



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

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Reference: 14/12/16/3/3/1/1361, 1362, 1363, 1364, 1365, 1366, 1367,1368,1369,1370

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Dear Madam

REJECTION OF BASIC ASSESSMENT REPORTS: PROPOSED UPGRADE OF TEN RIVER CROSSINGS SITUATED ALONG THE SKOENMAKERS RIVER IN THE EASTERN CAPE PROVINCE

The Basic Assessment Reports (BAR) dated June 2015 and received by the Department on 02 July 2015, refer.

This letter serves to inform you that the Department, in terms of sub regulation 24 (1) (b) (ii) of the Environmental Impact Assessment (EIA) Regulations, 2010, rejects the abovementioned BARs and request that the BARs be amended to include the following:

Listed activities

The project description provided for the listed activity 39 (i)-(iv) of GN R544 of the EIA Regulations, 2010 is not specific and it cannot be linked to the triggered sub-listed activities. Please provide a detailed description stating what the Applicant is intending to develop for Activity 39 (i) (ii) (iii) & (iv) of GN R 544 of 18 June 2010. You are therefore required to amend the application form to reflect the above-mentioned items. In addition the listed activities and the description of the project activities in the application form must be the same as the listed activities contained in the BAR.

Specialist study

The **project inception report including Faunal, Floral, Wetland and Aquatic considerations**, referred to as a specialist study and attached as Appendix D of the final BAR for the proposed upgrade and rehabilitation of the ten (10) river crossings does not meet the requirement of Regulation 32 of the EIA Regulations, 2010. The inception report only provides details of how the studies will be conducted for the proposed project and not the actual studies and their outcomes. You are therefore required to conduct detailed Faunal, Floral, Wetland and Aquatic Impact Assessments for the proposed 10 river crossings. The specialist recommendations, impacts identified and mitigation measures to be proposed by specialist must be incorporated into the amended BAR and the draft EMPr.

In addition to above, it has been indicated in the BAR that the proposed projects will not disturb any element of cultural or historical significance since the proposed project is for the replacement of existing river crossings. You are therefore requested to provide written confirmation from the South African Heritage

Resources Agency (SAHRA) which exempts you from conducting any Heritage Impact Assessment and Palaeontological Impact Assessment studies for the proposed upgrade and rehabilitation of the 10 river crossings and the immediate surrounding environment which may be affected during construction activities.

Sensitive Map

The submitted hard copy of the report only included the sensitivity map for river crossing 9 and 10; however the electronic copy of the BAR has included sensitivity maps for all the proposed 10 river crossings. You are therefore reminded to include the sensitivity maps for all the proposed ten river crossing to the amended BAR (hard copy) to be distributed to I&APs, and also to the final amended BAR to be submitted to the Department for review and decision making.

Based on the above you are requested to amend the final BAR. The amended BAR must meet the requirements of this rejection letter and also meet the requirements of Regulation 22 of the EIA Regulations, 2010. The amended BAR must be a consolidated report, containing all the information that was contained in the in the final BAR.

Copies of the amended BAR must be circulated to all key stakeholders, Organs of State and registered Interested & Affected Parties (I&APs) for comment, for a minimum duration of 30 days. The EAP must provide proof that all registered I&APs have been notified of the availability of the amended BAR.

You are requested to submit two (2) copies of the amended final BAR to the Department and two (2) electronic copies (CD/DVD) of the complete final report with the hard copy documents.

On receipt of the abovementioned information, this Department will reconsider the report in accordance with Regulation 24 (1) of the EIA Regulations, 2010.

Please note that the activities applied for may not commence prior to an environmental authorisation being granted by this Department. You are hereby reminded of Section 24F of the National Environmental Management Act, Act No.107 of 1998, as amended, which states that no activity may commence prior to an environmental authorisation being granted by the Department.

Yours sincerely



Mr Sabelo Malaza

Chief Director: Integrated Environmental Authorisations

Department of Environmental Affairs

Letter signed by: Ms Fiona Grimett

Designation: Deputy Director (Acting): Integrated Environmental Authorisations

Date: 28/07/2015

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