

TAG – Tesselaarsdal Action Group
c/o P O Box 461
Caledon
7230
Western Cape Province
Thursday, 30th April 2009

To: NMA Effective Social Strategists
Att: Mr Theo Hansford
No.8 7th Avenue
Parktown North
Johannesburg
2193
eMail: theoh@nma.org.za

Dear Mr Hansford,

RE: DRAFT ENVIRONMENTAL SCOPING REPORT FOR THE PROPOSED BANTAMSKLIP NUCLEAR TRANSMISSION INTEGRATION PROJECT – APPLICATION 2 – DEAT REF. NO. 12/12/20/1212

Following on from the recent NMA-run public presentations held in Caledon and Tesselaarsdal regarding the above-mentioned Draft Scoping Report (DSR), herewith please find our organisation's preliminary response to this report. Attached is a copy of our current membership list (Annexure A), all being interested and affected parties with regard to the proposed high-voltage power line routes, specifically Alternatives 1, 2 and the ABI route proposal.

This response is being submitted to you now in order to comply with the current public participation period which ends today. However, as you know, we have requested a postponement of the finalisation of this Scoping Report until at least August 2009 for the reasons stated in our letter to Ms Natalie Ritsch of Arcus Gibb dated 07 April 2009, not least of these reasons being the fact that we, as directly affected parties by the proposed routes, received no official notification of the project proposal and as such were not given the opportunity to participate in the scoping phase since its inception in July 2008.

As this is the case, this response document is being submitted with the qualification that it is a preliminary and interim response, and in no way should be considered as our final or complete reaction. Please bear in mind that this response is being submitted by lay-people, and that we have not yet, due to time constraints, had the opportunity to refer our queries to experts of our own choosing in the specialist fields covered by the DSR. For these reasons, we also ask that this reaction document be considered without prejudice to our rights to further pursue our request for additional time, in order to more fully research the specialist topics and provide our feed-back accordingly. Failing that, we reserve the right to seek legal recourse, given that we consider the DSR and its conclusions to be substantively flawed due to insufficient consideration having been given to our Tesselaarsdal/Farm 811 and adjoining small-farm community.

This response document is structured as follows:

1. Some comments regarding the proposed project, the study area and the EIA process.
2. Details about the history and heritage of Tesselaarsdal / Farm 811 and the adjoining small-farm community (including Annexure B – a photographic collection of historical and heritage aspects of our community, and Annexures C and D - past articles), and our comments about the Heritage Impact Assessment (Appendix P) and how it pertains to our community.
3. Comments regarding the other DSR specialist reports pertaining to land capability, flora, fauna, avifauna, social and visual aspects.
4. Other comments / issues of concern.
5. Conclusion

Please note that when the terms 'our community' or 'this community' and 'Tesselaarsdal' are used in this document, we define this as being everyone on Farm 811 and the adjoining small farms that have traditionally been part of the Tesselaarsdal (previously Hartebeestrivier) settlement, which include the groupings within this locale of Solitaire, Steyntjiesfontein, Tesselaarsdal village and

Bethoskloof (Bietouskloof). Farm 811 consists of 487 sub-divisions, of which one has a further 89 RDP housing development sub-divisions.

Please also note than we have limited our comments regarding the various specialist reports to points that specifically pertain to Tesselaarsdal and its context, due to time constraints. We hope that at least some of our comments might also be applied to, and be of relevance to, other areas impacted by the proposed routes, and might hopefully lead to more considered assessments of these various routes.

1. Some comments regarding the proposed project, the study area and the EIA process.

DSR Volume 1 – Executive Summary – page 6 - description of the major towns and municipalities on the Bantamsklip-Bacchus study routes makes mention of Middelton, which is geographically smaller than Tesselaarsdal and quite possibly has fewer inhabitants than we do, but the list makes no mention of Tesselaarsdal, even though two of the route corridors go right over us.

DSR Volume 1 – Executive Summary – page 13 – re: public participation process: as we are parties that were unaware of this proposed project until the beginning of March 2009, and are directly affected by three of the proposed routes investigated/discussed in the DSR, clearly NOT all stakeholders were identified.

DSR Volume 1 – Executive Summary – page 15 – re: public participation process – Ongoing Consultation and Engagement: “Special attention was paid to consultation with potentially affected landowners within the study area.” We are parties that would be directly affected by three of the proposed routes (Alt 1, 2 & ABI), and yet we were unaware of this proposed project until the beginning of March 2009, and even then did not find out about it through any official means, but by means of other concerned citizens. Clearly the ‘special attention’ and ‘consultation’ was not extended to our community, and calls into question the thoroughness of the assessment of affected landowners along the routes – as such it is also indicative of a serious flaw in the public participation aspect of the project’s scoping phase.

DSR Volume 1 – Executive Summary – page 37 – Conclusion: the inclusion of the proposed ABI corridor is also a bone of contention as far as we are concerned, given that it was formulated by I&AP’s with their own agenda, and clearly had no understanding of Tesselaarsdal’s unique situation, resulting in a route proposal that impacts on us just as much as Alternatives 1 and 2 do. It is also clear that ABI was not fully representative of all the region’s stakeholders, and as such should not have been given the opportunity to put forward their proposal in the first place.

