CHAPTER ONE: INTRODUCTION

1.1 BACKGROUND AND PROJECT OVERVIEW

The applicant, Ikamva Lethu Farms (Pty) Ltd, intends to transform ~650ha of vegetation on the Remainder of Farm 653 (hereafter referred to as **'Farm 653'**), measuring ~1163ha in extent, for the establishment of ~586ha of citrus, as well as the installation of associated infrastructure (~64ha). In addition, an area of ~5.6ha will be disturbed to accommodate the installation of irrigation pipelines across the following properties, not located on Farm 653:

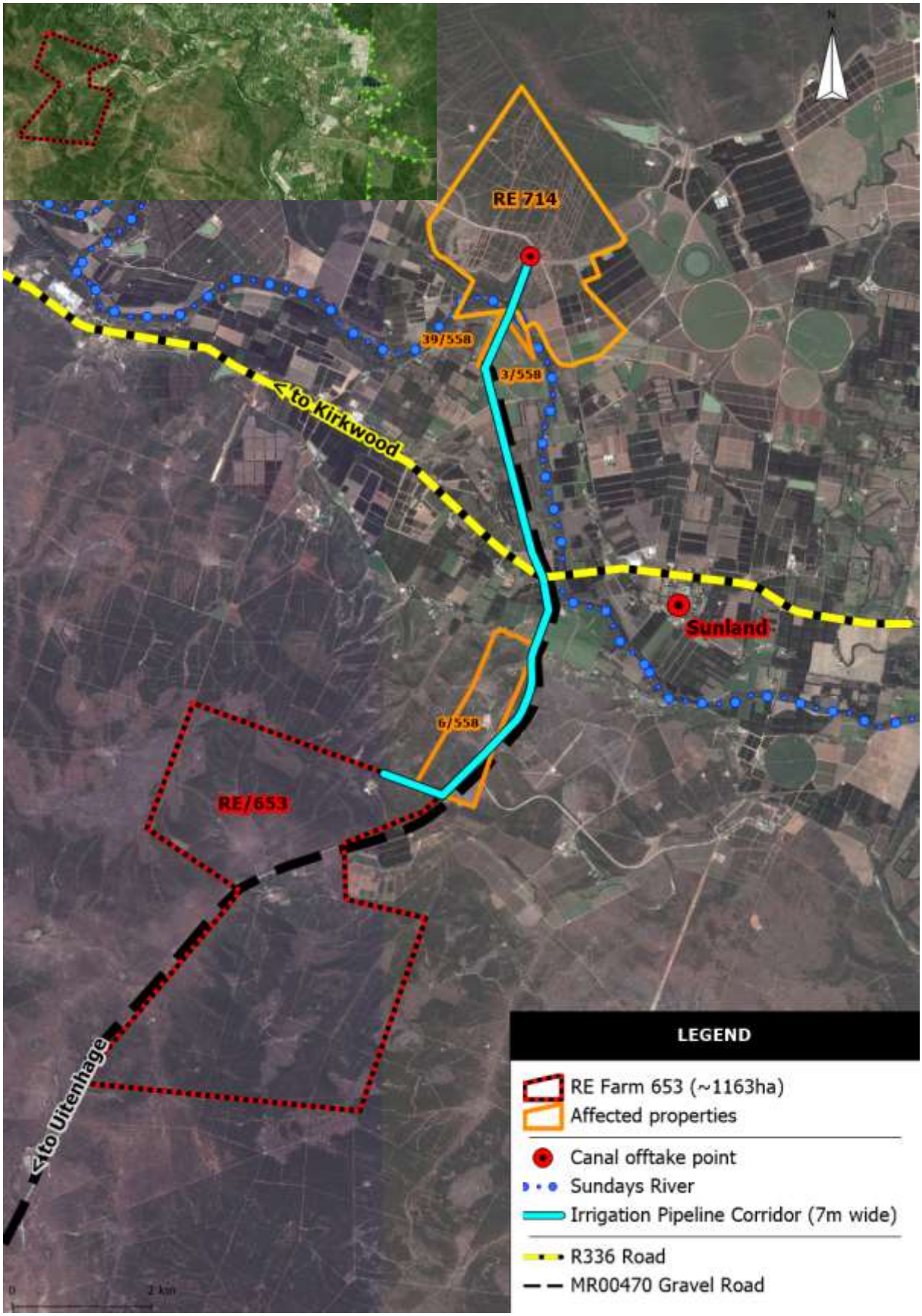
- Remainder of Farm 714
- Portion 3 of Farm 558
- Portion 39 of Farm 558
- Portion 6 of Farm 558

Sections of the proposed pipelines are also required to be installed in the reserve of a proclaimed public road (MR00470). In order to place the pipelines in the road reserve, a wayleave application will have to be made to the Provincial Department of Roads and Public Works. The farm portions included in this assessment are located within the SRVM and the nearest town is Sunland, ~3.5km northeast of Farm 653 (See Map 1.1).

