

DRAFT CONSULTATION SCOPING REPORT

AGRICULTURAL EXPANSION ON PORTION 2 OF FARM 92, TREGARON, KNOWN AS SYLVANIA, SUNDAYS RIVER VALLEY MUNICIPALITY

July 2017



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Title:	Draft Consultation Scoping Report, Agricultural Expansion on Portion 2 of Farm 92, Tregaron, known as Sylvania, Sundays River Valley Municipality (July 2017)
Purpose of this report:	<p>This Scoping Report forms part of a series of reports and information documents that are being provided during the Environmental Impact Assessment (EIA) process for the proposed agricultural expansion for San Miguel Fruits SA Pty Ltd, on Portion 2 of Farm 92 Tregaron, known as Sylvania, in the SRVM.</p> <p>As per Appendix 2 of the NEMA EIA Regulations, 2014 (as amended), the objectives of the Scoping Process are to –</p> <ul style="list-style-type: none"> • identify relevant policies and legislation relevant to the activity; • motivate the need and desirability of the proposed activity in the context of the preferred 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; • confirm 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. <p>The primary objective of this Scoping Report is to present (to key stakeholders and affected organs of state) an overview of the project, including key issues, as well as to confirm the preferred alternative that requires assessment in the EIA phase.</p>
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EXECUTIVE SUMMARY

INTRODUCTION

The proponent, San Miguel Fruits SA (Pty) Ltd, proposes to expand citrus production at their existing operations on Portion 2 of Farm 92, known as Sylvania, which measures approximately 243.82ha in extent. Sylvania is an existing working farm and the proponent proposes to transform a portion on the western section of the farm, which measures approximately 115ha. The area to be transformed will be informed by the various specialist assessments which will be undertaken during the assessment process. Irrigation of the proposed agricultural development requires the construction of a new dam with a capacity of approximately 30 000m³ (0.5ha footprint) 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 Kirkwood, which is located approximately 9.3km northwest of the site.

In terms of the NEMA EIA Regulations, 2014 (as amended), published in GN R326, 327, 325 and 324, promulgated under Chapter Five of the National Environmental Management Act (Act 107 of 1998) (“NEMAA”), and published in Government Gazette 40772 on the 7 April 2017, the project requires full Scoping and Environmental Impact Assessment (S&EIR), prior to the commencement of any activities on the site due to amongst others, activities listed in GN R325, namely:

“15. The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for -...”

Other listed activities that are anticipated to be triggered by the proposed agricultural expansion include the following:

GN R327 (Listing Notice 1): 19

GN R 324 (Listing Notice 3): 2. a. ii. (dd) and (ff), 4. a. i. (ee) and (gg), 12. a. i. and 23. (ii) (a) and (c) a. i. (ee) and (gg).

Chapter Four of this report provides further details regarding the listed activities which require Environmental Authorisation. The project proponent has appointed Public Process Consultants as the independent Environmental Assessment Practitioner (EAP) to undertake the Scoping and Environmental Assessment for the project. The competent authority who must consider and decide upon this application is the Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), Cacadu Region.

The existing buildings on Sylvania are proposed to be used for the storage of vehicles, pesticides and herbicides, as well as to provide administrative support to the development. In addition, the administrative facilities at another farm (known as Mfuleni) owned by the proponent, located approximately 2km south of Sylvania, are also proposed to be utilised for the expanded agricultural development on Sylvania. Therefore, no additional services infrastructure is necessary to support the proposed agricultural expansion on the Farm.

The proposed agricultural expansion on Sylvania can be divided into the following phases, which are outlined in more detail in the sections below:

- Preconstruction;
- construction; and
- operational

Preconstruction Phase

The fruit proposed to be produced on site is for international export. In order to meet the requirements of export stock, seed (the foundation block seed) is required to be booked and purchased from a certified agency, the Citrus Foundation. This is booked approximately two years in advance in order to secure the seed, which includes a financial deposit.

The seed is provided to a certified nursery for a two year grow-out period, during which the seeds are germinated and the seedlings grown to sapling stage. Meticulous coordination is required between the Citrus Foundation for the purchase of the seed, the nursery for grow-out, and the citrus producer, in order to meet contractual obligations for harvesting and export of the crop. This is an on-going process, which is carefully timed and coordinated to allow the development of the site to take place seamlessly over the development timeframe proposed by San Miguel.

The preconstruction phase for securing the foundation block seed and growing of the saplings occurs in parallel to site preparation which is outlined below.

Construction Phase

The project will entail the clearing of vegetation, levelling of the site, and the installation of the drip/micro irrigation system, prior to the planting of the saplings. Once the site is prepared, citrus orchards will be established (refer to the operational phase of the development). It is anticipated that vegetation clearing, landscaping, site preparation and planting will be done both by hand and with the aid of suitable earth moving equipment (excavators, bulldozers, TLBs). No workers' accommodation will be provided on site during the construction phase.