2. The history & heritage of Tesselaarsdal/Farm 811 and the adjoining small-farm community

Herewith some background information about the history of Tesselaarsdal:

From 1663 onwards the Dutch moved into the Overberg using the Gantouw Pass over the Hottentots-Holland mountains. As farming activities in the Peninsula expanded, cattle posts were established in the Overberg. One of the famous settlers in the Overberg was Johannes Jacobus Tesselaar. He was born on 24 April 1748 to Johannes and Johanna Catharina (nee Smuts) Tesselaar. Nothing is known of his up-bringing, but he eventually becomes a Lieutenant in the *Kaapse Kavallerie* (Dr J Prins - MA Treatise), a fairly exalted position.

In payment he receives two large farms in the Overberg, Hartebeestrivier (which eventually becomes Tesselaarsdal/Farm 811) which he takes as a loan-farm in 1781, and Steenboksrivier (which eventually becomes Dunghye Park) in 1783, by which time he is 35 years old. It is unknown when he is given title to these properties. Other farms follow: Nooitgedacht in 1783, Grote Hagelkraal in 1785, Brackfontein in 1792, and Klein Hagelkraal in 1797. He also applies for Stofkley in the Kleinriviersvallei in 1805. Johannes Jacobus Tesselaar is therefore regarded as one of the earliest land barons of the Overberg. His farming enterprise flourished and by 1797 his horse-breeding gave him a herd of 125 horses. In addition he owned 60 head of cattle and 505 sheep. He also owned 14 male and 4 female slaves.

The only other information about him comes from his will – MOOC 7/1/61 no.2., the first part of which was drawn up in May 1775 shortly after his marriage (at 27 years of age) to Alida van der Heyde (Heijden). In the will, it is declared that the longest living of the two of them will inherit the estate. Should they both perish, the heirs were to be the two respective mothers, Johanna Catherina Smuts and Elizabeth Mostert.

Nothing further is heard until 19 October 1794, when the will is amended. The couple have not been blessed with children in the marriage. The will now states that two of the slaves plus their children should be released after the death of the couple - Dina from Mocambique, and Leentje from the Cape. This wish is withdrawn in a further insertion in December 1804, when two other slaves are promised freedom, Daniel from Malabar, and Gert from the Cape.

The next change takes place on 6 March 1809. At this point Johannes Jacobus has only about one year to live and may already have been ill, as while previous alterations to the will have been signed in Cape Town, this one has been signed at Steenboksrivier, Caledon. It is interesting to note that Tesselaar signed his name with a cross, i.e. he could not write. He is now 61 years old. In this latest version the release of slaves is withdrawn, but large sums of money are bequeathed to various people. The farm Hartebeestrivier was bequeathed to the sisters Elizabeth, Alida, Aletta, and Christina Heizenberg, and the twins Barend and Jan Frederik Bredenkamp.

One has to look at the identity of a certain Maria Heizenberg (Hysenberg). According to de Villiers and Pama she was of mixed race and the out-of-wedlock mother to the twin sons fathered by Jan Frederik Bredenkamp, Barend and Jan Frederik. She must have given birth to other illegitimate children because the other named heirs were the Heizenberg girls named in the previous paragraph. There will always be rumours, and even 200 years later the belief is that these children were the out-of-wedlock daughters of Johannes Jacobus Tesselaar, whose wife did not produce any during their marriage.

An entry dated 12 September 1809 bequeaths the farm Hartebeestrivier and everything on it to Joggom Koert, Gert Gertse, Jan Gertse, Barend Bredenkamp, Jan Frederik Bredenkamp, and the Heizenbergs – Alida, Christina, Elizabeth, and Aletta, and their successors. There were also 14 children of slaves who were transferred to a variety of people, mostly co-beneficiaries of the will. This will was re-drawn on 6 October 1809, because the Sept. 12 version was incorrectly signed and therefore invalid. Johannes Jacobus Tesselaar died childless towards the end of 1810.

Of the 9 people who inherited shares in the farm, only the Bredenkamps were to legally transfer their share to their descendants.

The other beneficiaries married and farmed, with few records being kept and informal boundaries. Land was used for sowing, gardening and grazing and was informally exchanged and transferred amongst the families and their descendants. Joggom Coert and Alida Heizenberg married and produced the largest family on the farm. Their daughter Helena married Hendrick Julies of Swellendam, and from their daughter Louisa descends the Carelse family who still own parts of the farm. Many families came to occupy the land through marriage, and some of them are: Groenewald, Fourie, Tier, Carelse, Stewart, Julies, Gardener, Conradie, Willemse, Abrahams, Swart, Geldenhuys, Matthee, Olwagen, Tobias, Avontuur, Smal, Du Toit, Wyngaard and Nigrini.

Regarding Johannes Jacobus Tesselaar, the younger: Johannes Jacobus Tesselaar's widow, Aaltje Tesselaar kept the farm going until her death in 1832. In terms of her will (MOOC 6.0.117 no. 115) drawn up on 22 April 1830, much money was distributed among family, friends, and employees, all slaves were given their freedom, and those under 15 years of age were to be given an education. Lastly, the balance of her estate was left to Johannes Jacobus Tesselaar and Petrus Michiel Tesselaar, the children of Johannes Jacobus Tesselaar's brother, Jacobus. Included in this was the farm Steenboksrivier (later Dunghye Park) where Johannes Jacobus Tesselaar (jnr) settled. He was elected as a councillor in Caledon in 1822, and in 1828 he was chosen as Caledon's first Veldkornet. He married Cornelia Sophia Hoffman. The couple were childless and he died on 15 January 1869, at the

age of 82. Half his farm was left to the children of his brother, Petrus Michiel, and the other half to those of his sister Susanna Alida, who was married to Daniel Cornelius Hoffman.

