOUTH AFRICA

Sub-Directorate: Research

Box 37, Upington, Northern Cape, South Africa, 8800, Tel: 087 630 0303,
Fax: (054) 334 0011, E-mail: hgerber@ncpg.gov.za

Date:	11 August 2022	File:	
To:	Mr Aviwe Nyakaza, NCAELRRD	From:	Hannes Gerber
RE: STYRKRAAL DEVELOPMENT			

Dear Mr Nyakaza,

Background

The development of Strykraal is a project of this Department and is supported by the Department of Rural Development for the development of 200 ha of irrigation for the production of high value crops. The farm portion 0000 of Strykraal No. 81 was procured for the Schamboua Communal Property Association (CPA) by the Restitution Office of the Department of Rural Development and Land Reform. The CPA comprises 51 beneficiaries from 10 households. The original land claim by the beneficiaries were on the farm Thom, in the Concordia District. This community was removed from this land in 1962 and laid a claim on this land as part of the national land reform process after 1994. Due to the fact this land was already occupied, the then Minister of Land Reform offered the community alternative land which were procured by Dept Rural Development. In this restitution process the remaining extent of farm Strykraal No 81, with title deed number T44105/215CTN, was registered in the name of the Schamboua CPA in 2015.

Since ownership was obtained, the Schamboua CPA made various attempts to develop 28 ha of land with water licence with the assistance of the Department of Agriculture, Land Reform and Rural Development. This Department had a programme called the Orange River Emerging Farmer Settlement and Development Programme or OREFSDP. This programme had a technical committee that advised that this land was too small to develop and that economic viability could not be proved on 28 ha due to the remoteness of the area and poor infrastructure at the time. The OREFSDP recommended to the Co-ordinating Committee On Agricultural Water (CCAW) that at least 200 ha of irrigation is required to make this project viable.

In a 2020 study conducted by OABS and funded by the IDC and Raisins SA, the commercial viability of the Strykraal project was proven, given 200ha of irrigation. Recommended crops included table grapes, raisins and dates.

On a CCAW meeting that was held on 27 February 2019 in Kimberley, Department of Water and Sanitation, Northern Cape, was requested to ring-fence 172 ha of water entitlement or



2 580 000 m³ for Styrkraal from the 4 000 ha allocated from the Orange River by the late Minister Kader Asmal. This request was approved.

In 2021 a permit (C0007 JHV/NC/2021) has been issued by the Department Of Environment and Conservation for cultivation of 494ha on Styrkraal. This triggered the request for the “ring fenced” water to be transferred to the Shamboua CPA in 2021.

Currently R 24 000 000 has been made available for the implementation of this project by the Department of Rural Development for the 2022/23 financial year.

Other partners and funding agencies have indicated willingness to participate in this development on condition that irrigation water is secured. These include the IDC and Raisins SA which has already contributed towards the funding of the Environmental Impact Assessment.

This Department has engaged in the DWS e-WULAAS process since September 2021 and received notification that all documents have been successfully been uploaded with reference: Styrkraal WU21875.

Electricity requirement

The irrigation design is to extract 24 000m³ per day over a 19 hour period that requires a flow of 1 289m³ per hour. The extraction from the Orange River will be done via 3 submersible pumps with a flow of 450m³ per hour for each. Each pump feeds water through a 315HDPE pipe to a booster pump which pumps the water to two dams of which the furthest is an existing dam. The extraction pipes to the booster pump will be 315 mm HDPE pipes. The distance from the booster pump to the first dam is 820m. This dam will be a newly built sealed dam with 28 000m³ capacity. The distance from the booster pump to dam 2, the existing dam is 2 300m. Suction pipes from the river will be mounted on a float system with drums for buoyancy.

The current ESKOM point on the farm is for 50kVA and the pole number is SKA331-27-3. The account number is 5882142828. As soon water is transferred the transformer will be upgraded in the required manner.

Please see attached DW784 documents.

Potable water and waste water

A plant is planned for the initial filtration of 25m³ water for potable use for housing development. The water quality will be sufficient so that it can be consumed or utilized without the risk of immediate or long term harm. Water will be abstracted from the irrigation line to Dam 1 as indicated on the attached site map. A waste water handling facility, also indicated on the attached site map will be placed at a suitable distance from the housing area. It is expected that less than 50m³ of waste water will be discharged per day. The farm will not deposit any organic and inorganic solids into natural water bodies and the use of septic tanks

for the treatment of waste water (grey and sewage) will be restricted to prevent negative impacts on underground water. The tanks and their drainage will correspond with the volume of wastewater received and treatment capacity. The farm will conduct a surface water quality monitoring and analysis program annually.

