

APPENDIX B: CORRESPONDENCE WITH DEDEAT

CORRESPONDENCE TO DEDEAT

Notice of Submission of Final Scoping Report

PO Box 27688 Greenacres 6057
120 Diaz Road Adcockvale, PE 6001
Phone 041-3748426 Fax 041-3732002
Email sandy@publicprocess.co.za
Ck 97/32984/23 VAT 44601 68273



14 February 2017

Attention: Mr Andries Struwig

Department of Economic Development, Environmental Affairs and Tourism
Private Bag X 5001
Greenacres
6057

cc. Ms Ndileka Nazo

Dear Sir,

RE: NOTICE OF SUBMISSION OF THE FINAL SCOPING REPORT: AGRICULTURAL DEVELOPMENT OF PORTION 15 OF THE FARM 203 LOGAN BRAES, IN THE NELSON MANDELA BAY MUNICIPALITY (DEDEAT REFERENCE: ECm1/C/LN2/54-2016).

With reference to our previous correspondence submitted to your offices dated 9 February 2016, 6 June 2016 and 12 December 2016, please find included herewith, a copy of the Final Scoping Report for the abovementioned proposed agricultural expansion.

In terms of the NEMA EIA Regulations, 2014: GN R982, 983, 984 and 985 promulgated under Chapter 5 of the National Environmental Management Act (as amended), and published in Government Gazette 38282 on 4 December 2014, this serves as notification to the competent authority, in this case the Provincial Department of Economic Development, Environmental Affairs and Tourism, Cacadu Region, of the submission of the Final Scoping Report, for the proposed agricultural development of Portion 15 of the Farm 203 Logan Braes, in the Nelson Mandela Bay Municipality, on behalf of Habata Boerdery (the project applicant).

Please find included with this correspondence the following:

- One hard copy of the Final Scoping Report including Appendices and an Executive Summary
- One electronic copy of the Final Scoping Report including Appendices and an Executive Summary, on CD

Project information can also be accessed through the website www.publicprocess.co.za

All I&APs registered on the database for the above project will be informed of the submission of the Final Scoping report to the competent authority and will be notified of the outcome of the decision-making process on the Final Scoping Report.

We trust that you will find the above in order. Please do not hesitate to contact Sandy Wren, Marisa Jacoby or Zandri Grobbelaar at the contact details above, should you have any comments or queries with regards to this submission.

Regards,



Sandy Wren
Environmental Assessment Project Leader

Email: Notice of Submission of Final Scoping Report

From: Marisa Jacoby
Sent: Tuesday, 14 February 2017 11:13 AM
To: 'Andries.Struwig@dedea.gov.za'; Ndileka Nazo
Cc: 'Charmaine Struwig'; Sandy Wren; Zandri Grobbelaar
Subject: NOTICE OF SUBMISSION OF THE FINAL SCOPING REPORT: AGRICULTURAL DEVELOPMENT OF PORTION 15 OF THE FARM 203 LOGAN BRAES, IN THE NMBM (DEDEAT REFERENCE: ECm1/C/LN2/54-2016).

PO Box 27688 Greenacres 6057
120 Diaz Road Adcockvale, PE 6001
Phone 041-3748426 Fax 041-3732002
Email sandy@publicprocess.co.za
Ck 97/32984/23 VAT 44601 68273

14 February 2017

Attention: Mr Andries Struwig

Department of Economic Development, Environmental Affairs and Tourism
Private Bag X 5001
Greenacres
6057

cc. Ms Ndileka Nazo

Dear Sir,

RE: NOTICE OF SUBMISSION OF THE FINAL SCOPING REPORT: AGRICULTURAL DEVELOPMENT OF PORTION 15 OF THE FARM 203 LOGAN BRAES, IN THE NELSON MANDELA BAY MUNICIPALITY (DEDEAT REFERENCE: ECm1/C/LN2/54-2016).

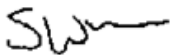
With reference to our previous correspondence submitted to your offices dated 9 February 2016, 6 June 2016 and 12 December 2016, this serves as notification that a hard copy and an electronic copy on CD of the Final Scoping Report for the abovementioned proposed agricultural expansion has been delivered to your offices this morning.

Project information can also be accessed through the website www.publicprocess.co.za

All I&APs registered on the database for the above project have been informed of the submission of the Final Scoping report to the competent authority and will be notified of the outcome of the decision-making process on the Final Scoping Report.

We trust that you will find the above in order. Please do not hesitate to contact Sandy Wren, Marisa Jacoby or Zandri Grobbelaar at the contact details above, should you have any comments or queries with regards to this submission.