Back to the farm Hartebeestrivier - during the 20th century the DRC Mission Church, Anglican Church and a primary school were established on the farm. As was the custom, people provided for most of their own needs and peddlers travelled the district supplying tea, coffee, sugar, spices and fabric. Card playing and dancing were popular. Regular trips were taken to Caledon by horse and cart, with the outspan being on Dunghye Park at the half-way point. Holidays were taken at Stanford and Hawston. With the establishment of a small post office in about 1930, Hartebeestrivier became Tesselaarsdal in order to avoid confusion with another farm and postal point named Hartebeestrivier further down the valley. Post was taken to and collected from Caledon by horse and cart, and latterly by car, on a weekly basis until the post office was closed down in the late 1960's.

In 1971 the authorities tried to determine who the rightful land owners were, in court. The Overberg Divisional Council who had collected farm tax requested that the Supreme Court deal with the case. Two years later the court gave the verdict that the Council had had no right to make such a case. It was decided to maintain the status quo, that the farm would remain a mixed area and that those who assumed inherited rights would pay tax. A total of 128 people, 87 coloured and 41 whites claimed rights to the land. In 1982 the Land Organising Committee was formed to settle the rights of ownership. An attempt by the Divisional Council to build a housing scheme was stopped by the coloured community, who feared that the 29 white families who farmed a third of the farm would result in the farm being proclaimed a white area. Land rights had been purchased from the struggling coloured families who were unable to produce crops on their land because they did not qualify for state agricultural subsidies. It took the Land Organising Committee 10 years to sort out the ownership issue. Since 1992, piped water and electricity have been laid on and assistance rendered to owners who could not afford to pay transfer duties. Having legal ownership has enabled some families to sell land to buyers from the cities. Fears expressed in 1982 regarding the loss of land and birthright are still a reality, whilst the poverty of the descendants of the original families remains an issue. However, what remains entirely unique to this community is that this is probably the only community in South Africa where a mixed community has maintained its property rights throughout, even during the course of the apartheid era. In fact, the land issue surrounding Tesselaarsdal even required unique legislation to be put in place, in order to deal with land ownership matter.

Sources and further reading:

Grootplaas se Mense by C. P. de la Harpe

Caledon Museum

Geslagsregisters van ou Kaapse Families by De Villiers en Pama

www.geocities.com/bredenkamp_bond

Anecdotal accounts by born & bred Tesselaarsdal residents and elders

Overbergse Eergister : Dr Con de Villiers

Soete Inval : Dr Con de Villiers

Suid Afrikaanse Argiefstukke, Kaap VIII

Please see attached Annexure B (47 pages) which is a photo collection of some of the historical and heritage aspects of our community. This gives a clear indication of just how many of the really long-standing houses and heritage aspects are still either in use or traceable in this area. It also clearly depicts the traditional building styles and character of the structures (rural Cape vernacular) – not only in those structures from the past, but also that these styles have been maintained when houses are renovated, and that the trend continues in many of the newly constructed houses in the area, to be in keeping with these traditional styles.

Unfortunately, the really old houses in the village no longer exist, however, many of their foundations can either still be traced, or the village elders still have recollection of where the houses stood and who lived in them. TAG intends to document as much of this anecdotal history and heritage as possible, as soon as possible.

Included in Annexure B is a site map indicating the locations where the various photos that were taken. Please note that these photos and details are being submitted as examples of the history and the heritage that we wish to convey, and should not be seen as a depiction of all of the houses or structures in the community, nor should it be construed that these are the only features within our community that have historical relevance. Information in this photo document is anecdotal, as told by born & bred Tesselaarsdal residents, many of whom have recognisable surnames per the above historical information.

Annexures C and D are articles of interest from past publications/newspapers that are of relevance to Tesselaarsdal's history.

Comments about the Heritage Impact Assessment (Appendix P) and how it pertains to our community.

Page 9 – Item 1.1.2 Legislative Requirements:

“The law provides protection for the following categories of heritage:”

Of the items listed under this point, we feel that the following can be considered to apply to a considerable portion of Tesselaarsdal / Farm 811 and the adjoining small farms (refer to Annexure B photos and notes):

- Archaeological remains which is defined as material older than 100 years and includes artefacts, structures, etc. as well as artefacts associated with military history older than 75 years (Section 35);
- Living Heritage which can include cultural tradition, oral history, performance ritual, popular memory, skills and techniques, indigenous knowledge systems etc.
- Historical sites, buildings and objects older than 60 years (Section 34);
- Graveyards and graves older than 60 years (Section 36);

Most of the points listed under the item pertaining to the National Estate also could apply to Tesselaarsdal, particularly the point about sites of significance related to the history of slavery in South Africa, given that this community is rooted in the freedom given to slaves as far back as 1810, and that this concept of freedom prevails to this day, this being probably the only mixed community in South Africa that managed to defy the imposition of apartheid laws and maintain its land rights throughout.

