

FULL SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

UMGCAMBO CITRUS

Agricultural Development on Portion 525 of Farm Strathsomers Estate No. 42, and Associated Irrigation Infrastructure on Portion 523 of Farm Strathsomers Estate No. 42, Sundays River Valley Municipality

BACKGROUND INFORMATION DOCUMENT, May 2018



INTRODUCTION

The project proponent, Umgcambo Trading (Pty) Ltd, proposes to develop a portion of Portion 525 of Farm Strathsomers Estate No. 42 (~154.60ha), Sundays River Valley Municipality (SRVM), for the establishment of citrus orchards and associated infrastructure (dam, internal roads, internal irrigation pipes, logistical services area). In order to supply the proposed development with the necessary irrigation water, an irrigation water pipeline is proposed to be installed on a portion of an adjacent property, Portion 523 of Farm Strathsomers Estate No. 42, owned by the same landowner. The farms are currently zoned Agriculture and the area to be cultivated, including associated infrastructure, will be determined by the outcome of the various specialist assessments forming part of this Scoping and Environmental Impact Assessment (Scoping and EIA) process.

The proponent has obtained a Water Use Licence from The Department of Water and Sanitation (DWS), for the taking of water from a water resource in terms of Section 21 (a) of the National Water Act, which entitles them to utilise 100ha (900 000m³ per annum) of water from the LSRWUA canal system. In order to irrigate the proposed agricultural development, a new dam will have to be constructed on Portion 525. Additionally, the proposed development will require the installation of internal irrigation pipelines of various diameters. The dimensions and water storage capacity of the new dam, as well as the length and diameters of the irrigation pipelines, will be determined through the assessment process.

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 (Scoping and EIA). The applicant has appointed Public Process Consultants as the independent Environmental Assessment Practitioner (EAP) to undertake the assessment, including the public participation for this project.

PROJECT LOCALITY

Portion 525 is located ~7km south of Kirkwood (as the crow flies), in the SRVM. Access to the farm is proposed via an existing gravel road (DR01976) on the eastern boundary of the site, which links the farm to the tarred R336 (Kirkwood/ Addo Road). The farm can be accessed by turning south at the intersection of the DR01976 and R336 and is located ~2 km south of the intersection on the west of the DR01976. The nearest boundary of the Addo Elephant National Park is located more than 10km north of Portion 525 and therefore, project activities proposed to take place on this property do not trigger listed activities which would require the assessment of impacts on the National Park. The installation of the irrigation water pipeline is proposed to take place on Portion 523, which is adjacent to Portion 525. While Portion 523 is located within 10km of the Addo Elephant National Park, the installation of the irrigation water pipeline does not trigger any listed activities, which would require the assessment of impacts on the National Park. The locality map attached provides an overview of the location of the proposed agricultural development (on Portion 525) and associated pipeline route (Portion 523).

HOW CAN I PARTICIPATE IN THIS ENVIRONMENTAL ASSESSMENT PROCESS?

In terms of regulation 42(b) of Government Notice R326, Interested and Affected Parties (I&APs) are to request in writing, that their names be placed on the register of I&APs. To register on the database, complete the comment and registration form included with 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. Additionally, I&APs are required to disclose any direct business, financial, personal or other interest which 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 I&AP, with background information on the proposed agricultural development, as well as the Scoping and EIA and Public Participation Process. It indicates how you can become involved in the assessment process, 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 EIA process from the outset. The input received from I&APs together with scientific and technical investigations assists the competent 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 EIA 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/ footprint alternatives
- Alternatives as identified by I&APs

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 proposed for the agricultural development is located on Portion 525, ~7km south of Kirkwood in the SRVM. Portion 525 measures ~154.60ha in extent. The farm is currently zoned for Agricultural use. The total area to be cleared, including associated infrastructure (dam, internal roads, internal irrigation pipes, logistical services area), will be determined through specialist and technical input, authority consultation, as well as consultation with I&APs.

Irrigation water for the development is proposed to be supplied from the LSRWUA canal system, via a pipeline with an internal diameter of $\varnothing 500\text{mm}$ and a length of ~1,5km, to be installed on an adjacent property, Portion 523, which is owned by the same landowner. The pipeline will convey water from an existing dam located on Portion 523 and is proposed to follow the fenceline of that property until it reaches the boundary of Portion 525, at which point it is proposed to be installed under the DR01976 to connect into a new dam to be constructed on Portion 525. The new dam proposed to be constructed on Portion 525 is anticipated to have a storage capacity of ~80 000m³ and a footprint of ~3.8ha. The size and measurement of the new dam, as well as the length and diameters of the irrigation pipelines to be installed within the orchards, will be confirmed through the assessment process.