Farm 653 is currently zoned Agriculture 1 and the existing buildings on site are proposed to be used for the storage of vehicles, pesticides, herbicides, and to provide administrative support to the development, as well as accommodation for five individuals. The nearest boundary of the Addo Elephant National Park is located ~9.7km east of Farm 653 and 8.2km east of the proposed pipeline route.

Irrigation water for the development will be provided from the Lower Sundays River Water Users Association (LSRWUA) canal system and will be reticulated from the canal offtake point located on the Remainder of Farm 714, to Farm 653, via two uPVC pipes (⌀450mm; throughput 280 L/s) for a distance of ~578m. The two pipelines converge into a single uPVC pipe (⌀630mm; throughput 280 L/s), for a distance of ~137m across the Sundays River. It is proposed that the pipeline will be submerged through the Sundays River and anchored on either side by means of galvanised puddle pipes cast in concrete on the river banks.

Following the crossing of the river, the reticulation again splits into two uPVC pipelines (⌀450mm; throughput 280 L/s) for a distance of ~7km, where it terminates at the existing dam, proposed for expansion, on Farm 653. The pipeline will be installed within the road reserve and over private land for a total distance of ~8km's. In order to supply the required irrigation water for the proposed development, it is proposed that an existing dam (current capacity ~17 000m³) be expanded to a capacity of 45 000m³ and that three new dams be constructed, each with a capacity of 45 000m³. The approximate combined storage capacity of the four dams will thus total ~180 000m³.



Map 1.1: The location of the area under assessment which includes the Remainder of Farm 653 and the properties affected by the proposed irrigation pipeline corridor. Map insert (top left) indicating the distance of the Addo Elephant National Park (green border) from the boundary of Farm 653 (~9.7km).

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), 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 -…"

Chapter Four of this report provides details of the listed activities which require Environmental Authorisation. The project applicant has appointed Public Process Consultants as the independent Environmental Assessment Practitioner (EAP) to undertake the Scoping and EIA 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), Sarah Baartman Region.

Notice of Intention to commence with the Scoping and EIA process was submitted to the competent authority and sent to all identified Interested and Affected Parties (I&APs) and Organs of State, on 18 October 2016. The Final Scoping Report (FSR), including the Plan of Study (PoS) for EIA, which had been subjected to a legislated 30-day comment period, was submitted to DEDEAT on 26 April 2018. Acknowledgment of receipt of the FSR, by DEDEAT, was received on 15 May 2018.

On the 20 June 2018, acceptance of the FSR and approval of the PoS for EIA was received from DEDEAT, and the reference number EC/06/C/LN2/M/11-2018 assigned to the application. In line with the NEMA EIA Regulations 2014 (as amended), the process has moved into the EIA phase of the assessment.

1.1.1 About the Project Applicant

The following information on the project has been provided by the project applicant:

Ikamva Lethu Farms (Pty) Ltd is a BEE citrus farming business initiated by the Sundays River Citrus Company (SRCC). The establishment of Ikamva Lethu Farms (Pty) Ltd has been guided by the National Development Plan (NDP) pertaining to land reform, empowerment and transformation within the agricultural industry. The objective being to transfer farming enterprises to farm workers, while the farmer or landowner retains ownership of half of the shares.

Ikamva Lethu Farms (Pty) Ltd is made up of the following entities:

- SRCC (5%) – providing production, agronomy and development support to Farm 653 including packing, distribution and export of the product.
- Workers Trust (24%) – comprising of existing SRCC packhouse workers and permanent farm workers.
- SRCC Growers' Trusts Share Scheme (50:50) – comprising 35.5% ownership by the grower and 35.5% by the grower's farm workers.
- SRCC will have a 5% shareholding and will support the Ikamva Lethu farming business, with 59.5% of the shares belonging to permanently employed previously disadvantaged farm workers living and working on farms in the valley, as well as the future Ikamva Lethu farm workers and SRCC packhouse workers. The remaining 35.5% of shares will be held by participating citrus growers (farmers).

Farm workers will continue to work on the separate farming operations but will own their investment made in Ikamva Lethu. Included in the plan, is to mentor and train empowerment shareholders to become board members or directors within the project as it is rolled out. Upon completion of construction and during the operational phase of the development, it is estimated that 62 permanent employment opportunities will be created at a value of R2.2 million annually and 566 seasonal opportunities at an annual value of R6.8 million.