Page 10 - Assumptions & Limitations – second paragraph from top: “One of the limitations of this type of overview is that there is no involvement of the community in the determination of the significance of heritage resources in the area.” We couldn't agree more! It surely requires just such community involvement in the scoping phase, in order to move forward to the EIA phase with a solid and accurate base of information, particularly as conclusions drawn in the scoping phase have a direct impact on the scope of the subsequent detailed EIA process.

Page 10 - Assumptions & Limitations – fourth paragraph from top: “....no attempt has been made to elicit information on *living heritage* during this scoping phase.” We contend that this is one of the reasons that Tesselaarsdal has been under-estimated / overlooked. Besides this, it surely behoves specialists to gather just such information in the scoping phase in order to accurately assess the sensitivity rating that they will apply to the various sections of the proposed power line routes. It makes no sense **not** to do this in the scoping phase, as the very sensitivity ratings that they apply are used to draw conclusions, and if the sensitivity ratings are incorrect, then it follows that the conclusions on which they are based are incorrect! This would not be an issue if **all** of the proposed routes were to undergo further detailed study in the EIA phase, but it certainly is an issue if the number of routes assessed are reduced from one phase of the process to the next, as is the case with this EIA.

Pages 11 & 12 – 1.3.1 Alternative Sensitivity Analysis: For the reasons stated under this point, we contend that Tesselaarsdal should have the Higher Sensitivity criteria assessment applied to this area, given that some of the current power line route proposals “...cross directly over heritage sites of provincial significance and may result in their destruction. They impact significantly on cultural landscapes and scenic routes and they are visually obtrusive – resulting in an impact on regional heritage tourism initiatives.” Whilst current tourism initiatives in this area are minimal and

undeveloped, the potential for such initiatives in the future cannot be under-estimated. TAG intends to apply itself to address this need for heritage site declarations and to promote the tourism aspect of our heritage for the benefit of this community, in due course.

Page 15 & 16 - Regional Overview – Alternatives 1 & 2:

Correct spelling is Tesselaarsdal, not Teslaarsdal, even though the latter is used on maps etc. – this is confirmed by locally born and bred residents, who take pains to correct the one in conversations about the topic (that is if they don't still prefer to use the name Hartebeestriver!).

The slave descendants not only still live here, they still **own** their properties as they have done since the terms of Tesselaar's will came into effect after his death in 1810 – a unique heritage aspect which is of significance and has been overlooked.

There is not only one historic cemetery but at least 15 grave sites, ranging in size from one or two private family graves, to larger cemeteries, some of which date back to at least 200 years ago (if not longer), whilst others were still in recent use or are still currently in use – refer to Annexure B photos and text in this regard.

Page 21 - Impacts & Issues Identification – third paragraph: Tesselaarsdal is incorrectly classified as one of "The little hamlets on the coastal plain...". We are located in the area between the northern slopes of the Kleinriviersberg and the southern slopes of the Steenboksberg, and as such are inland of the coastal plain.

The assessment of the organic nature of Tesselaarsdal is correct, however we wish to again point out that Tesselaarsdal encompasses the entire Farm 811 and the traditionally associated adjoining small farms, not just what is now considered to be the village settlement. Within this area are the distinct clusters of Solitaire, Steyntjiesfontein, Tesselaarsdal village and Bethoskloof (Bietouskloof), whilst adjoining small farms like Elandsdraai, Witteklip and Waterval (to name but a few) are traditionally closely associated with the families that have long owned, developed and populated this area.

To draw from various comments made on this page, we would also like to point out that Tesselaarsdal too is "...an aesthetically pleasing place with a strong sense of country and solitude." We are also one of those places that "...have been rediscovered by city dwellers that have purchased weekend homes, while others have been settled by retirees." The very reason for this is that we are not developed to the hilt, but still offer a traditional, rural living experience.

Pages 27 & 28 – Conclusions & Recommendations: It is our contention that reasons applied to disqualify Alternatives 1,3 and 4 also apply to Alternative 2 and specifically Tesselaarsdal - for example:

- when discussing the proximity of the proposed power lines to Stanford the specialist says that they "...must surely impact negatively on the setting of this village nestled below the Kleinriviersberge on the coastal plain." Similarly, Tesselaarsdal's setting nestles below the Kleinriviersberge, just on the northern side...and we also nestle below the southern slopes of the Steenboksberg too!
- In assessing the Alternative 1 power line route, the specialist discounts it partly on the basis "...that motorists descending Houw Hoek pass onto the plains around Caledon will have an important vista of the agricultural landscape bisected by large pylons and transmission lines." The approach road to Tesselaarsdal from Caledon too has immense vistas of the agricultural landscape, as well as the Steenboksberg and the Kleinriviersberge the nearer one gets to Tesselaarsdal; power lines along Alternative 2 in this area will in fact be in direct line of sight across the agricultural vista as one travels towards Dunghye Park, and will become increasingly visible and intrusive along the entire approach road to Tesselaarsdal; they will be extremely close-by once one reaches and passes Dunghye Park, and will be a most obvious and marring feature of the landscape as one crests the rise on the north eastern side of Farm 811. Alternative 1 lines would also be in constant sight from the approach road, as they run along the northern slopes of the Steenboksberg, becoming ever closer as one nears Dunghye Park. Once one is on the final approach to Tesselaarsdal, these lines would be central to one's line of site, marring the entire mountain and foothills vista within which our community nestles.

