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**Ref: P22028\_COMMENTS & RESPONSE REPORT**

**COMMENTS AND RESPONSES REPORT: SANRAL – COMMENTS ON THE DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED IMPROVEMENT OF NATIONAL ROAD N11 SECTION 11 FROM GROBLERSDAL TO MARBLE HALL IN LIMPOPO PROVINCE**

DATE OF COMMENT, FORMART OF COMMENT NAME OF ORGANISATION/I&AP	COMMENT	RESPONSE FROM EAP/APPLICANT/SPECIALIST
26/01/2023 Letter Arbor Guest House	No construction at night due to disturbance to guests.	EAP: This will form part of the Environmental Management Programme during the construction phase.
20/02/2023 Letter Schoeman Citrus Estate (Sean)	"Crossing of the road. Access to each side of the road. Culvert designs. "	EAP: "A ""Slow Down Vehicles Crossing"" sign can be placed at each end of the crossing zones to assist in slowing vehicles down. This will be proposed to SANRAL.  Accesses may be temporarily cut off during construction but this will be outlined in an ""Access Plan"" which will be distributed to all affected land and business owners prior to construction by SANRAL. This plan will also include the proposed dates on which access will be temporarily cut off.

		The culvert along the road of this property will be highlighted to SANRAL for potential upgrades as it was noted that this a safety concern during high rainfall events."
02/02/2023 Letter HN Pieterse Farm (Hendri Pieterse)	Mainly access of trucks to transport fruit in a timely manner to harbour	EAP: Accesses may be temporarily cut off during construction but this will be outlined in an "Access Plan" which will be distributed to all affected land and business owners prior to construction by SANRAL. This plan will also include the proposed dates on which accesses will be temporarily cut off.
02/02/2023 Letter Kingfisher Rest @ Moosriver (Millie Rodofsz)	"Access, Bridge position design. Stormwater concerns during floods. Water levels during floods. Possible land acquisition. Bridge not to make flooding worse for access. "	EAP: "The design and position of the new proposed bridge has been done so to maximise its hydraulic capacity and safety of the road user. The flooding events in 1996 and 2008 have been noted and taken into considered when designing and positioning the new bridge in order to minimise any potential flooding over and stormwater issues.  Accesses may be temporarily cut off during construction but this will be outlined in an ""Access Plan"" which will be distributed to all affected land and business owners prior to construction by SANRAL. This plan will also include the proposed dates on which accesses will be temporarily cut off.  If land acquisition is required SANRAL, or a representative of SANRAL, will contact you directly in order to discuss the process and come to an agreement."
02/02/2023 Letter Trifert (Pty) Ltd (Jacob)	Delivery of product as we are fertilizer manufacturer.	EAP: Accesses may be temporarily cut off during construction but this will be outlined in an "Access Plan" which will be distributed to all affected land and business owners prior to construction by SANRAL. This

		plan will also include the proposed dates on which accesses will be temporarily cut off.
02/02/2023 Letter Loskop ICT (Ben van de Beg)	Access, Potential slipway for vehicles/trucks due to traffic on main road, access to property and possible sliproad.	EAP: "Accesses may be temporarily cut off during construction but this will be outlined in an ""Access Plan"" which will be distributed to all affected land and business owners prior to construction by SANRAL. This plan will also include the proposed dates on which accesses will be temporarily cut off.  A potential slipway may be proposed to SANRAL but the viability of this is dependant on the current road and safety designs."
23/06/2023 Email DFFE (Nyiko Nkosi)	<p><b>(a) Public Participation</b></p> <p>(i) Comments must be obtained from this Department's Biodiversity Conservation Directorate at BCAdmin@dffe.gov.za</p> <p>(ii) The Public Participation Process must be conducted in terms of Regulation 39, 40 41, 42, 43 and 44 of the EIA Regulations 2014, as amended.</p> <p>(iii) Please ensure that all issues raised, and comments received during the circulation of the draft BAR from registered Interested and Affected Parties (I&amp;APs) and organs of state, as listed in your I&amp;APs Database, and others that have jurisdiction in respect of the proposed activity are adequately addressed and included in the final BAR.</p> <p>(iv) Copies of original comments received from I&amp;APs and organs of state, which have jurisdiction in respect of the proposed activity are submitted to the Department with the final BAR.</p> <p>(v) Proof of correspondence with the various stakeholders must be included in the final BAR. Should you be unable to obtain comments, proof should be submitted to the Department of the attempts that were made to</p>	<p>EAP:</p> <ol style="list-style-type: none"> <li>i. The Draft BAR has been sent to Biodiversity and Conservation Directorate for comments.</li> <li>ii. Refer to Section 5 of the Final BAR for the details of the Public Participation conducted.</li> <li>iii. Refer to Appendix F2 which includes the Comment and Responses Report. This report outlines all the comments and concerned raised by the I&amp;APs. With the response from the Client, EAP, and Engineers.</li> <li>iv. Original comments and responses is attached to Appendix F5 of the Final BAR.</li> </ol>