Solid waste

The farm will have an integrated waste management program for the waste products it generates. A site for the temporary storage of solid waste has been identified (see attached site map). The Styrkraal development will appoint a contractor for collection of the waste on a weekly basis and subsequent disposal of the waste in a lawful manner. A contractor will be appointed through an open tender process and the specifications of the tender will be aligned to sustainable agricultural standards which will include:

- 1) Refusing or reducing the use of products that have actual or potential negative impacts on the environment or human health as well as reusing and recycling waste. Proof that the final destination of waste will be administered and designed to minimize possible environmental and human health impacts and meets the relevant legal requirements.
- 2) Open-air burning of waste will not be permitted.
- 3) The temporary waste storage area on the farm will be designed and managed to reduce the risks of environmental contamination and damage to human health. Its location will be in accordance with applicable laws regarding distances from houses and other areas of human activity, water channels and sources, and conservation areas.
- 4) The contractor will not transfer waste to persons or businesses without checking that its treatment or final use complies with legal requirements and the requirements of this standard. Waste products or materials that have been in contact with agrochemicals or any other toxic or harmful substances will not be given away without first verifying that they will be used for similar purposes that do not represent a danger to human health or produce negative environmental impacts.
- 5) The contractor will strategically place waste receptacles on the farm and regularly collect and dispose of their contents.

New Dam

The new dam is illustrated on the attached site map as Dam 1 and it will be oval in shape with dimensions of 80m x 50m x 7m with a capacity of 28 000m³.

Comments

As was indicated under the background, Styrkraal is a restitution farm which aims contributing to the land reform process. Unfortunately, beneficiaries are not in a position to finance expensive on site development designs and rely heavily on grant funding as well as

development agencies. These agencies as well as government and parastatal institutions are reluctant to invest in projects where the Environmental Authorization or proof of water licences are not in place. The Schamboua Trust has come a long way in sourcing funds and expertise to supply them with a development plan. This group of people deserves all the support possible from government institutions to streamline their road to become a successful farming enterprise.

A handwritten signature in black ink, appearing to read 'H. Gerber', with a horizontal line underneath.

Hannes Gerber

Scientific Manager (B)

Northern Cape Department of Agriculture, Environmental Affairs, Land Reform and Rural Development

Cell: 082 922 2656

Appendix 4.5

Interim comment from SAHRA

Our Ref:



an agency of the
Department of Arts and Culture

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South African Heritage Resources Agency | 111 Harrington Street | Cape Town
P.O. Box 4637 | Cape Town | 8001
www.sahra.org.za

Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 18317

Date: Friday April 22, 2022
Page No: 1

Interim Comment

In terms of Section 38(3), 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Schamboua Trust

PROPOSED AGRICULTURAL DEVELOPMENT ON THE REMAINDER OF THE FARM STYR-KRAAL NO. 81, KHAI-MA LOCAL MUNICIPALITY, NAMAKWA DISTRICT MUNICIPALITY, NORTHERN CAPE.

EnviroAfrica has been appointed by Schamboua Trust to conduct an Environmental Authorisation (EA) Application for the proposed Styr-Kraal Agricultural Development on the remaining extent of portion 0 of the farm Styr-Kraal, Farm No. 81, Pofadder, Khâi-Ma Local Municipality, Namakwa District Municipality, Northern Cape Province.

A draft Scoping Report (DSR) has been submitted in terms of the National Environmental Management Act, 1998 (NEMA) and the 2017 NEMA Environmental Impact Assessment (EIA) Regulations. The proposed development will include the construction of new seasonal workers housing, new dam, new waste water management for permanent housing and the cultivation of 78 ha of dates. The total development area will cover 83.38 ha.

Banzai Environmental and Ubique Heritage Consultants have been appointed to provide heritage specialist input as required by section 24(4)b(iii) of NEMA and section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA).

Butler, E. 2020. Palaeontological Desktop Assessment for the Proposed Styr-Kraak Agricultural Development on 81 Styr-Kraal, Namakwa District Municipality, within the Khai-Ma Local Municipality, Northern Cape Province.

The proposed development footprint is underlain by the Daberas Granodiorite and Schuitdrift Gneiss of the Namaqua Natal Metamorphic Province that do not contain fossils, which is overlain by Quaternary to Recent sediments of the Gordonia Formation that do not preserve fossils very well but may contain more recent fossils. A Chance Finds Protocol is recommended to be implemented and is provided in the report.

Fivaz, H and Engelbrecht, J. 2020. Phase 1 HIA Report Agricultural Development Styr-Kraal Northern Cape.

Our Ref:



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Enquiries: Natasha Higgitt
Tel: 021 462 4502
Email: nhiggitt@sahra.org.za
CaseID: 18317

Date: Friday April 22, 2022
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A total of two heritage resources were identified within the proposed development area. These include two graves of high heritage significance.

Recommendations provided in the report include the following:

- It is recommended that the graves be fenced off within the inclusion of 50 m buffer/safety zone;
- A Chance Finds Procedure is recommended.

Interim Comment

The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit notes the submitted heritage reports. Further comments will be issued upon receipt of the draft EIA report inclusive of appendices.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

Natasha Higgitt
Heritage Officer
South African Heritage Resources Agency

Phillip Hine
Manager: Archaeology, Palaeontology and Meteorites Unit
South African Heritage Resources Agency

Our Ref:



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CaseID: 18317

Date: Friday April 22, 2022
Page No: 3

ADMIN:

Direct URL to case: <https://sahris.sahra.org.za/node/595276>