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Shawn Johnston  
Sustainable Futures ZA  
P. O. Box 749  
RONDEBOSCH  
Cape Town  
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2011-07-28

Dear Sir/Madam

### **ENVIRONMENTAL IMPACT ASSESSMENT PROCESS: PROPOSED DE AAR SOLAR FACILITY ON A SITE EAST OF DE AAR, NORTHERN CAPE.**

The above-mentioned report refers.

The Permits Committee of Ngwao Boswa ya Kapa Bokone would like to thank you for opportunity given to take part on the EIA and public participation processes for the proposed project. The committee supports the recommendations on the report.

In conclusion please note:

- that the views or decisions of Ngwao Boswa Kapa Bokone expressed above do not exempt the proposed project from compliance with planning or any other legislation.
- the South African Heritage Resources Agency, SAHRA, for the present still handles all archaeological matters in the Northern Cape Province and hence all impact assessment matters relating to heritage resources have to be referred to its Cape Town office as well as to Ngwao Boswa Kapa Bokone.

Yours faithfully

**For Accounting Officer: Heritage Resource Management  
pp. Heritage Northern Cape**

CC: SAHRA



# agriculture, forestry & fisheries

Department:  
Agriculture, Forestry and Fisheries  
REPUBLIC OF SOUTH AFRICA

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Date: 15 August 2011  
Ref: F13/11/2/87

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ATTENTION: Mr. Shawn Johnston ([swjohnston@mweb.co.za](mailto:swjohnston@mweb.co.za))

**RE: COMMENTS ON DRAFT SCOPING REPORT (DSR) AND SPECIALIST ECOLOGICAL STUDY OF THE PROPOSED ACED DE AAR SOLAR ENERGY FACILITY (DEA REF: 12/12/20/2250)**

The Directorate: Forestry and Natural Resource Management within the National Department of Agriculture, Forestry and Fisheries (DAFF) in the Northern Cape would hereby like to make the following comments on the above-mentioned project:

1. Page 21 of the Draft Scoping Report (DSR) refers to the Department of Agriculture, Forestry and Fisheries as "DoA". Please note that the correct acronym is DAFF.
2. Page 23 of the DSR refers to applicable legislation and mentioned the National Environmental Management: Biodiversity Act (Act No. 10 of 2004). It refers to Section 52 of the NEMBA, stating that this Act provides for the MEC or Minister to list ecosystems which that are threatened and in need of protection, then indicated that none have yet been published. Please note that a Draft List of Threatened Ecosystems was published in Government Notice No. 1477 of 2009, as referred to on page 36 of the DRS.
3. According to the DSR, the proposed development falls in the Northern Upper Karoo and Besemkaree Koppies Shrubland vegetation types. The Northern Upper Karoo may contain protected *Boscia albitrunca* trees (National Forests Act, Act 84 of 1998). As pointed out, 4% of this vegetation type has been irreversibly transformed. This is the highest proportion of any vegetation type in the Nama-Karoo biome.
4. Besemkaree Koppies Shrubland may contain protected tree species such as *Olea europaea* subsp. *africana* and *Cussonia paniculata* (Northern Cape Nature Conservation Act, Act 9 of 2009). It seems as if the DSR and the specialist ecological study only refers to tree species declared as 'protected' in terms of the National Forests Act (NFA). Please note that some tree species, with a probability of

occurring in the Besemkaree Koppies Shrubland vegetation type, are declared 'protected' in terms of other applicable legislation as pointed out above.

5. The Department of Forestry is mainly concerned about the potential impact on protected tree species (National Forests Act, Act 84 of 1998 as amended). This Act provides special measures for the protection of certain forests, woodlands and tree species. A list of protected tree species was published in GN 33566 of 23 September 2010. The effect of this declaration (Section 15 of the Act) is that no person may cut, damage, disturb, destroy or remove any protected tree except under a license granted by the Minister or a delegated authority. No indication is given of the possible extent of the impact on protected tree species.
6. The DRS repeatedly refers to *Boscia albitrunca* as Shepard's Tree. Please note the correct common name is Shepherd's Tree.
7. The Department of Forestry would like to get a copy of the EMP when available and be allowed to comment on it should it be deemed necessary.

Yours truly,



Jacoline Mans  
Chief Forester: NFA Regulation

