

## FULL SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

*Agricultural Expansion on Portion 14 of Farm 89 Geelhoutboom,  
Dunbrody Estates, Sundays River Valley Municipality*

**BACKGROUND INFORMATION DOCUMENT, JULY 2016**



**Public Process Consultants**  
Environmental Impact Assessment and  
Public Participation Management

### INTRODUCTION

The proponent, Unifrutti South Africa Pty Ltd, proposes to expand citrus production on their existing operations at Dunbrody Estates, which measures 1 239.05 ha in combined extent. The expansion of citrus is proposed to take place on one of the farm portions which make up the total estate, portion 14 of Farm Geelhoutboom no 89, which measures 525.6 ha in extent. It is proposed that 30 ha is cleared for the planting of citrus and associated infrastructure on portion 14 of farm 89. Irrigation of the proposed agricultural development requires the construction of a new dam with a capacity of approximately 30 000m<sup>3</sup> and the installation of irrigation pipelines of varying diameters. The farm portion under assessment falls within the Sundays River Valley Municipal area (SRVM) and the nearest town is Sunland, which is located approximately 5km southeast of the site.

In terms of the NEMA EIA Regulations, 2014, GN R982, 983, 984 and 985 promulgated under Chapter 5 of the National Environmental Management Act (Act 107 of 1998) ("NEMA"), and published in Government Gazette 38282 on the 4 December 2014, the project requires full Scoping and Environmental Impact Assessment (S&EIR). The applicant has appointed Public Process Consultants as the independent Environmental Assessment Practitioner to undertake the assessment including public participation for this project.

### PROJECT LOCALITY

The nearest town to Dunbrody Estates is Sunland, in the Sundays River Valley Municipality, located approximately 5km to the southeast of the farm. The site can be accessed off the gravel "Tregaron" road which extends between Sunland and Enon/Beersheba. The nearest boundary of the Addo Elephant National Park is located approximately 10 km northeast of portion 14 of farm 89. The locality map attached provides an overview of the location of the property under assessment.

### HOW CAN I PARTICIPATE IN THIS ENVIRONMENTAL ASSESSMENT PROCESS?

In terms of regulation 42 (b) of Government Notice R 982 interested and affected parties (I&APs) are to request in writing that their names be placed on the register of interested and affected parties. In order to register on the database, complete the comment and registration form attached to this correspondence or submit your contact details (via fax or email), stating your full name, address and contact numbers to the consultant indicated in this documentation. In terms of regulation 43 (1) a registered I&AP is entitled to comment in writing on all reports and plans submitted as part of the public participation process and raise any issues which may be of significance to the consideration of the application. I&APs are required to state any direct, business, financial, personal or other interest they may have in the approval or refusal of the application. By registering on the project database you will be notified as and when information on the project is available for I&AP review and comment.

### WHAT DOES THIS DOCUMENT TELL YOU?

This document provides you, as an interested and or affected party (I&AP), with background information on the proposed agricultural development as well as the Scoping and Environmental Impact Assessment including Public Participation Process. It indicates how you can become involved in the project, receive information and raise issues that may interest and/or concern you. The sharing of information forms an important component of the public participation process and provides you with the opportunity to become actively involved in the environmental assessment process from the outset. The input received from I&APs together with scientific and technical investigations assists the responsible authority, in this instance the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), Cacadu Region, with their decision-making.

## ALTERNATIVES AND SITE SELECTION

A key component of the Environmental Impact Assessment process is the identification and assessment of reasonable and feasible alternatives. The following alternatives have been identified and will be considered in the assessment process:

- No-go alternative
- Layout alternatives

Reasonable and feasible alternatives as raised by I&APs, specialists and the technical team will be considered in the assessment process.