Site preparation will entail the following activities on site:

- clearing of indigenous vegetation;
- landscaping and levelling the site for citrus orchards;
- establishment of internal unpaved service roads and new access roads;
- construction of new irrigation dam;
- installation of internal water reticulation and irrigation infrastructure; and
- planting of orchards and windbreaks.

Site preparation needs to be completed to coincide with the planting of the trees, which occurs annually in the last quarter of the year between September to December.

Operational Phase

Once the site is suitably prepared, the area will be utilised for the establishment of citrus orchards. Equipment required for the new operations will be stored in the existing storage sheds and workshop areas on Sylvania and the nearby Mfuleni. The following operational phase activities are associated with the project:

- Water for the development will be supplied from the LSRWUA canals which will be reticulated from the proposed new balancing dam; and
- It is anticipated that a number of additional seasonal and permanent employment opportunities will be created by the project.

For more detail regarding the project description see Chapter Two of the Report.

AFFECTED ENVIRONMENT

Sylvania is adjacent to six properties. Untransformed vegetation is largely restricted towards the northern and north-eastern properties adjoining the Farm. The majority of properties surrounding the Farm are under cultivation, while the northern boundary of the Farm is adjacent to the Bersheba settlement and associated communal farming activities. Based on the surrounding land uses mentioned above, the proposed agricultural development on Sylvania is not likely to cause a significant change in character within the surrounding landscape, as the surrounding area is currently predominantly agricultural in nature.

The vegetation on Sylvania is a combination of near-natural, degraded, to reversibly and irreversibly modified vegetation cover, which includes a combination of Thicket (Sundays Spekboom Thicket) on the higher contours and Azonal Vegetation (Albany Alluvial Vegetation) on the lower floodplain areas. The southwestern portion of the area under assessment has been irreversibly modified due to a previous settlement area comprised of early farmhouses and old kraals. The area was most likely historically utilised for subsistence agriculture. Browsing by goats was evident around the settlement area. Additionally, the area surrounding the irrigation canal, including associated vehicle access tracks and paths have resulted in irreversibly modified areas, including where the canal has been installed underground. Livestock grazing was apparent surrounding the irrigation canal, as well as on the floodplain areas, resulting in reversibly modified areas.

The preliminary site visit and review of the relevant aerial imagery, as well as the NFEPA planning framework for the area under assessment, have assisted in the identification of aquatic resources on Sylvania. A single artificial, bermed dam is located within the area under assessment. An additional six dams, of which one is an irrigation dam and the other a potable water supply dam, were identified, which fell within 500m of the proposed development area. The Wit River, associated riparian floodplain and a tributary, flows through Sylvania, and along the eastern boundary of the potential agricultural development area. Two natural drainage areas or surface water run-off areas, were digitized for this assessment.

For further information regarding the affected environment see Chapter Three of the Report.

OVERVIEW OF THE ASSESSMENT PROCESS AND PUBLIC PARTICIPATION

Public Process Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to conduct the Scoping and EIA, including public participation for this application.

This Scoping and EIA Process is being implemented in four phases, the details of which are outlined in Chapter Four of this report:

- Pre-Application Scoping Phase (**we are here**)
- Application and Scoping Phase
- Environmental Impact Assessment Phase
- Decision Making and Appeal Period

Notice of Intention to commence with Scoping and EIA was submitted to the competent authority, and sent to all identified Interested and Affected Parties (I&APs) and Organs of State on 11 April 2017. Notification was provided in terms of the NEMA EIA Regulations, 2014 published in Government Notice R982, 983, 984 and 985 on the 4 December 2014 in Government Gazette 38282. However, subsequent to initiation of the Scoping and EIA process it was brought to the EAP's attention that these regulations had been amended by the publication of GN R326, 327, 325 and 324 in Government Gazette 40772

on the 7 April 2017. Therefore, the proposed Scoping and EIA process will be undertaken in terms of the NEMA EIA Regulations, 2014 (as amended on 7 April 2017), and the project will be re-advertised in terms of the amended EIA regulations.

Copies of comments and issues that have been raised to date, as well as appropriate responses that have been provided by the EAP, are included in the Comments and Responses Trail contained in Chapter of the Report.

In order to commence the legislated portion of the Scoping and EIA process, an application form for Environmental Authorisation in terms of the NEMA EIA Regulations, 2014 (as amended) is being prepared and will be submitted to the competent authority prior to the release of the Consultation Scoping Report (CSR) for the legislated 30-day consultation period. All registered I&APs will be notified in writing of the release of the CSR for the legislated 30-day comment period.