Having launched a transformation strategy in 2006, SRCC has three existing empowerment farming enterprises, excluding Ikamva Lethu, which are owned by workers' trusts – Luthando Farm, Mbuyiselo Farm and the Sundays River Farming Trust. Luthando Farm, which is 75% owned by the workers' trust and 25% owned by SRCC, has a total export production exceeding 200,000 citrus cartons per year. Mbuyiselo Farm, which is wholly owned by a workers' trust, has a total export production exceeding 75,000 citrus cartons per year. Finally, the Sundays River Farming Trust, which consists of five consolidated farms – the land of which is still mostly owned by the government – has a current total export production of about 450,000 citrus cartons per year.

1.2 PROJECT NEED AND DESIRABILITY

As per the Guideline on Need and Desirability, published by The Department of Environmental Affairs (2017), Pretoria, South Africa, ISBN: 978-0-9802694-4-4: *"The need for and the desirability of a proposed development forms a key component of any EIA application."* Therefore, an important objective of the EIA Process is to, through a consultative process, "*motivate the need and desirability of the proposed activity, including the need and desirability of the activity in the context of the preferred location*."

The following extract from The Guideline on Need and Desirability (2017), has reference:

"The National Strategy for Sustainable Development and Action Plan 2011 – 2014 (NSSD 1) (2011) states the following:

Although the concept of sustainable development has been on the international agenda since the United Nations Conference on the Human Environment in Stockholm in 1972, the terms 'sustainability' and 'sustainable development' have been used and interpreted in widely different ways. In developing this strategy for sustainable development, a fixed definition of these terms has been accepted in a South African context.

Sustainability *(or a sustainable society) is seen as the overall goal of the NSSD 1. Sustainability in this context implies* ***ecological sustainability****. In the first instance, it recognises that the maintenance of healthy ecosystems and natural resources are preconditions for human wellbeing. In the second instance, it recognises that there are limits to the goods and services that can be provided. In other words, ecological sustainability acknowledges that human beings are part of nature and not a separate entity.*

Sustainable development *is the process that is followed to achieve the goal of sustainability. Sustainable development implies the selection and implementation of a development option, which allows for appropriate and justifiable social and economic goals to be achieved, based on the meeting of basic needs and equity, without compromising the natural system on which it is based."*

The relevant questions to be engaged with when considering need and desirability have been taken into account by the various specialist studies undertaken for this assessment.

South Africa's National Development Plan (NDP, 2030), has as one of its focal points, the expansion of agriculture in order to facilitate job creation. Figure 1.1 below is an extract from the NDP (2030; Page 219). The NDP (2030; Page 222), further notes the following:

"Expanding commercial agriculture has the potential to create 250 000 direct jobs and a further 130 000 indirect jobs. This can be achieved by picking winning agricultural sub-sectors where the expansion in production and further value-adding processes are sustainable over the long term. Expansion is not only driven by higher levels of productivity, but also supported by foreign and domestic demand. Without boosted demand, increased production will depress domestic price, which is bad for employment creation in the sector."

With regards to citrus as a subsector of labour-intensive agriculture, The NDP (2030; Page 222), states the following:

"There are about 60 000 hectares of citrus trees in South Africa. The employment requirement to produce citrus fruit is estimated at one worker per hectare, about 60 000 workers are employed on citrus farms. Direct downstream labour requirements for citrus are estimated at one labourer per 2 500 cartons packed: with about 100 million cartons packed per year, some 40 000 jobs are created in packing plants for a period of six months, or 20 000 full-time equivalents. In addition, there are labour requirements for transportation, warehousing, port handling, research and development, and processing. From 2000 to 2010, the citrus-farming area increased by 28 percent, from 47 000 to 60 000 hectares."

As the primary economic activity in rural areas, agriculture has the potential to create close to 1 million new jobs by 2030, a significant contribution to the overall employment target. To achieve this, South Africa needs to:

- Expand irrigated agriculture. Evidence shows
- that the 1.5 million hectares under irrigation (which produce virtually all South Africa's horticultural harvest and some field crops) can be expanded by at least 500 000 hectares through the better use of existing water resources and developing new water schemes.
- Use some underused land in communal areas and land-reform projects for commercial production.
- Pick and support commercial agriculture sectors and regions that have the highest potential for growth and employment.
- Support job creation in the upstream and downstream industries. Potential employment will come from the growth in output resulting from the first three strategies.

