

Department of Agriculture, Forestry and Fisheries  
Private Bag X12  
Knysna  
6570

Your reference: F13/11/2  
Our reference: 10817  
Date: 24 July 2013

**ATT: Area Manager Forestry: Western Cape (Cobri Vermeulen)**

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

Thank you for your Departments comments dated August 8, 2012 on the above-mentioned project. We hereby respond accordingly:

- 1. "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".***

Noted. Please refer to the completed Tree Permit Application submitted to the Department of Forestry on March 21, 2012 (Appendix G) as well as our response to your comment 4 below.

- 2. "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".***

Noted. Compliance with all other relevant environmental laws will be ensured.

- 3. The steep cliff above the proposed Substation site is covered with remnants of Southern Cape Afrotemperate 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.***

Noted. Vegetation at the foot of the cliff shall not be disturbed. The area shall be demarcated and fenced off during construction and will be regarded as No-Go areas, as per EMP (refer to page 10, Appendix F).

- 4. "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 Afrotemperate Forest".***

Noted. Eskom has confirmed that the Milkwood tree located at the foot of the cliff will not have to be removed. By retaining this tree, the stability of the slope/cliff will be ensured. Remnants of Southern Cape Afrotemperate Forest will therefore also not be negatively impacted upon.

Due to clearance infringements to the new incoming line and other structures associated with the Substation, the tree can be retained. However, 50% of the tree's area overhanging the area where the line will pass will have to be trimmed. This has been approved on site by Mrs. Cobri Vermeulen on April 24, 2013. Please refer to Appendix G for an Application for a License regarding Protected Trees (in terms of Section 15(1) of the National Forests Act, 1998, (as amended)). The listed activity applicable: "*Prune or de-limb of individual trees*". This application was lodged with Mrs. Cobri Vermeulen of the Department of Forestry on March 21, 2013 via email.

**5. "The provisions of the NVFFA do not apply to this".**

Noted.

**Note: The FBAR and EMP are now available for comment from 24 July 2013 to 16 August 2013. Kindly forward any comments (with relevant reference number) directly to DEA as per contact details below:**

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Yours sincerely



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