	<p>obtain comments. In terms of Regulation 41(2)(b) of the EIA Regulations, 2014, as amended, please provide proof of written notice for the availability of the BAR for comment.</p> <p>(vi) All issues raised and comments received during the circulation of the draft BAR from I&amp;APs and organs of state which have jurisdiction in respect of the proposed activity are adequately addressed in the final BAR, including comments from this Department, and must be incorporated into a Comments and Response Report (CRR).</p> <p>(vii) The CRR report must be a separate document from the main report and the format must be in the table format as indicated in Annexure 1 of this comments letter.</p> <p>(viii) Please refrain from summarising comments made by I&amp;APs. All comments from I&amp;APs must be copied verbatim and responded to clearly. Please note that a response such as “noted” is not regarded as an adequate response to an I&amp;AP’s comment.</p> <p>(ix) Minutes and attendance registers (where applicable) of any physical/virtual meetings held by the Environmental Assessment Practitioner (EAP) with Interested and Affected Parties (I&amp;APs) and other role players must be included in the final BAR.</p>	
	<p><b>(b) Listed Notice</b></p> <p>(i) The activities applied for in the application form differ from those mentioned in the draft BAR. Kindly amend the application form to ensure that the activities applied for matches those in the BAR. Please note that the Department’s application form template has been amended and can be downloaded from the following link <a href="https://www.environment.gov.za/documents/forms">https://www.environment.gov.za/documents/forms</a>.</p> <p>(ii) Project description provided for activity 18 of Listing Notice</p>	<p>EAP:</p> <p>i. Listed activities from both Application form and FBAR are the same and are relevant to the proposed development and its activities.</p> <p>ii. Activity 18 of Listing Notice 3 has been removed from both application form and FBAR.</p> <p>iii. Listed activities from both Application form and FBAR are relevant to the proposed development and its activities.</p>

	<p>3 must be amended to reflect the description of the proposed road to be widened.</p> <p>(iii) Please ensure that all relevant listed activities are applied for, are specific and can be linked to the development activity or infrastructure as described in the project description. Only activities applicable to the development must be applied for and assessed.</p>	
	<p><b>(c) Application Form</b></p> <p>(i) The Department has noted on Appendix 12 of the application form that the signature of the Commissioner Oaths is not provided. When submitting the final BAR please ensure that you submit the completed Appendix 12 which includes the signature of commissioner of auth.</p>	<p>i. Appendix 12 of the application form for the FBAR will be signed</p>
	<p><b>(d) Coordinates</b></p> <p>(i) Please ensure that the BAR includes the centre coordinates of the proposed Bridge B1050, Major culvert C010 and C011</p>	<p>EAP:</p> <p>i. All proposed infrastructures centre coordinates have been provided</p>
	<p><b>(e) Specialist</b></p> <p>(i) Based on the selected classification, and the environmental sensitivities of the proposed development footprint, the screening tool had identified the list of specialist assessments for inclusion in the assessment report, it is the responsibility of the EAP to confirm this list and to motivate in the assessment report, the reason for not including any of the identified specialist study including the provision of photographic evidence of the site situation.</p> <p>(ii) Screening tool report</p> <ul style="list-style-type: none"> <li>The screening tool and the gazetted protocols (GN R320 of 20 March 2020 and GN R 1150 of 30 October 2020) require a site sensitivity verification to be completed to either confirm or dispute the findings and sensitivity ratings of the screening tool.</li> <li>It is the responsibility of the EAP to confirm the list of specialist assessments and to motivate in the assessment report, the reason for not including any of the identified</li> </ul>	<p>EAP:</p> <p>i. Site sensitivity verification report outlining the specialist reports that will be conducted and motivation for those reports that will not be conducted is attached on Appendix I1.</p> <p>ii. A Screening Tool Report has been conducted and the EAP has compiled a site sensitivity verification motivating the findings of the screening report.</p> <p>iii. All specialist studies followed the same terms of reference as outlined in their "Background" and "Scope of Works" section of their reports which can be found in Appendix G.</p> <p>iv. All specialist studies were conducted in accordance with the Procedures for the Assessment and Minimum Criteria for Reporting in identified Environmental Themes in terms of</p>