In order to provide logistical support to the development it is proposed that a logistical/ administration area of ~2ha is constructed to include a manager's house and future buildings; offices and store for tractors, trailers, maintenance equipment including a fully enclosed bunded, roofed facility of 30m² for temporary chemical storage; mess area, washing and toilets; loading and collection zone for the delivery and collection of product; and a new access road around the facility. It is further anticipated that the proposed development will entail the following activities on the site:

- Vegetation clearing
- Levelling and landscaping the site to provide runoff control and stormwater management
- Establishment of unpaved internal roads to provide access to the orchards
- Construction of a new dam
- Installation of irrigation infrastructure
- Planting orchards and windbreaks (if required)
- Construction of a logistical/ administration area

Once the necessary infrastructure has been established, the area will be used for the establishment of a variety of citrus. The logistical and services buildings on the farm will require additional associated services infrastructure such as electricity, sanitation, domestic water and stormwater management. The final design and layout/ footprint of the proposed development will be informed by technical and environmental specialist input during the EIA process.

OVERVIEW OF THE SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

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 EIA. The table below lists potential listed activities in GN R327, 325 and 324, which trigger either a Basic Assessment or full Scoping and EIA, which may require Environmental Authorisation, should such be granted. A cautious approach has been adopted towards the identification of listed activities. Where there is currently uncertainty with regards to the applicability of a listed activity, it has been included in the table below.

GN R327 – Listing Notice 1 requiring Basic Assessment

Listed Activity	Description of Project Activity
<p>9. <i>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</i></p> <p>(i) <i>with an internal diameter of 0,36 metres or more; or</i></p> <p>(ii) <i>with a peak throughput of 120 litres per second or more;</i></p>	<p>In order to supply the proposed development with the necessary irrigation water, a pipeline with an internal diameter of 0.5 metres and a length of ~1,500 metres is proposed to be installed on an adjacent property, Portion 523 of Farm Strathsomers Estate No. 42. The dimensions and throughput capacity of the proposed pipeline will be confirmed through the assessment process.</p> <p>This listed activity requires Environmental Authorisation.</p>
<p>10. <i>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes—</i></p> <p>(i) <i>with an internal diameter of 0,36 metres or more; or</i></p> <p>(ii) <i>with a peak throughput of 120 litres per second or more;</i></p>	<p>The logistical services area will require the management of domestic effluent and waste water (domestic waste water). The combined length of the pipes and throughput capacity will be determined by the project's civil engineer.</p> <p>The applicability of this listed activity requires confirmation through the assessment process.</p>
<p>13. <i>The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014.</i></p>	<p>A new dam will be required to store the necessary irrigation water for the proposed agricultural development. It is proposed that the dam will have the capacity to store ~80 000 cubic metres, will have a maximum wall height of ~6 metres and will measure about 3.8 hectares in extent. However, the dimensions, capacity and location of the new dam will be confirmed through the assessment process.</p> <p>The applicability of this listed activity requires confirmation through the assessment process.</p>
<p>24. <i>The development of a road—</i></p> <p>(ii) <i>with a reserve wider than 13,5 metres, or where no reserve exists where the road is wider than 8 metres;</i></p> <p><i>but excluding a road –</i></p> <p>(c) <i>which is 1 kilometre or shorter</i></p>	<p>While the reserve of internal roads for the areas to be cultivated are not anticipated to be wider than 13.5 metres, access to the logistical services area is required for heavy vehicles, and the width of this road may exceed 8 metres. However, if this road will be less than 1 kilometre in length, this listed activity will not apply. The width and length of the roads will be determined by the project's civil engineer.</p> <p>The applicability of this listed activity requires confirmation through the assessment process.</p>

GN R325 – Listing Notice 2 requiring Full Scoping and EIA

Listed Activity	Listed Activity
<p>15. <i>The clearance of an area of 20 hectares or more of indigenous vegetation ...</i></p>	<p>The area under assessment measures ~154.6 hectares. The area to be cleared for cultivation, including associated infrastructure will exceed 20 hectares. The final layout will be informed by the specialist input forming part of this assessment process.</p> <p>This listed activity requires Environmental Authorisation.</p>

GN R324 – Listing Notice 3 requiring Basic Assessment

Listed Activity	Description of Project Activity
<p>2. <i>The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres.</i></p> <p>a. Eastern Cape</p> <p>ii. <i>Outside urban areas, in:</i></p> <p>(dd) <i>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>The proposed agricultural development will require the construction of a new dam, which is anticipated to exceed 250 cubic meters.</p> <p>The site is located within the Eastern Cape, outside an urban area and the area under assessment falls within a terrestrial and aquatic Critical Biodiversity Area (BLMC2 and ALBMC 2a and 2b) in terms of the Eastern Cape Biodiversity Conservation Plan. The dimensions, capacity and location of the new dam will be determined through the assessment process.</p>