- Find creative combinations between opportunities. For example, emphasis should be placed on land that has the potential to benefit from irrigation infrastructure; priority should be given to successful farmers in communal areas, which would support further improvement of the area; and industries and areas with high potential to create jobs should receive the most support. All these will increase collaboration between existing farmers and the beneficiaries of land reform.
- Develop strategies that give new entrants access to product value chains and support from better-resourced players.

Figure 1.1: Extract from the National Development Plan (2030; Page 219).

Farm 653 (~1163ha) was purchased by Ikamva Lethu (Pty) Ltd for the specific purpose of undertaking the proposed agricultural development and is zoned Agriculture 1. No formal/ intensive agriculture is currently being undertaken on the site. However, portions of Farm 653 were historically utilised for small scale agricultural activities and some of this infrastructure remains on the site (e.g. four residential homes, poultry sheds, kraals, vegetable tunnels, various outbuildings and sheds).

During July 2015, an Aquatic Survey was undertaken on Farm 653, as a component of a Rapid Environmental Risk Assessment for the proposed development. This survey identified that wastewater was being discharged into a non-perennial river on the site from a "*meat processing business on the farm*", which has negatively impacted on two of the instream wetlands. It was later identified that the source of the wastewater was a Sausage Casing Facility, which at that time was being operated on Farm 653 by the previous landowner, who was a tenant on the property at that time. These observations were contained in the Rapid Environmental Risk Assessment prepared and submitted to the project applicant. Thereafter, and on the 18 July 2016, a site visit was undertaken by the EAP and it was communicated to the project applicant that the operation of the Sausage Casing Facility on Farm 653 was in non-compliance with current legislation. Subsequently, the tenant received notification to vacate the property and it has been confirmed by the project applicant, that the property has been vacated and that the Sausage Casing operations have ceased. Ikamva Lethu Farms (Pty) Ltd, have committed to undertake the necessary remediation of the contaminated wetlands on site, as advised by a suitably qualified waste management contractor.

The portion of Farm 653 which is proposed for transformation, ~650ha (~56% of the extent of the property), is proposed to be utilised for the establishment of ~586ha of citrus orchards and associated infrastructure (~64ha). This will include the construction of three new irrigation dams and the expansion of an existing dam, as well as roads, windbreaks, lay down areas etc. Existing infrastructure on Farm 653 (residential homes, storage sheds) are proposed to be used for administrative purposes, the storage of farming equipment and onsite accommodation for five individuals. Although the properties surrounding Farm 653 are largely untransformed, the land use

is predominantly game farming, apart from the intensive agriculture located immediately adjacent to a portion on the north-eastern boundary of Farm 653. Chapter Three of this report provides detail of the surrounding land use activities.

Based on the experience of the EAP; land available for cultivation, situated adjacent to existing agricultural areas and which is zoned for Agricultural use, have existing water use rights, suitable soils, and is near the LSRWUA canal system, is becoming scarce in the Sundays River Valley. Thus, the applicant has had to identify available land options, which meet these requirements, outside of the historically cultivated 'Valley' area. Farm 653 is located ~2km south of the 'Valley', which is renowned for its citrus cultivation, other intensive agricultural practises and associated supporting industries (packhouses, co-op and juicing facilities). It is proposed that Farm 653 be supported by the nearby existing packing and processing facilities available in the 'Valley'. Chapter Five of this report discusses alternative sites which have been considered in this assessment process. The Google Earth image below indicates, in red, the boundaries of Farm 653 and the transformed nature of the 'Valley', to the north of the site.