The Final Scoping Report (FS Report), together with the Plan of Study (PoS) for EIA, will be prepared for submission to the Provincial DEDEAT for their decision-making, within 44 days of submission of the Application Form. The FS Report will include all the comments received from I&APs during the Pre-Application Phase, as well as the review of the Draft Consultation Scoping Report (Draft CSR and CSR). Should DEDEAT accept the Scoping Report and approve the PoS for EIA, the assessment process will enter into the EIA Phase.

For further detail regarding the Scoping and EIA process including public participation see Chapter Four of the Report.

Identification of Issues

Issues and concerns identified for inclusion in the Scoping Report that require specialist assessment in the Environmental Assessment phase of the EIA have been identified using the following methods:

- Site Visit
- Preliminary input from specialists
- Desktop review of regional planning documentation and frameworks
- Scoping of issues and concerns with I&APs, including authorities and affected organs of state, through correspondence received (emails, comment forms) in response to the project announcement.

Based on issues identified thus far in the process, the table below indicates the specialist studies/ input required for the EIA Phase of the Assessment Process:

Specialist Study	Broad Scope of Assessment	Proposed Specialist
Biophysical Assessment	To include an assessment of the potential impacts on vegetation and fauna (desk top) as well as the delineation of sensitive no-go areas, and determination of buffer zones. An aquatic assessment will be undertaken to assess the impacts on aquatic features identified on the site, including wetlands, watercourses and drainage areas. To determine the PES of the site and confirm the mapping of CBAs and ESAs, as included in various biodiversity planning frameworks,	Zandri Grobbelaar, Public Process Consultants Deborah Vromans, Vegetation and Aquatic Specialist

	including the ECBCP and NFEPA mapping resources. To provide recommendations for management / mitigation of residual impacts.	
Heritage Impact Assessment	To determine archaeological and palaeontological features on site and assess the potential impacts on these features. To provide recommendations for management / mitigation of residual impacts.	Kathryn Smuts And Jenna Lavin, CTS Heritage
Soil Suitability Assessment	Soil suitability assessment to determine the agricultural potential, future agricultural development, crop suitability.	Coenraad Fraenkel, Agrimotion Consulting
Traffic Impact Statement	Determine the impact of the additional trip generation on the public road network as well as the suitability and safety of the proposed access point.	Cary Hastie, Engineering Advice and Services
TECHNICAL TEAM		
Irrigation Infrastructure	Estimate the quantity of water required to irrigate the proposed development, to be stored on site in an existing dam which requires expansion. To confirm associated irrigation infrastructure layout including pipe diameters and length, as well as dam dimensions and design.	Mr Louis Grobler, CFT

The full specialist Terms of Reference (ToR) are contained in Chapter Six of the Report. The results of the specialist studies and other relevant project information will be integrated into the Draft Environmental Impact Assessment Report (DEIA Report).

Current Stage in the Process

The project is currently at the stage where a **Draft Consultation Scoping Report (Draft CSR)** is being released for a 31-day competent authority and I&AP review period, which will include re-advertising the project in terms of the NEMA EIA Regulations, 2014 (as amended). This step in the process will be followed by the submission of the application form to the competent authority and the legislated 30-day comment period on the Consultation Scoping Report (CSR).

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ABBREVIATIONS

CARA	Conservation of Agricultural Resources Act
CBA	Critical Biodiversity Area
CSR	Consultation Scoping Report
DAFF	Department of Agriculture, Forestry and Fisheries
DEA	National Department of Environmental Affairs
DEDEAT	Provincial Department of Economic Development, Environmental Affairs and Tourism
DWS	Department of Water and Sanitation
EA	Environmental Authorisation
ECBCP	Eastern Cape Biodiversity Conservation Plan
EIA	Environmental Impact Assessment
EIS	Ecological Importance and Sensitivity
EMPr	Environmental Management Programme
ESA	Ecologically Sensitive Area
FEPAs	Freshwater Ecosystems Priority Areas
FSR	Final Scoping Report
I&AP	Interested and Affected Party
LSRWUA	Lower Sundays River Water Users Association
NBA	Nation Biodiversity Assessment (2011)
NEMA	National Environmental Management Act (Act 107 of 1998), as amended
NEMAA	National Environmental Management Amendment Act (Act 107 of 1998)
NFEPAs	National Freshwater Ecosystem Priority Areas
NHRA	National Heritage Resources Act (Act 25 of 1999)
NMBM	Nelson Mandela Bay Municipality
NPAES	National Protected Areas Expansion Strategy
PES	Present Ecological State
PoS	Plan of Study
SABIF	South African Biodiversity Information Facility
SAHRA	South African Heritage Resources Agency
SDF	Spatial Development Framework
SEA	Strategic Environmental Assessment
STEP	Subtropical Thicket Ecosystem Project
S24G	Section 24G Assessment
ToR	Terms of Reference