## WHAT DOES THE PROJECT ENTAIL?

The area under assessment forms part of a working farm, known as Dunbrody Estates just outside of Sunland within the SRVM. The proponent intends to transform the indigenous vegetation located along the eastern boundary of Portion 14 of Farm 89, a farm portion included in the Dunbrody Estates. It is proposed that an area of approximately 30ha will be transformed for the agricultural expansion of existing farming operations on Dunbrody Estates. In addition to the establishment of citrus orchards, the proponent proposes to construct an irrigation dam with an estimated capacity of approximately 30 000m<sup>3</sup> and install irrigation pipelines with varying diameters in order to supply irrigation water to the proposed orchards.

The farm portion under assessment is currently zoned for agriculture. The existing infrastructure on Dunbrody Estates will be used to provide technical and logistical support to the proposed expanded farming operation. In order to accommodate the dam and associated infrastructure (i.e. roads, lay-down areas and irrigation pipelines) a total area of approximately 30 hectares is being proposed for transformation. In addition, the proposed development will entail the following activities on the site:

- Levelling and landscaping the site to provide runoff control
- Establishment of unpaved internal roads to provide access to the cultivated areas
- Construction of a new irrigation dam
- Installation of irrigation infrastructure
- Planting orchards and windbreaks

Water for the development will be supplied from the Lower Sundays River Water Users Association canals, via the proposed new irrigation dam.

The final design and layout of the development will be informed by technical and environmental specialist input during the Environmental Assessment process.

## OVERVIEW OF THE SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT (S&EIR) PROCESS

In terms of the NEMA EIA regulations, 2014: GN R982, 983, 984 and 985 published in Government Gazette 38282 on the 4 December 2014, the project requires full Scoping and Environmental Impact Assessment because it includes, amongst others, the following listed activity in GN R 984:

<b>NEMA EIA Regulations, 2014, GN R 984, requiring Full Scoping and EIA</b>	
<b>Listed Activity</b>	<b>Description of Project Activity</b>
<i>“15. The clearance of an area of 20 hectares or more of indigenous vegetation, ...”</i>	The proposed agricultural development will entail the clearance of approximately 30 hectares of vegetation, most of which is anticipated to be indigenous.

In addition, the following listed activity contained in GN R983 and 985, requiring Basic Assessment, will also be triggered by the proposed development:

**NEMA EIA Regulations, 2014, GN R 983, requiring Basic Assessment**

Listed Activity	Description of Project Activity
<p>11. The development of facilities or infrastructure for the transmission and distribution of electricity- (i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or...</p>	<p>The additional irrigation infrastructure requirements may give rise to the need for the installation of additional electrical infrastructure at the site.</p> <p>The applicability of this listed activity will be determined through the assessment process.</p>
<p>12. The development of- (iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size; (xii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs- (a) within a watercourse;... (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -...</p>	<p>An extensive wetland area is located to the west and adjacent to the proposed development area. An artificial wetland has also been identified within the area which is being investigated for the construction of the proposed dam. The infrastructure, including the installation of the dam and irrigation infrastructure as well as the unpaved gravel access roads may have a footprint of 100 square metres or more and may fall within a wetland (defined as a watercourse in terms of the NEMA EIA Regulations, 2014) or within 32 metres of a wetland.</p> <p>The applicability of this listed activity will be determined through the assessment process.</p>
<p>19. The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from- (i) a watercourse;</p>	<p>An extensive wetland area is located to the west and adjacent to the proposed development area. An artificial wetland has also been identified within the area which is being investigated for the construction of the proposed dam. The infrastructure, including the installation of the dam and irrigation infrastructure as well as the unpaved gravel access roads may have a footprint of 100 square metres or more and may fall within a wetland (defined as a watercourse in terms of the NEMA EIA Regulations, 2014) or within 32 metres of a wetland.</p> <p>The applicability of this listed activity will be determined through the assessment process.</p>
<p>24. The development of- (ii) a road with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</p>	<p>A number of unpaved, internal vehicle tracks will be required to provide access to the cultivated areas. The width of these roads will be established by the relevant technical specialists during the assessment and therefore, the applicability of this listed activity will be determined through the assessment process.</p>