	The applicability of this listed activity requires confirmation through the assessment process.
<p>4. <i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p>a. Eastern Cape</p> <p>i. <i>Outside urban areas:</i> (ee) <i>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>It is anticipated that internal vehicle tracks in excess of 4 meters will be required to service various sections of the proposed orchards. In addition, a new access road and service road is required for the logistical services area.</p> <p>The site is located within the Eastern Cape, outside an urban area and the area under assessment falls within a terrestrial and aquatic Critical Biodiversity Area (BLMC2 and ALBMC 2a and 2b) in terms of the Eastern Cape Biodiversity Conservation Plan. The width of the internal roads will be determined through the assessment process.</p> <p>This listed activity will require Environmental Authorisation.</p>
<p>10. <i>The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.</i></p> <p>a. Eastern Cape</p> <p>i. <i>Outside urban areas:</i> (ee) <i>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p>	<p>The proposed development will require the temporary storage of chemicals on site within a facility which will have a capacity to store ~30 cubic metres.</p> <p>The site is located within the Eastern Cape, outside an urban area and the area under assessment falls within a terrestrial and aquatic Critical Biodiversity Area (BLMC2 and ALBMC 2a and 2b) in terms of the Eastern Cape Biodiversity Conservation Plan.</p>

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 EIA needs to show the competent authority, the DEDEAT, and the project proponent, what the consequences of their choices will be in biophysical, social and economic terms. Public involvement forms an important component of this process, by assisting in the identification of issues and alternatives to be evaluated. The EIA Process being implemented can be divided into four phases namely:

- **Pre-Application Scoping Phase**
 - Project Announcement and Registration of I&APs (30 days)
 - Draft Consultation Scoping Report review (30 days)
- **Application and Scoping Phase**
 - Submit Application form for Environmental Authorisation to the DEDEAT
 - Review of the Consultation Scoping Report (30 days)
 - Submit Final Scoping Report to the DEDEAT
- **Environmental Impact Assessment Phase (EIA Phase)**
 - Draft Environmental Impact Assessment Report Review (30 days)
 - Submit Final Environmental Impact Assessment Report to the DEDEAT
- **Decision Making and Appeal Period**
 - Notice to I&APs of decision and appeal period

To meet the timeframes as prescribed in the EIA Regulations 2014 (as amended), 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
- Heritage Impact Assessment
- Traffic Impact Assessment
- Roads and Wet Services

Phase 1: Pre-Application Scoping Phase (CURRENT STAGE)

- **Project Announcement and registration of 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. I&APs are required to register their interest in the project to receive further project information. I&APs will be provided with a **30-day** period to register their interest on the project database and raise any issues for inclusion in the Draft Consultation Scoping Report (Draft CSR).

- **Draft Consultation Scoping Report Review**

A Draft CSR will be compiled which will include a Comments and Responses Trail – indicating the issues and concerns raised by I&APs during the **30-day** project announcement period. This report will include the Plan of Study for EIA, which 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 Regulations 2014 (as amended), 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 CSR** 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 (CSR), I&APs will be provided with an executive summary of the Draft CSR, as well as a comment form. Copies of the report will also be made available on the website www.publicprocess.co.za.

Phase 2: Application and Scoping Phase

- **Application Form Submission**

An Application Form for Scoping and EIA will be compiled based on the relevant project information provided by the project proponent, as well as preliminary specialist input and will be submitted to the DEDEAT.

- **Consultation Scoping Report Review**

In parallel to the compilation and submission of the Application Form, the CSR will be compiled which will include a Comments and Responses Trail – indicating the issues and concerns raised by I&APs during the 30-day project announcement period as well as the 30-day review of the Draft CSR (Phase 1: Pre-application scoping phase).

Subsequent to the submission of the Application Form to the competent authority, the CSR will be released for a minimum, legislated 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 Final Scoping Report (FSR), I&APs will be provided with an executive summary of the CSR, as well as a comment form. Copies of the report will also be made available on the website www.publicprocess.co.za.

- **Final Scoping Report Submission**

The FSR, together with the Plan of Study for EIA, will be prepared for submission to the DEDEAT for their decision-making, within 44 days of submission of the Application Form. The comments received from I&APs, the competent authority and other Organs of State, during the review processes are included in the **FSR** before it is submitted to the DEDEAT for their consideration. All I&APs on the project database will be notified in writing of the submission of the FSR to the competent authority. The FSR will include the Plan of Study for EIA and Terms of Reference for specialist studies to be undertaken as part of the EIA process. The FSR and the Plan of Study is subject to consideration by the competent authority.

Phase 3: Environmental Impact Assessment Phase

Once DEDEAT accepts the FSR, with or without conditions, and upon receipt of the approval thereof, the EIA 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.

