

COMMENTS & RESPONSE REPORT

MAINTENANCE MANAGEMENT PLAN FOR THE PROPOSED MAINTENANCE ACTIVITIES OF 2 IN-STREAM DAMS ON STEENEBRUG FARM,
PORTION 7 OF FARM 153, PIKETBERG, WESTERN CAPE

Comment period: 21 August – 22 September 2025

NO	COMMENT	RESPONSE
Email: Department of Environmental Affairs and Development Planning - Kabelo Phakwago – 22 September 2025		
1.1	<p>1. The request for the adoption of a Maintenance Management Plan (“MMP”) for the maintenance of two farm dams and associated infrastructure, received by this Directorate via electronic mail correspondence on 4 August 2025, this Directorate’s acknowledgement letter thereafter (dated 15 August 2025), and the draft MMP, received by this Directorate via electronic mail correspondence on 21 August 2025, refers.</p> <p>2. This letter serves to acknowledge receipt of the draft MMP by this Directorate.</p> <p>3. This Directorate will provide comment on the draft MMP within the stipulated thirty (30) day comment period.</p> <p>4. You are reminded that it is an offence in terms of Section 49A of the NEMA for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity.</p> <p>5. This Directorate reserves the right to revise or withdraw its comments or request further information from you based on any information received.</p>	<p>EAP Response:</p> <p>1. Noted.</p> <p>2. Noted.</p> <p>3. Noted.</p> <p>4. Noted</p> <p>5. Noted</p>

Email: Department of Environmental Affairs and Development Planning - Kabelo Phakwago – 22 September 2025	
1.2	<p>1. The request for the adoption of a Maintenance Management Plan (“MMP”) for the maintenance of two farm dams and associated infrastructure, received by this Directorate via electronic mail correspondence on 4 August 2025, this Directorate’s acknowledgement letter (dated 15 August 2025), the draft MMP, received by this Directorate via electronic mail correspondence on 21 August 2025, and this Directorate’s acknowledgement letter (dated 22 September 2025), refers.</p> <p>2. This Directorate has the following comment on the proposed maintenance and management interventions for two farm dams and associated infrastructure on Portion 7 of the Farm No. 153, Steenebrug, Piketberg:</p> <p>2.1 It is confirmed that the adoption of the RMMP only relates to the following Listed Activities and to the determination of whether or not Environmental Authorisation in terms of NEMA is required before undertaking the tasks stipulated in the RMMP:</p> <p>Listing Notice 1 of the EIA Regulations, 2014 (Regulations) Activity Number: 19 Activity Description: <i>“The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse; but excluding where such infilling, depositing, dredging, excavation, removal or moving—</i> <i>(a) will occur behind a development setback;</i> <i>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan;</i> <i>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</i> <i>(d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</i></p>

EAP Response:
1. Noted.