**NEMA EIA Regulations, 2014, GN R 985, requiring Basic Assessment**

Listed Activity	Description of Project Activity
<p>“2. The development of reservoirs for bulk water supply with a capacity of more than 250 cubic metres. (b) In Eastern Cape: iii. Outside urban areas, in: (dd) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; (ff) Areas within 10 kilometres from national parks</p>	<p>In order to ensure sufficient supply of irrigation water for the proposed agricultural development, it is proposed that a new irrigation dam, with an anticipated capacity of approximately 30 000m<sup>3</sup>, be constructed.</p> <p>The area under assessment is located outside of an urban area, in the Eastern Cape and approximately</p>

<p>or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p>	<p>10km from the nearest boundary of the Addo Elephant National Park. Portions of the site have been identified as a Terrestrial CBA (BLMC2) and the entire site as an Aquatic CBA (ABLMC 2b) in terms of the Eastern Cape Biodiversity Conservation Plan.</p>
<p>“4. The development of a road wider than 4 metres with a reserve less than 13,5 metres.  (b) In Eastern Cape:  ii. Outside urban areas, in:  (ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;  (gg) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas; or”</p>	<p>A number of unpaved, internal vehicle tracks will be required to provide access to the cultivated areas. The width of these roads will be established by the relevant technical specialists during the assessment, but it is anticipated that they will be wider than 4 metres.</p> <p>The area under assessment is located outside of an urban area, in the Eastern Cape and approximately 10km from the nearest boundary of the Addo Elephant National Park. Portions of the site have been identified as a Terrestrial CBA (BLMC2) and the entire site as an Aquatic CBA (ABLMC 2b) in terms of the Eastern Cape Biodiversity Conservation Plan.</p>
<p>12. The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.  (a) In Eastern Cape, ...  i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p>	<p>The proposed agricultural development will entail the clearance of approximately 30 hectares of vegetation, most of which is anticipated to be indigenous.</p> <p>A portion of the vegetation which is proposed for transformation has been identified as Albany Alluvial Vegetation in terms of the NSBA mapping resources. This vegetation type has been listed as an Endangered ecosystem in terms of section 52 of the NEMBA.</p> <p>The vegetation type that occurs on the site and therefore the applicability of this listed activity will be confirmed through the assessment process.</p>
<p>14. The development of-  (iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size;  (xii) infrastructure or structures with a physical footprint of 10 square metres or more;  where such development occurs –  (a) within a watercourse;  (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; ...  (c) In Eastern Cape:  ii. Outside urban areas, in:  (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;  (hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or...</p>	<p>An extensive wetland area is located to the west and adjacent to the proposed development area. An artificial wetland has also been identified within the area which is being investigated for the construction of the proposed dam. The infrastructure, including the installation of the dam and irrigation infrastructure as well as the unpaved gravel access roads may have a footprint of 10 square metres or more and may fall within a wetland (defined as a watercourse in terms of the NEMA EIA Regulations, 2014) or within 32 metres of a wetland.</p> <p>The area under assessment is located outside of an urban area, in the Eastern Cape and approximately 10km from the nearest boundary of the Addo Elephant National Park. Portions of the site have been identified as a Terrestrial CBA (BLMC2) and the entire site as an Aquatic CBA (ABLMC 2b) in terms of the Eastern Cape Biodiversity Conservation Plan.</p>

A conservative approach has been adopted towards the identification of listed activities which might be triggered by the proposed development. The applicability of all the listed activities indicated above will be determined through the assessment process. The listed activities require environmental authorisation from the DEDEAT prior to the commencement of any activities on the site. The environmental assessment needs to show the responsible authority, DEDEAT, and the project proponent, Unifrutti South Africa Pty. Ltd., what the consequences of their choices will be in biophysical, social and economic terms.