Regards,



Sandy Wren
Environmental Assessment Project Leader

Regards
Marisa Jacoby (BSc Hons)
Environmental Assessment Practitioner
Public Process Consultants
120 Diaz Road
Adcockvale
Port Elizabeth
Phone: 041 374 8426 Fax: 041 373 2002
Cell: 083 233 5612
Website: www.publicprocess.co.za



CORRESPONDENCE FROM DEDEAT

Acknowledgement of Receipt of Final Scoping Report

23/02/2017 12:20 DEDET PE

(FAX)041 5085865

P.001/001



Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS & TOURISM



Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001
Private Bag X5001 Greenacres 6057 Republic of South Africa
Contact Person: Ndileka Nazo
Tel: 041 5085800 Fax: 041 5085865 Email: Ndileka.Miacu@dedet.gov.za

Ref: ECm1/C/LN2/M/54-2016

Public Process Consultants
P.O. Box 27688
Greenacres
6057

Attention: Ms Sandy Wren

Fax: 041 373 2002

E-mail: sandy@publicprocess.co.za

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED AGRICULTURAL DEVELOPMENT ON PORTION 15 OF THE FARM LOGAN BRAES NO. 203 NEAR BARKLEY BRIDGE WITHIN THE NELSON MANDELA BAY MUNICIPALITY

The Final Scoping Report submitted by Public Process Consultants on behalf of Habata Boerdery (Mr Hannes Joubert) dated February 2017 and submitted to the Department on 14 February 2017 that proposes to undertake Listed Activities scheduled in Government Notice R. 984 of 04 December 2014 for the above project, is hereby acknowledged.

The Environmental Assessment Practitioner is required to notify and inform the applicant in writing that the activity may not commence prior to an environmental authorisation being granted by the competent authority.

NDILEKA NAZO

ENVIRONMENTAL OFFICER: EIM

CACADU REGION

DATE: 23 February 2017

"Innovation for Sustainable Development"

Collegiate Provincial Building | Cnr of Belmont Terrace & Castle Hill | Central | Port Elizabeth • 6000
Private Bag X5001 | Greenacres • 6057
• Republic of South Africa

Tel: 041 508 5800 • Fax: 041 508 5865 • Web: www.dedat.gov.za

Acceptance of Final Scoping Report and Approval of Plan of Study for EIA

30/03/2017 15:41 DEAET PE

(FAX)041 5085865

P.001/001



Province of the
EASTERN CAPE
ECONOMIC DEVELOPMENT,
ENVIRONMENTAL AFFAIRS & TOURISM



Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001
Private Bag X5001 Greenacres 6057 Republic of South Africa
Contact Person: Ndileka Naza

Tel: 041 5085800 Fax: 041 5085865 Email: Ndileka.Nazou@dedea.gov.za

Ref: ECm1/C/LN2/M/54-2016

Public Process Consultants
P.O. Box 27688
Greenacres
6057

Attention: Ms Sandy Wren

Fax: 0413732002

E-mail: sandy@publicprocess.co.za

AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED AGRICULTURAL DEVELOPMENT ON PORTION 15 OF THE FARM LOGAN BRAES NO. 203 NEAR BARKLEY BRIDGE WITHIN THE NELSON MANDELA BAY MUNICIPALITY

1. Refer to the Final Scoping Report (FSR) submitted by Public Process Consultants on behalf of Habata Boerdery (Mr Hannes Joubert) dated February 2017 and submitted to the Department on 14 February 2017 for the above project.
2. The Department has reviewed the FSR and hereby finds that it adheres to the requirements as per the NEMA 2014 EIA Regulations. The FSR is hereby accepted and the Plan of Study is approved.
3. You are thus to proceed to the EIA phase as per the provision of Section 23(a) of the NEMA: EIA Regulations as published in GN R982 of 14 December 2014. You are reminded that the Final EIR is to be submitted within 106 days from the date of this letter.
4. The Environmental Assessment Practitioner is required to notify and inform the applicant in writing that the activity may not commence prior to an environmental authorisation being granted by the competent authority.

ANDRIES STRUWIG
ASSISTANT DIRECTOR: EIM
CACADU REGION

DATE: 30 March 2017

"Innovation for Sustainable Development"

Collegiate Provincial Building | Cnr of Belmont Terrace & Castle Hill | Central | Port Elizabeth • 6000
Private Bag X5001 | Greenacres • 6057
• Republic of South Africa

Tel: 041 508 5800 • Fax: 041 508 5865 • Web: www.dedeaat.gov.za

CORRESPONDENCE TO DEDEAT

Notice of Comment Period for the Draft EIA

PO Box 27688 Greenacres 6057
120 Diaz Road Adcockvale, PE 6001
Phone 041-3748426 Fax 041-3732002
Email sandy@publicprocess.co.za
Ck 97/32984/23 VAT 44601 68273