- In the reasoning given to substantiate the choice of Alternative 2 over the others, it is stated “During mitigation studies as part of the EIA process, it *may be possible* to move the lines in Alternative 2 to avoid Teslaarsdal (*sic*).” In the same paragraph, however, the specialist takes pains to make mention that the power line routes some 5km south of Genadendal and Greyton should not be visible to these communities. For this, and the above-mentioned reasons, we are extremely concerned that the specialist has not made a stronger and absolute recommendation that Tesselaaarsdal must be avoided completely by Alternatives 1 and 2, particularly as he also concedes that our community has historic interest (pages 22 and 23), and has marked our area as being of higher sensitivity (red) in Figure 2 on page 34.
- 3. Comments regarding the DSR specialist reports pertaining to land capability, flora, fauna, avifauna, social and visual aspects.**

Appendix K: Land Capability Impact Assessment

Items that should be noted when considering our Tesselaaarsdal community in the land capability and the land-use context are:

- the fact that the soil quality around Tesselaaarsdal is suitable for arable agriculture, even if it is not of the highest rating, must also be taken into account in our community’s context, specifically that agriculture forms an important socio-economic role here, being that it is generally either subsistence farming of small holdings or of a specialist / intensive nature. In addition it must be noted that the mostly untapped *potential* of the area’s suitability to such agricultural practices is for the greater part of this community almost the sole basis of asset value i.e. the greater majority of this community is extremely poor, and land is all we have.
- That landowners in this community do not belong to agricultural/farmers associations.
- The size of land-holdings here are not considered to be economically viable units, in addition to which not all the land is used for agricultural purposes either.
- Any power lines going through our community would severely impact on the various land use practices of a large number of owners concentrated in this area, not to mention the effect on the value of the land.
- The width of the servitudes required by the proposed multiple high-voltage power lines would in some instances encompass the complete width of certain properties within Tesselaaarsdal.
- The Alternative 1 and 2 routes both cross our water sources, Alternative 1 in the area above the village, and Alternative 2 above the Bethoskloof area.

Further comments on this specialist report are difficult to make as there is not much detailed discussion about our specific area in the report (the assessments are highly technical, often in numerical and tabular form, and based on broad regional assessments). However, it is clear that both Alternatives 1 and 2 (which directly affect us) are of the preferred options recommended by this specialist, and as such we would like to emphasise that the Tesselaaarsdal community and its needs must be given due consideration following on from this, our response document, and that this specialist should also then recommend that any corridor currently in our proximity must be shifted away from us completely. Due to time constraints we have been unable to consult with an expert in this field to get more detailed feedback about this specialist report.

Appendix L: Flora Impact Assessment

Page 20 – The Kleinriviersberge and the Tesselaaarsdal area are acknowledged as having numerous rare and/or endemic plant species, and known to support various rare plant species, respectively. As such we are classified as an area of high sensitivity.

Page 21 – The potential impact of such power lines on eco-tourism operations is discussed, which has relevance to Tesselaaarsdal in that we have rare plant species in our area, and therefore the potential for similar eco-tourism initiatives cannot be ignored.

Page 30 – With regard to the ABI route: “...a number of unavoidable sensitive areas along the route, such as ...the eastern Klein River mountains, and these clearly require special attention and mitigation...” We fully concur with this assessment.

Page 34 - The specialist has selected Alternative 2 simply because he worked from the assumption that a route *must* be chosen, and this was the 'best of the worst case scenarios', given that all the routes present No Go areas and this alternative is the most direct route. He does, however specify that this route requires redesign in order to only then *perhaps* find an acceptable path from a botanists point of view. This redesign should take place **before** the Impact Assessment phase, in conjunction with the botanist – this point is in line with our contention that correct information must be applied in the scoping phase in order for the EIA phase going forward to have credence and merit.

Considering that the proposed corridors cross areas with amongst the highest concentrations of threatened plant species in the country (see Figure 1a page 9) and the NEMA principles that are applicable, we can only but support this specialist's contention that "If the principles of NEMA (as outlined in Section 3) are to be adhered to it would thus appear that the proposed nuclear power station at Bantamsklip cannot be connected to the grid, unless alternative transmission line routes are found that are of lower botanical significance." (page 34).

Appendix M: Fauna Impact Assessment

Pages 31 & 32 - Issues, Impacts and Sensitivity Analysis – Alternatives 1 and 2 Fig. 20, 22 & 23

Whilst Alternative 2 ranks second in the choice of route from a fauna perspective, our Tesselaarsdal area includes many portions that have been rated as highly sensitive, which together with the floral assessment above, and the heritage aspect which we have already highlighted, further substantiates our contention that no power lines should be routed anywhere near Tesselaarsdal.