Public Process Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to undertake the Scoping and Environmental Impact Assessment for the project. Public involvement forms an important component of this process, by assisting in the identification of issues and alternatives to be evaluated. The Environmental Assessment Process being implemented can be divided into four phases namely:

- Pre-Application Scoping Phase
  - Identification, notification to and registration of I&APs (30 days)
  - Preliminary specialist input
  - Draft Consultation Scoping Report review (30 days)
- Application and Scoping Phase
- Environmental Impact Assessment Phase (EIA Phase)
  - Draft EIA (30 days)
  - Final EIA for submission to DEDEAT
- Decision Making and Appeal Period

In order to meet the timeframes as prescribed in the EIA Regulations, 2014, specialist studies to be included as part of this assessment process will commence in parallel to the Scoping Process. The following specialist studies are proposed to be undertaken for this assessment:

- Vegetation and Aquatic Assessment
- Soil Suitability Assessment
- Phase 1 Archaeological Assessment

Alternatives proposed to be included in the assessment process are:

- The No-Go Alternative
- Layout Alternatives
- Alternatives as identified by I&APs

### **Stage 1: Pre-Application Scoping Phase**

- **Notification to Authorities and I&APs**

The first stage in the process entails notification to the DEDEAT as well as interested and affected parties (I&APs) of the intention to proceed with the Scoping and EIA process. Identified I&APs are provided with a Background Information Document (BID) on the project, a locality map and a comment form. An advertisement will be placed in a local newspaper and a site notice board will be erected at the site so as to inform potential I&APs of the assessment process. I&APs are required to register their interest in the project to receive further project information. One-on-one meetings will be conducted with key stakeholders during this phase of the process should these be requested. I&APs will be provided with a **30 day** period within which to raise any issues for inclusion in the Draft Consultation Scoping Report.

- **Draft Consultation Scoping Report**

A Draft Consultation Scoping Report (DSR) will be compiled which will include an Issues and Responses Trail – indicating the issues and concerns raised by I&APs during the **30 day** notification period as well as the Plan of Study for EIA. The Plan of Study for EIA will outline the specialist studies proposed to be undertaken for this assessment process as well as the methodology for the identification, and rating of impacts. In terms of the NEMA EIA Regulation, 2014, the Scoping process is to, amongst others, through a consultative process:

- *identify policies and legislation relevant to the activity;*
- *motivate the need and desirability of the proposed activity and its location*
- *identify and confirm the preferred activity, technology alternative and/ or site alternative; or if no alternatives, including location alternatives were investigated, the motivation for such;*
- *identify the key issues to be addressed in the assessment phase;*

- *agree on the level of assessment, methodology and expertise required as well as the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site to inform the location of the development footprint within the preferred site; and*
- *identify suitable measures to avoid, manage or mitigate identified impacts and to determine the extent of the residual risks that need to be managed and monitored.*

The **Draft Consultation Scoping Report** will be released for a **30 day** comment period. All registered I&APs on the project database will be notified in writing of the opportunity to comment. In order to assist I&APs with their understanding of the project and to facilitate the identification of issues for inclusion in the Consultation Scoping Report I&APs will be provided with an executive summary of the Draft Consultation Scoping Report as well as a Comment Form. Copies of the report will also be made available on the website [www.publicprocess.co.za](http://www.publicprocess.co.za).

### **Stage 2: Application and Scoping Phase**

An **application form** for Scoping and EIA will be compiled based on the relevant project information provided by the proponent, Unifrutti South Africa Pty. Ltd., and will be submitted to the Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT). In parallel to the compilation and submission of the application form, the Consultation Scoping Report (CSR) will be compiled which will include an Issues and Responses Trail – indicating the issues and concerns raised by I&APs during the **30 day** review of the Draft Consultation Scoping Report as well as the Plan of Study for EIA.

The applicant must, within **44 days** of receipt of the application form by the competent authority, submit to the competent authority a Scoping Report which has been subjected to a public participation process of at least 30 days. Therefore, a **Consultation Scoping Report** will be released for a mandatory **30 day** comment period after submission of the application form to the competent authority. All registered I&APs on the project database will be notified in writing of the opportunity to comment. In order to assist I&APs with their understanding of the project and to facilitate the identification of issues for inclusion in the Final Scoping Report, I&APs will be provided with an executive summary of the Consultation Scoping Report as well as a Comment Form. Copies of the report will also be made available on the website [www.publicprocess.co.za](http://www.publicprocess.co.za).

