



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

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8 August 2012

SiVEST Environmental
Suite 299
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Att: Me Rachelle Stofberg

RE: PROPOSED INSTALLATION OF A 66kV OVERHEAD POWERLINE (2.5km) AND NEW SUBSTATION ON FARM 305/16 EAST OF THE BITOU RIVER, WESTERN CAPE

DAFF would like to thank you for the opportunity to review and comment on the proposed development activities.

1. The documentation and covering letter dated 22 June 2012 received from SiVEST Environmental and DAFF's site visit to the proposed Substation site on 22nd June 2012, refers.
2. DAFF has the following comments according to DAFF's mandate i.e. the implementation of the National Forest Act, Act 84 of 1998 as amended (NFA) and the National Veld and Forest Fire Act, Act 101 of 1998 (NVFFA).
3. Section 7 of the NFA provides for the prohibition of the destruction of indigenous trees in any natural forest (26 National Forest Types have been declared as natural forest in terms of Section 7(3)(a) of the NFA, Government Notice No. 762, 18 July 2008) and Section 15 for the prohibition of the destruction of Protected trees (Government Notice No 734, 16 September 2011), without a license. Principle 3 3(a) of the NFA states, "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 economics; social or environmental benefits". The term "exceptional circumstance" indicates situations that are unusual or rare. It refers to capital projects of national and provincial strategic importance.
4. The flat portion of the proposed Substation site is almost entirely transformed and invaders such as *Acacia mearnsii* occur. DAFF has no objection to this part being developed on condition that there is compliance with all other relevant Environmental Laws.
5. The steep cliff above the proposed Substation site is covered with remnants of Southern Cape Afrotropical Forest (VEGMAP CODE FOz 13) with one very old *Syderoxylon inerme* (Milkwood) tree at the foot of the cliff. The slope/cliff and its vegetation must not be disturbed at all and measures must be taken to ensure the stability of this slope/cliff. The slope/cliff area must be demarcated and fenced during construction.
6. It was stated by the Environmental Consultant during the site inspection as well as mentioned in the documentation that the Milkwood at the foot of the cliff must be removed to construct the Substation. This tree is protected under Section 7 as well as Section 15 of the NFA. DAFF do not support the

removal of this tree (see point 3) and a licence to remove it may only be considered if it could be proved without any doubt that no other option is available. The removal of this tree will also have a huge impact on the stability of the slope/cliff which will again have a negative influence on the remnants of Southern Cape Afrotropical Forest.

7. The provisions of the NVFFA do not apply to this.

DAFF reserves the right to revise initial comment based on any additional information that may be received.

Your faithfully

Gabri Vermeulen