

APPENDIX B: CORRESPONDENCE WITH DEDEAT

CORRESPONDENCE TO DEDEAT

Notice of Submission of Final Scoping Report

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Public Process Consultants
Environmental Impact Assessment and
Public Participation Management

29 November 2017

Attention: Mr Andries Struwig

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

Dear Sir,

RE: NOTICE OF SUBMISSION OF THE FINAL SCOPING REPORT: AGRICULTURAL EXPANSION ON PORTION 2 OF FARM 92 TREGARON, KNOWN AS SYLVANIA, SUNDAYS RIVER VALLEY MUNICIPALITY (DEDEAT REFERENCE: EC06/C/LN2/M/64-2017)

With reference to our previous correspondence submitted to your offices dated 11 April 2017, 21 July 2017 and 20 October 2017 please find included herewith, a copy of the Final Scoping Report (FSR) for the abovementioned proposed agricultural expansion.

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, this serves as notification to the competent authority, in this case the Provincial Department of Economic Development, Environmental Affairs and Tourism, Sarah Baartman Region, of the submission of the Final Scoping Report (FSR), for the proposed agricultural expansion on Portion 2 of Farm 92 Tregaron, known as Sylvania, SRVM, on behalf of San Miguel Fruits SA Pty Ltd (the project applicant).

Please find included herewith 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

Notice of Submission of Draft EIA Report and EMPr

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13 February 2018

Attention: Mr Andries Struwig

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



cc. Ms Nokulunga Ludidi

Dear Sir,

RE: NOTICE OF COMMENT PERIOD - DRAFT EIA REPORT AND EMPr: AGRICULTURAL EXPANSION ON PORTION 2 OF FARM 92 TREGARON, KNOWN AS SYLVANIA, SUNDAYS RIVER VALLEY MUNICIPALITY (DEDEAT REFERENCE: EC06/C/LN2/M/64-2017)

With reference to our previous correspondence submitted to your offices dated 11 April 2017, 21 July 2017, 20 October 2017 and 29 November 2017 please find included herewith, a copy of the Draft EIA Report and EMPr for the abovementioned proposed agricultural expansion.

In terms of the NEMA EIA Regulations, 2014, (as amended) promulgated under Chapter Five 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, the Provincial Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), Cacadu Region, of the release of the Draft EIA Report and EMPr for a 30-day comment period, for the proposed agricultural expansion on Portion 2 of Farm 92 Tregaron, known as Sylvania, SRVM, on behalf of San Miguel Fruits SA Pty Ltd (the project applicant). In line with point 5 of the correspondence received from your offices, dated 2 November 2017 (acknowledgement of receipt of the application form), this serves as a notification that the following listed activity no longer applies to the proposed agricultural expansion on Sylvania:

GN R324 (Listing Notice 3)

- "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. 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;"*

Albany Alluvial Vegetation has been confirmed on the site by the vegetation specialist. However, the outcome of the Ecological Specialist Assessment (Chapter Six of the Draft EIA Report) has excluded this vegetation type from the development footprint. **Therefore, this listed activity no longer applies to the proposed agricultural development.**

In order to assist the DEDEAT in making comments on the Draft EIA Report, please find included with this correspondence the following:

- One hard copy of the Draft EIA Report and EMPr, including Appendices and an Executive Summary
- One electronic copy (CD copy) of the Draft EIA Report and 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 EMPr for the 30-day comment period which will extend from **13 February 2018 to 15 March 2018**. 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

CORRESPONDENCE FROM DEDEAT

Acknowledgement of Receipt of Final Scoping Report



Corner Belmont Terrace / Castle Hill Central Port Elizabeth 6001
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Contact Person: Nokulunga Ludidi

Tel: 041 5085806 Fax: 041 5085865 Email: Nokulunga.Ludidi@dedea.gov.za

Ref: EC06/C/LN2/M/64-2017
Eng: N.Ludidi

Public Process Consultants
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Attention: **Marisa Jacoby**
Fax: 041 373 2002

E-mail: marisa@publicprocess.co.za

APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED AGRICULTURAL EXPANSION ON PORTION 2 OF FARM 92 TREGARON, KNOWN AS SYLVANIA, SUNDAYS RIVER VALLEY MUNICIPALITY.

1. The application form submitted together with the Draft Scoping report by Public Process on behalf San Miguel Fruits SA (Pty) Ltd dated 17th October 2017 and received on 20th October 2017 that proposes to undertake Listed Activities scheduled in Government Notice R. 324, R. 325 and R. 327 of 07 April 2017 for the above project, is hereby acknowledged.
2. The reference number assigned to your application is **EC06/C/LN2/M/64-2017**. In consideration of the Application, your attention is drawn to the following preliminary requirements:
3. Please quote the reference number provided in the event of any correspondence/queries in this regard, with correspondence being addressed to the appointed case officer.
4. The Environmental Case Officer assigned to your application is **Ms N. Ludidi** and is reachable as per the contact details outlined in the header to this letter.
5. The processing of this application is based on the information reflected in the Application Form being maintained as a true and accurate reflection of the proposed development and the listed activities applied for. In the event that corrections to these are required, such amendments must formally be communicated by the Environmental Assessment Practitioner and acknowledged by this Department prior to the competent authority being in a position to consider final submissions.

