



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

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DFFE Reference: 14/12/16/3/1/1/225/MP1

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PER E-MAIL

Dear Ms van Zyl

COMMENTS ON THE DRFAT MAINTENANCE MANAGEMENT PLAN (MMP) FOR BIGAI RIVER FLOODPLAIN IN KNYSNA LOCAL MUNICIPALITY OF GARDEN ROUTE DISTRICT MUNICIPALITY WITHIN WESTERN CAPE PROVINCE

The draft MMP dated May 2023 and received by the Competent Authority (CA) on 12 October 2023, refers.

The CA has the following comments on the draft MMP:

- i. It is noted that the cover page of the draft MMP is dated March 2023 while on the header is dated May 2023. Please provide the correct date in the final MMP.
- ii. It has been noted that in the description of the portion of the proposed project for the activity triggered, it has been indicated that maintenance will entail the “clearance of culverts underneath the road surface by hand or small excavator and does not involve construction or installation of new structures or infrastructure that can result in new or additional impacts”. Should there be a need to consider new structures or infrastructure that triggers a listed activity, you are advised to amend the report and ensure it is published for comments for a period of 30 days prior submission of the final report for review and decision making.
- iii. Please ensure that the final MMP include specific thresholds of materials to be excavated/removed as well as vegetation to be cleared in the description of the proposed projects, and a sub-activity e.g., 19a, b, etc and this information must be included in the listed activities applicable for this maintenance.
- iv. Please ensure that all other maintenance and remedial work activities to be undertaken must remain within and must not result in any expansion of the existing footprints of the affected relevant structures.
- v. Please be advised that should any revision of your development comprise any other activities that constitute a listed activity/ies as defined in GN R983, R984 and R985 of 04 December 2014 as amended, without an exclusion of sub-activities in relation to maintenance, an application for Environmental Authorisation must be lodged with the relevant Competent Authority prior to the commencement of construction activities.
- vi. The site sensitivity verification dated 22 September 2023 is hereby noted. However, **you are advised to ensure that the specialist studies conducted and/or statement compiled with regards to the potential impacts of the project based on the themes identified in the screening tools, comply with the requirements of GN 320 of 20 March 2020 (i.e., “the Protocols”) and GN 1150 of 30 October 2020, unless proof is provided that indicates that the specialist study was commissioned within 50 days**

- after the date of gazetting of the notice i.e., 20 Mach 2020.** Furthermore, the protocols require certain specialists to be registered with SACNASP. Refer to the relevant protocols in this regard.
- vii. The final MMP must include a proof of notification of the availability of the draft MMP for comments to I&APs and copies of all comments received during the circulation of the draft MMP including this Department's comments.
 - viii. All comments obtained from I&APs must be taken into consideration in compiling the final MMP.
 - ix. A comments and response report (C&RR) of all comments received, this includes but not limited to the Department of Forestry, Fisheries and Environment (DFFE), DFFE – **Protected Areas Section**, Department of Forestry, Fisheries and the Environment (DFFE): Biodiversity Conservation (BCAdmin@environment.gov.za) as well as DFFE's **Oceans and Coast Directorate, Department of Water and Sanitation**, Western Cape Breede-Olifants Water Catchment Management Agency, **SANParks**, Transnet, **CapeNature**, Knysna Municipality, Garden Route District Municipality, Rate payers association, and the relevant heritage authorities., as well as this Department must be submitted with the final MMP. The C&R report must incorporate all comments for the proposed maintenance. Please note that a response such as "Noted" is not regarded as an adequate response to I&APs' comments.
 - x. Please ensures that the MMP distinguishes between impact management actions and impact management outcomes as required by Appendix 4 of the EIA Regulations 2014 as amended.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No 107 of 1998, as amended, that no maintenance activities requiring approval from the Department in terms of the EIA Regulations, 2014 as amended, may commence prior to the approval of the Maintenance Management Plan by the Department.

You are hereby reminded of Section 24F of the National Environmental Management Act, Act No. 107 of 1998, as amended, 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 Forestry, Fisheries, and the Environment

Signed by: Ms Olivia Letlalo

Designation: Deputy Director: Priority Infrastructure Projects

Date: 08/11/2023

cc:	Pamela Booth	Knysna Municipality	Tel: 044 302 6374 Cell: 060 998 6940	E-mail: pbooth@knysna.gov.za
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