29 May 2017

Attention: Mr Andries Struwig

Department of Economic Development, Environmental Affairs and Tourism
Private Bag X 5001
Greenacres
6057

cc. Ms Ndileka Nazo

Dear Sir,

RE: NOTICE OF COMMENT PERIOD: DRAFT EIA REPORT AND DRAFT EMPr: AGRICULTURAL DEVELOPMENT OF PORTION 15 OF THE FARM 203 LOGAN BRAES, IN THE NELSON MANDELA BAY MUNICIPALITY - DEDEAT REFERENCE: ECm1/C/LN2/M/54-2016)

With reference to our previous correspondence submitted to your offices dated 9 February 2016, 6 June 2016, 12 December 2016 and 14 February 2017, please find included herewith, a copy of the Draft EIA Report and Draft EMPr for the abovementioned proposed agricultural expansion.

In terms of the NEMA EIA Regulations, 2014, (as amended) promulgated under Chapter 5 of the National Environmental Management Act (as amended), and published in Government Gazette 38282 on 4 December 2014 (amended by GG 40772), this serves as notification to the competent authority, in this case the Provincial Department of Economic Development, Environmental Affairs and Tourism, Cacadu Region, of the release of the Draft EIA Report and Draft EMPr for a 30-day comment period, for the proposed agricultural expansion of Portion 15 of Farm 203 Logan Braes in the Nelson Mandela Bay Municipality, on behalf of Habata Boerdery (the project applicant).

When the Scoping and EIA process for the proposed development was initiated, the reference to "listed activities" in section 24 of NEMAA related to the NEMA EIA Regulations, 2014, published in Government Notice R982, 983, 984 and 985 on the 4 December on 2014, in Government Gazette 38282, which came into effect on the 8 December 2014. However, on the 7 April 2017 amendments to the NEMA EIA Regulations, 2014 were published in Government Gazette 40772, namely, GN R326, 327, 325 and 324. The Application Form and Scoping Phase of this assessment was concluded prior to the publication of the amendments to the NEMA EIA Regulations, 2014 and, therefore, reflected the listed activities published in Government Notice R982, 983, 984 and 985. This EIA Report has been prepared in line with the amendments to the NEMA EIA Regulations, 2014.

Therefore, in line with point 3.2 of the correspondence received from your offices, dated 19 December 2016 (acknowledgement of receipt of the application form), please find attached as Appendix A, a table which provides a comparative assessment of the listed activities as contained in the previous Government Notices (GN R982, 983, 984 and 985) and those similarly listed in the amendments (GN R326, 327, 325 and 324), which require authorisation by the competent authority, as per Section 6 of the Application Form for Environmental Authorisation.

In addition, to assist you in making comments on the Report, please find included with this correspondence the following:

- One hard copy of the Draft EIA Report and Draft EMPr including Appendices and an Executive Summary
- One CD copy of the Draft EIA Report and Draft EMPr including Appendices and an Executive Summary
- A comment form
- Project information can also be accessed through the website www.publicprocess.co.za



All I&APs registered on the database for the above project will be informed of the release of the Draft EIA Report and Draft EMPr for the 31-day comment period which will extend from **29 May 2017** to **30 June 2017**.

We trust that you will find the above in order. Please do not hesitate to contact Sandy Wren, Marisa Jacoby or Zandri Grobbelaar at the contact details above, should you have any comments or queries with regards to this submission.

Regards,



Sandy Wren
Environmental Assessment Project Leader

APPENDIX A: Listed activities according to the NEMA EIA Regulations, 2014 (as amended) requiring Environmental Authorisation

GN R984 (Listing Notice 2 – full Scoping & EIA)	GN R325 - (Listing Notice 2 – full Scoping & EIA)	Description of Project Component
<p>15. The clearance of an area of 20 hectares or more of indigenous vegetation, ...</p>	<p>15. The clearance of an area of 20 hectares or more of indigenous vegetation, ...</p>	<p>The proposed agricultural development including associated infrastructure will entail the clearance of approximately 35.7 hectares of vegetation, most of which is indigenous.</p> <p>This listed activity requires Environmental Authorisation.</p>
GN R985 (Listing Notice 3 – Basic Assessment)	GN R324 (Listing Notice 3 – Basic Assessment)	
<p>4. The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>(b) In Eastern Cape:</p> <p>ii. Outside urban areas, in:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(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>4. The development of a road wider than 4 metres with a reserve less than 13,5 metres.</p> <p>a. Eastern Cape</p> <p>i. Outside urban areas:</p> <p>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(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;</p>	<p>Internal access roads, required to access and service the agricultural development, may exceed 4 meters in width.</p> <p>The proposed development is located outside of an urban area, in the Eastern Cape. The nearest boundary to the Addo Elephant National Park is located 3km north-east of the development area. During the compilation of the Draft Consultation Scoping Report, the Penhurst Rly State Reserve, located approximately 4km north of the site, was classified as a formally protected conservation area in terms of the NEMPAA, however, it is no longer indicated as such in the most recent mapping resources available.</p> <p>The area under assessment has been identified as an aquatic CBA (ABLMC 2b) in terms of the Eastern Cape Biodiversity Conservation Plan (ECBCP).</p>