Appendix N: Avifauna Impact Assessment

Page 2 of Executive Summary - The bird impact assessment regarding the Blue Crane was based on congregation areas determined by Kotoane (2003) within 1km of the centre line of a corridor were counted – this data could be outdated by now and no longer relevant. This contention is mitigated somewhat by the fact that the specialist consulted with the SA Crane Working Group field worker in the Overberg regarding crane movement and habitat preferences (page 9). However, as lay people living in an area that is well populated by the Blue Crane, we do not completely understand the measurement unit that shows only 1 Blue Crane congregation point along the Alternative 2 route (Table 3.4.1 page 25) – according to our knowledge, there are some 9 congregation points between Tesselaarsdal and Caledon, and there are more such points between Caledon and Helderstroom, so surely there should be a higher measurement in this regard within this power line route corridor? If our contention were to prove to be correct, then the total sensitivity rating for Alternative 2 will in fact be higher (Table 3.4.2 page 25), and thus could result in this route not being the preferred route based on the calculations done. Due to time constraints we have unfortunately not been able to access definitive data in this regard from local experts, so our comments in this regard are purely speculative at the moment. Also due to time constraints, we have not yet been able to investigate the avifauna issue with regard to other bird species in this area, with a specialist in the field.

Appendix O: Social Impact Assessment

Page 5 - Approach to Study: "Review of demographic data from the 2001 Census Survey;" i.e. data that is 8 years old has been applied, which certainly does not take into account the influx into the area in recent years of new permanent residents, or the potential for new permanent residents, given the number of property sales that have taken place here since that census date. Please see attached Annexure E – details of property sales from April 2006 to April 2009, and Annexure F – a recent property advert showing the current level of property prices in the area.

Page 11 - Growth Potential of Towns in the Western Cape (2004): "Table 2.1 provides an overview of the key towns and settlements potentially affected by the proposed alternatives (reference to Annexure B which lists towns and settlements in a 10km range). Main focus is on the towns and settlements within a 7.5km range of the proposed alternatives. In addition, settlements of historical / tourist significance which are located beyond 7.5km but whose main access roads are affected (i.e. intersected by one or more of the alignment alternatives) are also included."

It defies belief that absolutely no mention is made of Tesselaarsdal here at all, given that both the 5km corridors of Alternatives 1 and 2 cross directly over Tesselaarsdal / Farm 811 and the adjoining

small farms AND that both of these routes have an impact on the main access road to Tesselaarsdal from Caledon, as set out in our comments on the Heritage Impact Assessment.

Page 16 - Regional Context – Overberg DM: Again Tesselaarsdal is not included in the list of “...smaller settlements of historical and heritage significance, ...”

Page 30 - Table 2.8: Sensitivity Assessment: Bantamsklip-Bacchus Alternative 1:

Point 3 – 5.3km southern slopes of Kleinriviersberge to Tesselaarsdal - given an orange rating (i.e. medium, presumably) even though Tesselaarsdal (the southern most reaches of our community being considered here) is acknowledged as being used for “..mixed agriculture (small-scale but scenic)”. Besides the fact that the extent of the community that is here is clearly being disregarded (a grouping of some 1500-2000 people should surely result in an automatic red / highly sensitive assessment we would think), it is inconsistent that Point 2 on this table is given a highly sensitive rating due in part to “The potential visual and sense of place impacts ...”. Tesselaarsdal is not afforded the same consideration – particularly as the lines would crest the Kleinriviersberge in our immediate proximity and cross directly over our community no matter where the lines would go within the current 5km corridor! If these are not a visual and sense of place impacts, then what are?

Same table as above, Point 4 – 4.4 km Tesselaarsdal to E-most outcrop of Steenboksberg - here a green assessment is given (i.e. low sensitivity, presumably) even though this area forms the greater part of Tesselaarsdal / Farm 811, and whilst not densely populated in the central section, is the basis for the subsistence farming that the greater part of this poor community relies on. Land is also the only form of asset value that the majority of this community has, being that this community has consistently been side-lined with regard to basic assistance, services and possible development initiatives that would be in keeping with its tranquil, rural setting (eg heritage tourism) by the authorities in the past. Lately, the influx of city based weekenders, retirees, and those that have moved here permanently, seeking a more tranquil, rural existence, have started to change the socio-economic base of the community – hopefully the result of this will be that future, place- and setting appropriate development and upliftment initiatives may now become a priority.

In the same point, the green assessment is substantiated by the fact that the route “Traverses no significant roads (i.e. tarred public roads)”. Whilst our roads may not be tarred, the route traverses both the access road to Tesselaarsdal village and the road to Solitaire, the latter being the access road either from the Hermanus/Shaws Pass direction or from Caledon, and as such are indeed significant to us.

The impact of either of these power line route alternatives on the potential heritage tourism and eco-tourism for our community in future would be significant, not to mention the impact on the land value which is the only form of asset value that the majority of this community has at this point. We therefore submit that these sections should have been given the highest sensitivity rating i.e. red, where they pertain to the Tesselaarsdal community.

Page 32 - Table 2.9: Sensitivity Assessment: Bantamsklip-Bacchus Alternative 2:

Point 1 and Point 2 – same points apply as per our comments on the Alternative 1 route above, and we submit that these sections should have been given the highest sensitivity rating i.e. red, where they pertain to the Tesselaarsdal community.