The comments received from I&APs, the competent authority and other organs of state, during the review process are included in the **Final Scoping Report** before it is submitted to DEDEAT for their consideration. All I&APs on the project database will be notified in writing of the submission of the Final Scoping Report to the authorities. The Final Scoping Report will include the Plan of Study for EIA (PSEIA) and Terms of Reference for specialist studies to be undertaken as part of the EIA process. The Final Scoping Report and the PSEIA is subject to consideration by the competent authority.

### **Stage 3: Environmental Impact Assessment Phase**

Once DEDEAT accepts the Final Scoping Report, with or without conditions, and upon receipt of the approval thereof, the Environmental Impact Assessment Phase may proceed or continue with the tasks contemplated in the Plan of Study for EIA. The purpose of this stage of the EIA is to undertake specialist investigations to address the issues identified through the Scoping Process which may be of significance to the consideration of the application. The specialists will build on the information that was gathered for stage 1, but will focus their studies on the area under assessment. The specialist studies will include the assessment of alternatives, identification of impacts and the determination of the significance of impacts. Specialists will, where appropriate, formulate mitigatory measures to maximise positive benefits or avoid/ minimise potential negative impacts.

The **Draft EIA Report and Environmental Management Programme (EMPr)** will be prepared and released for a **30 day** review period and will include, amongst others, the following:

- Address issues that have been raised through the Scoping Process
- Assess alternatives in relation to the proposed activity, including different means of meeting the general purpose and requirements of the activity (including No Go Option)
- Assess potential impacts
- Recommend management actions to enhance positive benefits or avoid/minimise negative impacts.

All registered I&APs will be notified of the 30 day comment period in writing. All comments received from I&APs and authorities via meetings held or written correspondence during this period are compiled into an Issues and

Responses Trail for inclusion in the Final EIA Report. The Issues and Responses Trail will indicate the nature of the comment, when and who raised the comment as well as indicate how the comment received has been considered in the Final EIA Report, in the project design or the EMPr for the project.

The **Final EIA Report**, including the Issues and Responses Trail and EMPr will be compiled for submission to the competent authority for their consideration (DEDEAT). The applicant must within **106 days of acceptance of the Scoping Report** submit to the competent authority an environmental impact report, inclusive of specialist studies and an EMPr which has been subjected to a 30 day public participation process. All I&APs on the project database will be notified in writing of the submission of the Final EIA Report.

#### **Stage 4: Decision Making and Appeal Period**

All I&APs on the project database will be notified in writing regarding the outcome of the decision by the DEDEAT (granting or refusal of environmental authorization) for the project and the appeal period, as well as the manner of appeal. Commencement of the development may only proceed once approval has been received from the DEDEAT.