Copy of Email Sent to DEDEAT for the Review of the Draft EIA

From: Marisa Jacoby
Sent: Monday, 29 May 2017 10:07 AM
To: 'Andries.Struwig@dedea.gov.za'; Ndileka Nazo
Cc: Sandy Wren; Zandri Grobbelaar
Subject: NOTICE OF COMMENT PERIOD: DRAFT EIA REPORT AND EMPr:
AGRICULTURAL DEVELOPMENT OF PORTION 15 OF THE FARM 203 LOGAN BRAES, IN THE
NELSON MANDELA BAY MUNICIPALITY - DEDEAT REFERENCE: ECm1/C/LN2/M/54-2016)
Attachments: Habata - Ptn 15 - DEDEAT - Draft EIA Submission -29May2017.pdf

Good Afternoon Andries / Ndileka

NOTICE OF COMMENT PERIOD: DRAFT EIA REPORT AND DRAFT EMPr: AGRICULTURAL DEVELOPMENT OF PORTION 15 OF THE FARM 203 LOGAN BRAES, IN THE NELSON MANDELA BAY MUNICIPALITY - DEDEAT REFERENCE: ECm1/C/LN2/M/54-2016.

Please find attached, correspondence indicating the release of the Draft EIA Report and EMPr for the abovementioned project for a 30-day comment period. In addition, the attached correspondence includes, as an appendix, a comparative table of the listed activities as contained in the previous Government Notices (GN R982, 983, 984 and 985) and those similarly listed in the amendments (GN R326, 327, 325 and 324), which require authorisation by the competent authority. This serves to update the listed activities as contained in the Application Form (Section 6).

A hard copy of this correspondence will also be delivered to your offices this morning along with the copies (hard copy and electronic copy) of the report.

We trust you will find the above in order. Please don't hesitate to contact us if you have any queries with regards to the above.

Thank you.

Regards
Marisa Jacoby (BSc Hons)
Environmental Assessment Practitioner
Public Process Consultants
120 Diaz Road
Adcockvale
Port Elizabeth
Phone: 041 374 8426 Fax: 041 373 2002
Cell: 083 233 5612
Website: www.publicprocess.co.za

CORRESPONDENCE FROM DEDEAT

Acknowledgement of Receipt of the Draft EIA

14/06/2017 08:35 DEAEI PE

(FAX)041 5085865

P.001/001



Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001
Private Bag X5001 Greenacres 6057 Republic of South Africa
Contact Person: Ndileka Nazo

Tel: 041 5085800 Fax: 041 5085865 Email: Ndileka.Nazo@dedea.gov.za

Ref: ECM1/C/LN2/M/54-2016

Public Process Consultants
P.O. Box 27688
Greenacres
6057

Attention: Ms Sandy Wren

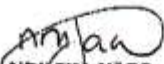
Fax: 041 373 2002

E-mail: sandy@publicprocess.co.za

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE LISTED ACTIVITIES AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED AGRICULTURAL DEVELOPMENT ON PORTION 15 OF THE FARM LOGAN BRAES NO. 203 NEAR BARKLEY BRIDGE WITHIN THE NELSON MANDELA BAY MUNICIPALITY

The Draft Environmental Impact Report submitted by Public Process Consultants on behalf of Habata Boerdery (Mr Hannes Joubert) dated May 2017 and submitted to the Department on 31 May 2017 that proposes to undertake Listed Activities scheduled in Government Notice R. 984 of 04 December 2014 for the above project, is hereby acknowledged.

The Environmental Assessment Practitioner is required to notify and inform the applicant in writing that the activity may not commence prior to an environmental authorisation being granted by the competent authority.


NDILEKA NAZO
ENVIRONMENTAL OFFICER: EIM
CACADU REGION
DATE: 14 June 2017

"Innovation for Sustainable Development"
Collegiate Provincial Building | Cnr of Belmont Terrace & Castle Hill | Central | Port Elizabeth • 6000
Private Bag X5001 | Greenacres • 6057
• Republic of South Africa
Tel: 041 508 5800 • Fax: 041 508 5865 • Web: www.dedeat.gov.za