

CONSERVATION INTELLIGENCE

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reference LS14/2/6/1/7/4/429-7_S24G agri_Bot River
date 20 May 2021

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Attention: Jeremy Rose
By email: comments@infinityenv.co.za

Dear Mr Rose

Draft Section 24G Application Report for the Unlawful Commencement of the Enlargement of Existing Dams and Cultivation on Portion 7 of Farm Avontuur 429, Gabrielskloof Wine Estate, Bot River (DEA&DP ref. no.: 14/2/4/1/E4/26/0027/20)

CapeNature would like to thank you for the opportunity to comment on the application and would like to make the following comments. Please note that our comments only pertain to the biodiversity related impacts and not to the overall desirability of the application.

According to the Western Cape Biodiversity Spatial Plan (WCBSP), the subject property contains Ecological Support Area (ESA) 1 along the south eastern boundary and ESA 2 along the riparian area of the watercourses, with the remainder classified as No Natural. As indicated in the report, the cultivation relevant to this application took place prior to the imagery used for the WCBSP and therefore these areas are mapped as No Natural. There is a watercourse and tributary present flowing in a north-westerly direction and an associated valley bottom wetland according to NFEPA. The natural vegetation in the south eastern two thirds is Overberg Sandstone Fynbos with the remainder consisting of Western Rûens Shale Renosterveld, both currently listed as Critically Endangered.

The botanical assessment provides an overview of the vegetation which is likely to have occurred in the areas cleared for cultivation and the dam expansion based on the vegetation in the surrounding area. It is important to note that the only sections of cultivation which are relevant to this application are the historical pastures and not the natural vegetation, due to the legal requirements at the time, despite the much higher impact for the loss of natural vegetation as opposed to pastures. The description of the natural vegetation is that it was intact and is considered to be an ecotone between the two vegetation types described above and is likely to have resulted in the loss of threatened species specimens. This vegetation is likely to have been classified as ESA or possibly CBA had it not been removed.

CapeNature is in agreement with the findings of the botanical assessment, whereby the impact on the pastures as a result of the cultivation is rated as medium negative before mitigation and low after mitigation. Although not part of the application, the loss of natural vegetation must be reported on in terms of the actual impact regardless of the legislation. The impact is rated as medium-high negative before mitigation and medium after mitigation. Restoration of the cultivated areas is not considered to be feasible, and several mitigation measures are recommended. It must be ensured that all mitigation measures are implemented, and a schedule or plan must be developed for the alien clearing which can be audited.

The aquatic assessment indicated that the affected watercourse is a small ephemeral tributary with a low ecological importance and sensitivity and confirmation is provided that there are no wetlands on the site as indicated in the NFEPA mapping. The impact assessment for the freshwater environment indicates no impact of high significance, however mitigation measures and recommendations must be adhered to. This includes adherence to environmental flow requirements, even if the tributary has a small contribution to the larger catchment.

In conclusion, CapeNature is in agreement with the findings and recommendations of the application, and it must be ensured that all mitigation measures and recommendations are implemented.

CapeNature reserves the right to revise initial comments and request further information based on any additional information that may be received.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rhett Smart', with a horizontal line underneath.

Rhett Smart
For: Manager (Landscape Conservation Intelligence)