Page 49 - General Comment on Alignment Options – Bantamsklip-Bacchus:

Here the Alternative 1 route north of the Kleinriviersberge is assessed as being more acceptable than Alternative 2, however no mention is made of the fact that they both cross over Tesselaarsdal in the same area, just after having crossed the Kleinriviersberge. Again it is intimated that the access roads to the tourist and historic towns of Genadendal and Greyton should be avoided, however there is not even the slightest intimation that the Tesselaarsdal community of between 1500-2000 people even factors in to the assessment equation, much less it's potential for similar heritage tourism.

Whilst Alternative 4 is said to appear to be most suitable, the specialist further suggests combination-options of various sections of the other routes in order to possibly split the number of lines. He suggests that consideration be given to re-aligning the middle sections of Alternatives 2 & 3, “...specifically the crossing of the Caledonberg, the access road to Genadendal and Greyton, and

the crossing to the east of Helderstroom prison.” Again, no consideration whatsoever of the Tesselaarsdal community of between 1500-2000 people in direct line of fire, so to speak.

We also feel that there should have been more of a focus on the socio-economic effects of a drop in property values associated with a project of this nature, and the consequences thereof on poor rural communities.

There is also the very real concern about the social effects of the influx of the work force on such a project, particularly on poor rural settlements.

Pages 55 – 57 - Section 4: Terms of Reference for EIA:

“The assessment of the social impacts will also be informed by the relevant principles listed in the National Environmental Management Act (Act 107 of 1998) and the “Sustainable Livelihoods” framework approach.”

Two of the thirteen NEMA principles that are listed as being applicable are: “Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably;” and “Decisions must take into account the interests, needs and values of all interested and affected parties, and this includes recognising all forms of knowledge, including traditional and ordinary knowledge;”. Clearly the scoping phase of this social assessment has fallen well short of applying these principles in the context of Tesselaarsdal. Once again we contend that conclusions have been drawn with regard to the route-recommendations without detailed, correct and complete knowledge having been obtained. Even if *only* the above two NEMA principles had been applied, the specialist would have had no choice but to unequivocally recommend that any and all routes coming anywhere near our community must be moved to avoid us completely.

Appendix Q: Visual Impact Assessment

Page 29 - Visual Impact and Issues Identification – Point 3: we are delighted to find that this specialist has finally given a correct assessment of our position, not only in visual terms but also with regard to heritage (which was not even suitably acknowledged by the Heritage Impact Assessment), and has in no uncertain terms recommended that the Alternative 1 and 2 routes of the power lines not go through our valley.

Pages 36 & 37 - 9.2 General Recommendations: the above assessment with regard to Tesselaarsdal can be even further substantiated by the following points:

- 1 - no power lines to be routed through closed valleys
- 4 - power lines should be located at least 2km away from significant receptors (we hope that it will be much more than that in our case!)
- 8 - power lines off ridgelines as much as possible
- 9 - receptor location very important in order to ensure high levels of intrusion are not created
- 11 - closed valleys which have high levels of landscape quality with no precedent of power lines should preferably not be motivated for potential routing
- 12 - when crossing mountains, skyline impacts should not radically alter the wilderness sense of place
- 14 - care must be taken to ensure that sense of place associated with scenic routes and visual significant heritage landscapes is not impaired
- 15 – power line structures should not be on elevated and prominent hills, as this results in high levels of intrusion and increases the potential visual impact

4. Other comments / issues of concern

▪ Specialist credibility

We are concerned by the possible lack of independence with regard to Eskom, of certain of the specialists that have been tasked with assessing the proposed routes from their expert perspectives. In particular, the Heritage specialist, Tim Hart, lists 13 Eskom projects that he has been involved in since 2004 to date, and the Avifauna specialist, Chris Van Rooyen, whose CV records a plethora of Eskom projects as well as Eskom awards that he has been honoured with. Whilst we have no doubt that they, and all the other specialists, are experts in their field, one has to question the matter of

independence vs the source of earnings for such professionals, especially when these connections to the main applicant/client are masked by the fact that they have been given their tasks by the attending EAP. To this end we would like to request that Arcus Gibb justify their choice of professionals for this project, and prove the credibility of the reports that have been submitted, as well as the credibility of the scoping process as a whole.

▪ **Additional Specialist Reports**

We would like to insist that the following additional Specialist reports be done by independent experts, and that these reports be included in the Draft Scoping Report, so that the conclusions of these additional reports can be factored into the overall sensitivity mapping exercise of the proposed high-voltage power line routes:

Tourism and Eco-tourism, including the future potential/growth aspect thereof, as this is such a fundamental industry to the entire region under investigation.

Underground and undersea high voltage power lines – investigation of all aspects, ranging from detailed terrain analysis, construction, site rehabilitation, health matters, feasibility aspects etc.

Risk Assessments – including (but not limited to) the issue of electro-magnetic fields (EMF's) associated with power lines, fire and fire management, including lightning issues associated with power line towers and lines, property security and the influx of workers etc.

It has been indicated that two additional specialist reports have been undertaken, namely one for wetlands and one for environmental resource economics. However, neither of these reports, nor their conclusions have been included in the DSR sensitivity mapping that has been done for the other specialist reports. Once again, we contend that by not including these analyses and their conclusions in the scoping phase, the assessment of all the proposed routes is incomplete, and thus the conclusions drawn by the DSR in its current form are substantively flawed.