- **Draft EIA Report and Environmental Management Programme (EMPr) Review**

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 a Comments and Responses Trail for inclusion in the Final EIA Report. The Comments 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.

- **Final EIA Report and EMPr Submission**

The Final EIA Report, including the Comments 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.

Phase 4: Decision Making and Appeal Period

All I&APs on the project database will be notified in writing once the competent authority has reached a decision on the application. The applicant must, within 14 days of the date of the decision, notify all registered I&APs of the decision and provide them with access to the decision and reasons for the decision, as well as indicate the manner of appeal.

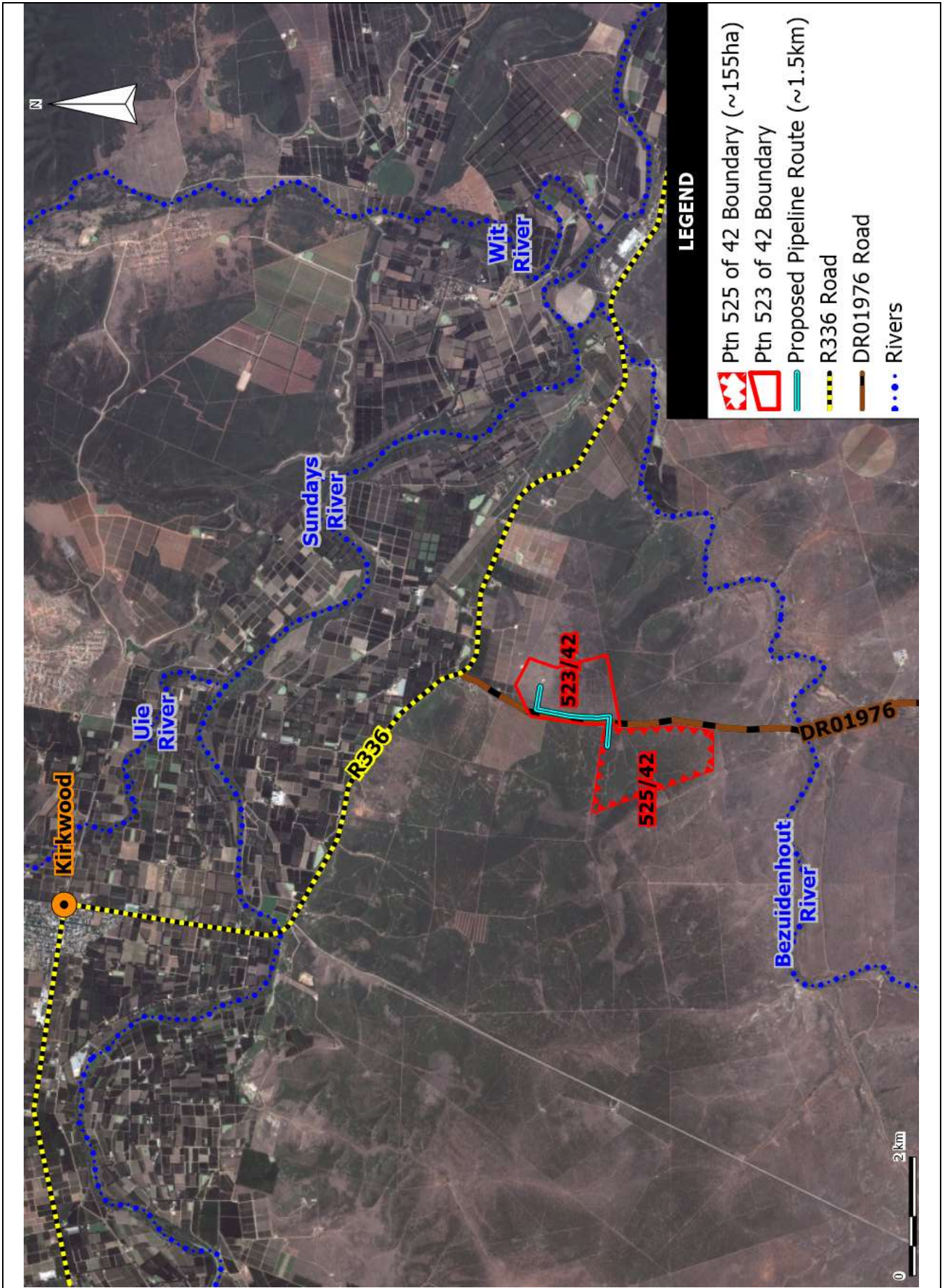
WHAT IS YOUR ROLE AS AN I&AP?

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 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

Information on the project can be downloaded from the following website: www.publicprocess.co.za



Locality of Portion 525 and Portion 523 of Farm Strathsomers Estate No. 42, in relation to major roads and towns, in the Sundays River Valley Municipality.