**Comment [GM1]:** NM to sign

	<p>specialist studies including the provision of photographic evidence of the site situation. The site sensitivity verification for each of the recommended studies, as per the protocols, must be compiled and attached. Please note that even though the specialist study is conducted, the site verification report for all identified themes to confirm the level of sensitivity as identified by screening tool must be submitted.</p> <p>(iii) The Department take note that the BAR included a table of the specialist studies that are identified by the screening tool and you also indicated which specialists are applicable to this application. You are therefore required to provide motivation why the other specialist identified by the screening tool is not applicable to the proposed project. In addition to this, please note that the requirement of protocols requires that, if the theme is identified as medium or low, the A signed copy of the compliance statement must be appended to the Basic Assessment Report</p> <p>(iv) Additionally, the protocols specify that an assessment must be prepared by a specialist who is an expert in the field and is SACNASP registered for e.g.an aquatic assessment must be prepared by a specialist registered with SACNASP, with expertise in the field of aquatics sciences.</p> <p>(v) The Specialist Declaration of Interest forms for all specialist must be submitted in the Department's template form.</p> <p>(vi) It is further brought to your attention that Procedures for the Assessment and Minimum Criteria for Reporting on identified Environmental Themes in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation, which were promulgated in Government Notice No. 320 of 20 March 2020 (i.e. "the Protocols"), and in Government Notice No. 1150 of 30 October 2020 (i.e. protocols for terrestrial plant and animal species), have come into effect. Please note that the specialist assessments conducted are in accordance with these protocols.</p>	<p>v. Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998. The Specialist Declaration of Interest forms are attached to Appendix G5.</p>
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	<p>(vii) Summary and recommendations of all specialist studies conducted must be included in the BAR and EMPr.</p> <p>(viii) Please ensure that the BAR indicate any recommendations of the EAP or specialists, which are to be included as conditions of authorisation, per Appendix 1(3)(1)(n).</p> <p>(ix) Please ensure that the Specialist to be submitted with final BAR are final, as the copies submitted with the draft BAR are referred as draft.</p>	
	<p><b>(f) Layout &amp; Sensitivity Maps</b> Please provide a layout map which indicates the following:</p> <ul style="list-style-type: none"> <li>• The location of proposed road improvement;</li> <li>• Location of proposed bridge and major culverts :</li> <li>• The location of sensitive environmental features on site e.g., CBAs, heritage sites, wetlands, drainage lines etc. that will be affected;</li> <li>• Buffer areas; and,</li> <li>• All “no-go” areas.</li> <li>• The above map must be overlain with a sensitivity map and Google maps will not be accepted</li> </ul>	<p>EAP: All maps that are included in the FBAR are in accordance to what DFFE require it to be</p>
	<p><b>General:</b> Please also ensure that the final BAR includes the period for which the Environmental Authorisation is required and the date on which the activity will be concluded as per Appendix 1(3)(1)(q) of the NEMA EIA Regulations, 2014, as amended. The final BAR must comply with the content of BAR as indicated under Appendix 1 of the EIA Regulations 2014 as amended. Content of BAR as per Appendix 1 must be included in the BAR as table of content and it must show the sections or page numbers where all requirements has been addressed in the BAR.</p>	<p>EAP: The period for which Environmental Authorisation is required has now been included in Section 7.2.</p> <p>The final BAR is in accordance to Appendix 1 of the EIA Regulations 2014 as amended.</p>