▪ **Eco-sensitive building and back-to-basics living**

We would like to point out that this community has a fairly large contingent of members who are set on promoting and implementing eco-friendly, natural building methods, farming methods etc. and who endorse the trend for a simpler, back-to-basics, more natural lifestyle. To this end, renewable sources of energy like wind and solar power are being used, and a general reduction of the carbon footprint is striven for. To now have the possibility of a nuclear power station and the associated high-voltage power lines on our doorstep, with the varied negative and long-term impacts that these would bring to the entire region, is contra to the very lifestyle that is being aimed for. Whilst the feeling is not to object to development per se, it should not be at the cost of a region that prides itself on and promotes the natural, unique heritage that it has been blessed with. Annexure G is a copy of a recent letter in The Argus, which is indicative of the similar trend and general feeling in our Tesselarsdal community.

▪ **Current electricity supply issues**

This proposed nuclear project and the associated high-voltage power lines have elicited some general comments in our community, and has resulted in certain points being raised about the current electricity supply issue that our country faces. Here are just a few:

Before taking the drastic step of building another nuclear power station, Eskom should look to improve the efficiency of the current power generation capacity, which some are of the opinion is inefficient due to mismanagement.

Additional incentives should be put in place to encourage electricity users, whether domestic or industrial, to use less power, and thus save themselves money.

The drain of power generated in South Africa but which is being supplied to neighbouring countries should be halted – if these countries need assistance, Eskom should sell its expertise to these countries (rather than our power) in order to help these neighbours to establish their own power generation plants in their own regions.

Renewable energy sources – households should be assisted and encouraged to implement wind and solar power to reduce their dependence on the power grid. This in turn would bring down the national demand, making more power available to industry & for development. Eskom needs to put more time and effort into researching wind, solar and wave power sources, rather than nuclear.

5. Conclusion

It is our contention that by having been excluded from the scoping phase of this EIA process, as parties directly affected by the route proposals Alternative 1, 2 and the ABI proposal, the entire scoping process is substantively flawed – besides the fact that it means that we as stakeholders were neither informed nor included, it begs the question, if we were overlooked, who else was also not included in the process? If not all of the directly affected stakeholders were informed and included in the scoping process, then surely the conclusions drawn by the DSR can only be considered to be flawed.

It is our contention that the values applied to assess the sensitivities of the proposed routes with regard to the various specialist fields investigated in the DSR, need to be re-assessed, particularly pertaining to the routes Alternatives 1, 2 and the ABI proposal, as the relevance of Tesselaarsdal / Farm 811 and the adjoining small farms has either been disregarded or underestimated in some instances, most especially with regard to its future potential. Here reference is being made to the heritage and social specialist reports in particular, as well as the avifauna and land-use reports, which also require additional site-specific considerations in our opinion. These mis-assessments thus suggest that the conclusions drawn by the DSR are substantively flawed. Basing a future detailed EIA study on the conclusions drawn by the DSR in its current form, in turn, can therefore also be considered to be similarly substantively flawed. This view is supported in the conclusion of the Flora Impact Assessment Appendix L, in which the specialist indicated that route adjustments must be made prior to the commencement of the detailed EIA phase, otherwise “...the final negative impacts are likely to be significant.”

We further request that additional specialist studies be undertaken by independent experts to investigate and assess the tourism and eco-tourism factor that is so integral to the entire region under review, as well as to investigate and assess the possibility of underground/under-sea high-voltage power lines, and the matter of various risk assessments. These specialist reports and their conclusions should be included in the DSR sensitivity analysis of each route proposal, in order for the conclusions drawn by the DSR to be based on accurate and comprehensive knowledge.

In order to rectify these shortcomings, we strongly suggest that the extension of the public participation process and the postponement of the finalisation of the DSR until August 2009, be granted, so that the DSR can be adjusted accordingly to include more relevant and pertinent information – after all, more information, and correct information, can only stand the entire EIA process going forward in good stead.

TAG is willing to send representatives to the suggested Eskom workshop about possible route adjustments and alternatives. However, our participation in such a workshop should not be construed as acceptance or approval of the proposed nuclear project or the associated high-voltage transmission lines – we simply see this as an opportunity for us to gather information and give our input, in order to protect our community’s interests in the process.

As so aptly stated at the beginning of the Visual Impact Assessment, “The project needs to be assessed in the context of the regional landscape character and “sense of place” which is defined as the unique quality or character of a place, whether natural, rural or urban, relating to its uniqueness, distinctiveness or strong identity, the “spirit of the place”.” The varied uniqueness, distinctness, strong identity and sense of place throughout our region cannot be disputed, and as such requires our commitment to protect its integrity for the future – there is simply nothing else like it anywhere else. Considering this, as well as all the objections you have received from other land-owner-, environmental- and tourism groups based in the greater Overberg / Overstrand region, we feel strongly that this EIA process should eventually find that the proposed high-voltage transmission lines from Bantamsklip can only be given an emphatic ‘NO GO’ assessment.

Yours sincerely,

TAG Steering Committee

Johnvin Hendricks, Joy Paulsen, Kobus Visser, Katrin Pobantz & Vincent Cook (co-opted)