2.1 Noted.

<p><i>(e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.”</i></p> <p>2.2 Proof of the notification of the commenting period on the draft RMMP, the comments received, and responses thereto, must be submitted to this Directorate upon conclusion of the commenting period.</p> <p>2.3 A final RMMP must accompany the proof of public participation particulars, with separate accompanying appendices saved in PDF (not scanned), with any required changes made in colour font.</p> <p>2.4 You are reminded to comply with any other statutory requirements that may be applicable to the undertaking of activities stipulated in the RMMP.</p> <p>2.5 Kindly note your general ‘Duty of Care’, as set out in Section 28 (1) of the NEMA, which states that -</p> <p>“Every person who causes, has caused or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing or recurring, or, in so far as such harm to the environment is authorised by law or cannot reasonably be avoided or stopped, to minimise and rectify such pollution or degradation of the environment.”</p> <p>(Note: When interpreting their ‘Duty of Care’ responsibility, cognizance must be taken of the principles of sustainability contained in Section 2 of the NEMA).</p> <p>3. Kindly quote the abovementioned reference number in any future correspondence in respect of the request for the adoption of an RMMP.</p> <p>4. Please be reminded that it is prohibited in terms of the NEMA for a person to commence with a Listed Activity unless the Competent Authority has granted an Environmental Authorisation for the undertaking of the activity. Failure to comply in terms of this prohibition will result in the matter being referred to the Department’s Directorate: Environmental Law Enforcement for possible prosecution. A person convicted of an offence in terms of the above is liable for a fine not exceeding R10 000 000 or to imprisonment for a period not exceeding 10 years, or to both such fine and imprisonment.</p>	<p>2.2 The request will be complied with.</p> <p>2.3 The final MMP will include an appendix with proof of public participation particulars, and all changes made to the MMP will be emphasised by coloured text.</p> <p>2.4 Noted. The proposed MMP activities require the registration of a General Authorisation for the S21(c) and (i) water uses with DWS. This is in process and proof will be provided with the final MMP submission.</p> <p>2.5 Noted.</p> <p>3. Noted.</p> <p>4. Noted.</p>
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	5. This Directorate reserves the right to revise or withdraw its comments or request further information from you based on any information received.	5. Noted
Email: Ismat Admas – Cape Nature – 6 October 2025		
2	<p>1. Based on the freshwater specialist assessment of the dam area and non-perennial watercourses and riparian area and based on the satellite imagery of the site – it is understood that the property has been highly modified by agricultural activity, with the areas around the non-perennial streams and dams presenting signal of some potential indigenous vegetation present. Based on the freshwater specialist assessment of these areas as demonstrated in the freshwater assessment, it is understood that these areas are dominated by invasive alien species with a few areas of indigenous species but no community of shale renosterveld or Leipoldtville Sand Fynbos.</p> <p>1.1 The 2017 BSP reasons layer indicates that the ESAs (now CBAs – as per 2023 WCBSP) associated with the dam and non-perennial stream areas were mapped due to association with shale renosterveld, sand fynbos and watercourse protection. Based on the freshwater assessment and mitigation measures as well as residual impacts/ risks associated with the proposed activities as assessed by the freshwater specialist, all risks to the watercourses/wetlands and associated habitats will be reduced to low negative residual impact upon implementation of the recommended mitigation measures. Watercourse protection as a management objective of CBA mapping therefore should still remain the same despite the proposed activity. The freshwater specialist assessment has demonstrated that representative shale renosterveld and sand fynbos is no longer present in the areas where activity will occur. CBA mapping associated with threatened vegetation types should therefore also not be affected by the proposed activities.</p> <p>2. The freshwater assessment and MMP are supported. Some recommendations/comments on the MMP measures:</p> <p>2.1 It is recommended that heavy machinery and plant do not enter the</p>	<p><u>EAP Response:</u></p> <p>1.1 Noted.</p> <p>2.1 Noted, this recommendation will be included in the MMP.</p>

	<p>watercourses/wetlands/dams and instead work from the edge as much as possible.</p> <p>2.2 Where access is required through vegetation, vegetation trimming should be preferred over clearing as much as possible.</p> <p>2.3 MS1: Removal of silt and sediment from the farm dams – dam water level lowering – what are the flow rates to be maintained to avoid changes in downstream flow and sediment flushing?</p> <p>2.4 MS2: Inspection and servicing of water pipelines – emergency plan – include the emergency protocol to be followed in the MMP to ensure all users are aware of and are able to implement if required.</p> <p>CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.</p>	<p>2.2 Noted, this recommendation will be included in the MMP.</p> <p>2.3 Water will be removed through irrigation. Flow rates downstream are unlikely to be affected as the rivers are non-perennial and all maintenance activities are to be conducted in the dry season when there is little to no flow of water in the rivers.</p> <p>2.4 Allowance for emergency situation has been included in MS2.</p> <p>Noted.</p>
Email: – Neighbour – 21 August 2025		
3	Please unsubscribe this e-mail address.	<u>EAP response:</u> The I&AP has been removed from the register.