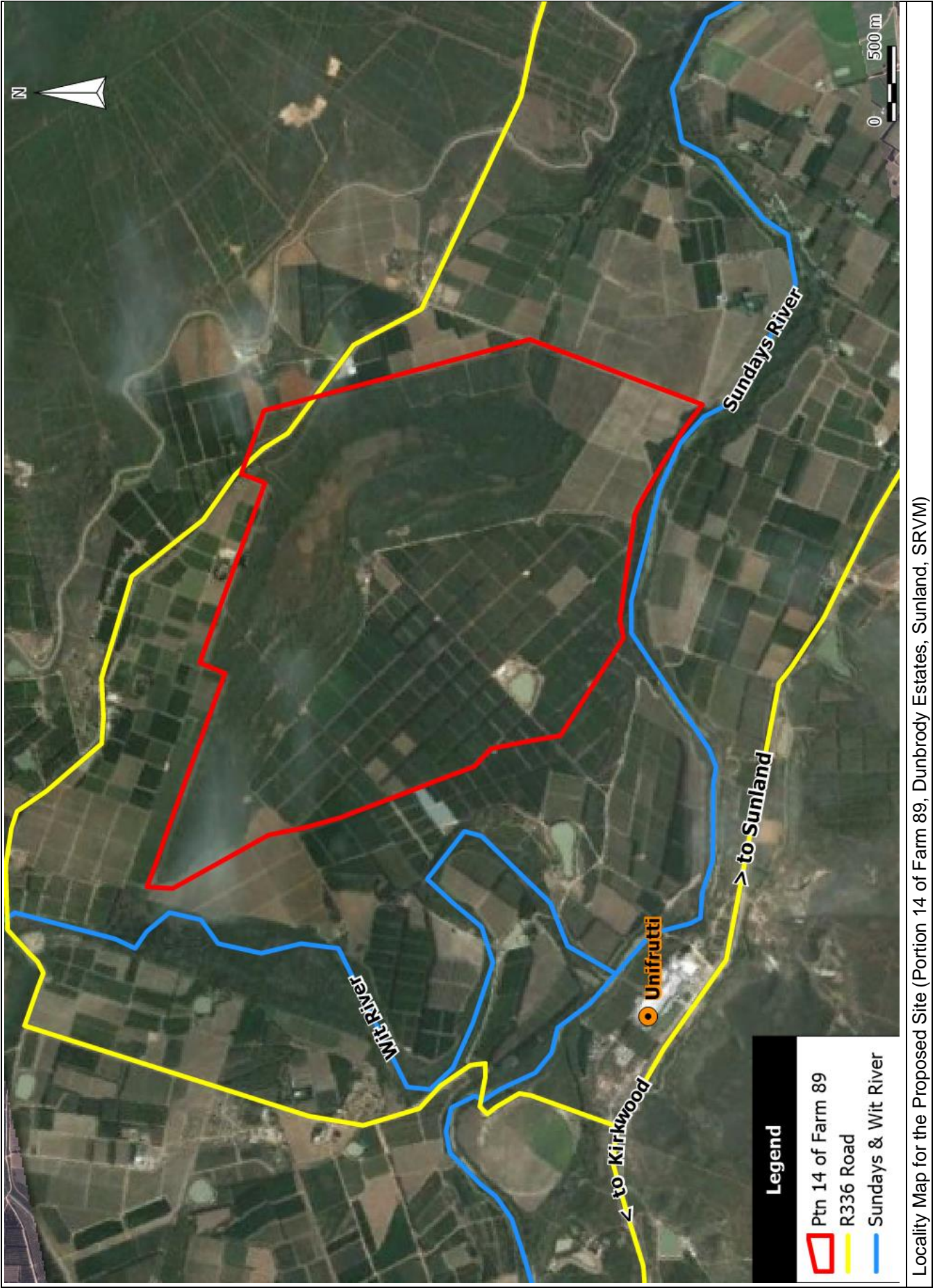
#### **WHAT IS YOUR ROLE AS AN I&AP?**

1. I&APs are required to respond to the letters of notification and/or newspaper advertisements and register their interest on the project database.
  - By emailing, faxing or mailing a comment form to the participation consultant indicated below.
  - By registering your interest in the project you will be kept informed of the process and will be notified of any opportunities to comment.
2. I&APs are required to state their area of interest and/or concern in the matter.
  - By emailing, faxing or mailing a comment form to the public participation consultant indicated below.
3. By telephonically contacting the public participation consultant if you have a query, comment, or require further project information.
4. By reviewing the Draft Scoping and EIA Reports and submitting any comments/issues within the specified comment periods.

#### **WHO SHOULD YOU CONTACT?**

Sandy Wren, Public Process Consultants  
PO Box 27688, Greenacres, 6057.  
Phone 041-374 8426  
Fax 041-373 2002  
Email [sandy@publicprocess.co.za](mailto:sandy@publicprocess.co.za)

**Information on the project can be downloaded from the following website: [www.publicprocess.co.za](http://www.publicprocess.co.za)**



Locality Map for the Proposed Site (Portion 14 of Farm 89, Dunbrody Estates, Sunland, SRVM)