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6. With regard to the activities listed in the EIA Regulations 2014 as amended that are being applied for, please note that the various activities and any associated aspect thereof must be detailed with coordinate references provided in each respect, in the Draft and Final Reports.
7. In addition to the minimum requirements outlined in the regulations, the following is to be adequately addressed in any Draft and Final Reports:
 - 7.1. Outline and define the impact assessment methodology and significance assessment matrix table adopted in the comparative assessment of identified impacts;
 - 7.2. Any amendments within the Final Report and associated Appendices that may differ to those addressed in the Draft Report and associated Appendices must be clearly highlighted in the context of the Final Report;
 - 7.3. Reference to the public participation process and engagement with Interested and Affected Parties must be substantiated with relevant written and dated correspondence being provided;
 - 7.4. The EAP should confirm the preferred format of the Draft Report to be submitted to the respective juristic Organs of State for the minimum prescribed comment period, should the EAP's intent not be to provide them with a hard bound copy;
 - 7.5. Cognisance of Regulation 42, whereby a register of interested and affected parties is to be opened and maintained. This register must specifically include the full contact details of those Organs of State and State Departments identified as having jurisdiction in respect of the proposed activity or any associated aspect thereof and therefore have from the outset been notified of the said application. A copy of the I & AP register must be included within the Draft and Final reports submitted to the Department.
8. The EAP is advised to remain aware of the **44 day** timeframe for submission of the Final Report as contained within the 2014 Regulations, which period will lapse on **04 December 2017**, with specific reference to Regulation 21(1), which provides for a commenting period of 30 days for both I & AP's and the competent authority. All requirements as contained in Appendix 2 of the 2014 EIA Regulations must be addressed in the FBAR.
9. A bound copy as well as an electronic copy of all Draft and Final reports are to be submitted to the competent authority (i.e. DEDEAT: Cacadu Region).
10. 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.



NOKULUNGA LUDIDI
ENVIRONMENTAL OFFICER: EIM
CACADU REGION

DATE: 02 November 2017

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



Athol Furgard Terrace / Castle Hill Central Port Elizabeth 6001
Private Bag X5001 Greenacres 6057 Republic of South Africa
Contact Person: Nokulunga Ludidi

Tel: 041 5085806 Fax: 041 5085865 Email: Nokulunga.Ludidi@edea.gov.za

Ref: EC06/C/UN2/M/64-2017
Enq: N.Ludidi

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Attention: Marisa Jacoby
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APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED AGRICULTURAL EXPANSION ON PORTION 2 OF FARM 92 TREGARON, KNOWN AS SYLVANIA, SUNDAYS RIVER VALLEY MUNICIPALITY.

1. Refer to the Final Scoping Report (FSR) submitted by Public Process Consultants on behalf of San Miguel Fruits SA (Pty) Ltd dated December 2017 and submitted to the Department on the 29th November 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 (as amended). 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 R326 of 07 April 2017. 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 MANAGER: EIM
CACADU REGION
DATE: 1 February 2018

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Acknowledgment and Comment on Draft EIA Report



Athol Furgard Terrace / Castle Hill Central Port Elizabeth 6001
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Contact Person: Nokulunga Ludidi
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Ref: EC06/C/LN2/M/64-2017
Enq: N.Ludidi

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Attention: **Marisa Jacoby**
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APPLICATION FOR AUTHORISATION IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, ACT 107 OF 1998 TO UNDERTAKE A LISTED ACTIVITY AS SCHEDULED IN THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014: PROPOSED AGRICULTURAL EXPANSION ON PORTION 2 OF FARM 92 TREGARON, KNOWN AS SYLVANIA, SUNDAYS RIVER VALLEY MUNICIPALITY.

1. Refer to the Draft EIR (DEIR) submitted by Public Process Consultants on behalf of San Miguel Fruits SA (Pty) Ltd dated February 2018 and submitted to the Department on the 13th February 2018 for the above project.
2. You are hereby informed that the Draft EIR has been reviewed and that the Department does not have any substantive comment at this point in time. The EAP is advised to remain aware of the 106 day timeframe for submission of the Final Report as contained within the 2014 Regulations, which period will lapse on **24th May 2018**. All requirements as contained in Appendix 2 of the 2014 EIA Regulations must be addressed in the Final Scoping Report.
3. 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.
4. You are reminded that the Department reserves its right to request any additional information / provide further comment for consideration once the Report has been received and reviewed. Any such requests will provide you with a deadline for submission of such information failing which the Department will make a decision based on the information at its disposal at the time.

ANDRIES STRUWIG
ASSISTANT MANAGER: EIM
CACADU REGION
DATE: 19 March 2018

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