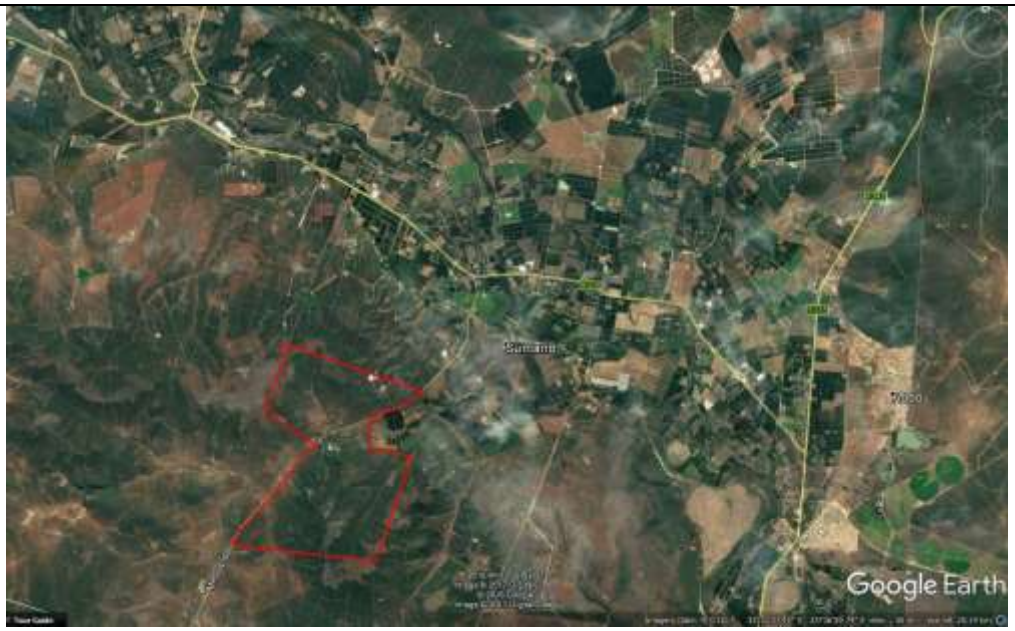


Figure 1.2: Google Earth Image indicating the boundaries of the Remainder of Farm 653 (red) and its proximity to the cultivated 'Valley' area.

The Final Integrated Development Plan for the SRVM (SRVM IDP 2015/ 2016), indicates that the current unemployment rate in the municipal area may be as high as 38.54%. The Agricultural sector provides room for growth in terms of employment opportunities, as it currently represents approximately 11% of the employment for the SRVM area. Additionally, the SRVM IDP (2015/ 2016; Page 36) states that: *"The municipality can boast its ecotourism and agricultural potential."* Finally, the following statement is given by the SRVM Spatial Development Framework (SRVM SDF 2013; Page 8): *"The agricultural sector is one of the key economic drivers of the Sundays River Valley Municipality*."

It is the applicant's intention to build on this economic base in the SRVM, by making optimum use of the available resources the area has to offer, i.e. the availability of a sustainable supply of irrigation water from the LSRWUA canal system, the suitability/ fertility of the soils on Fam 653, as well as the available work force from local communities. By making use of this labour market, the proposed development would also support the vision of the Sundays River Valley Local Economic

Strategy, as outlined in the SRVM SDF (2013), which indicates agriculture as a Local Economic Development Priority and identifies the need *to "…expand the agricultural section in the region."*, as an Economic Development Objective.

1.3 REQUIREMENTS FOR SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT

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, prior to the commencement of any activities on the site due to amongst others, activities listed in GN R325 (Listing Notice 2), 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 -…"

Chapter Four of this report includes a list of the activities contained in GN R327, 325 and 324, which may be triggered by the project components and thus, form part of this Scoping and EIA process. These listed activities require authorisation from the competent authority, DEDEAT Sarah Baartman Region, prior to the commencement of any activities on site.

The purpose of the EIA process is to identify, assess and report on the impact project activities may have of the receiving environment, if implemented. An important element of the Scoping and EIA process is to identify potential impacts, both positive and negative, and make recommendations for the mitigation of impacts, to reduce potentially negative impacts and enhance potentially positive impacts. The EIA needs to show the competent authority, I&APs and the project applicant what the consequences of their choices will be in terms of impacts on the social, economic and biophysical environments.

In compliance with the above legislation and regulations, 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
- Application and Scoping Phase
- Environmental Impact Assessment Phase (**CURRENT STAGE**)
- Decision Making and Appeal Period

As part of the Pre-Application phase, notice of intention to commence with a Scoping and EIA process was submitted to the competent authority, DEDEAT, Sarah Baartman Region, on 18 October 2016. An Application Form for Environmental Authorisation, in order to commence with the legislated portion of the Scoping and EIA process in terms of the NEMA EIA Regulations, 2014 (as amended), was submitted to the competent authority, on 15 March 2018, in conjunction with the release of the Consultation Scoping Report (CSR) and the legislated 30-day consultation period, which extended from the 16 March 2018 to the 19 April 2018. Acknowledgement of receipt of the submission of the Application Form, as well as the CSR, was received from DEDEAT on the 27 March 2018, and the reference number EC/06/C/LN2/M/11-2018 was assigned to the application.

This Draft EIA has been preceded by a comprehensive Scoping Process with the FSR, including the Plan of Study for EIA, being submitted to DEDEAT on the 26 April 2018. On the 15 May 2018 acknowledgement of receipt of the FSR was received from DEDEAT. On the 20 June 2018 acceptance of the FSR and approval of the Plan of Study for EIA was received from DEDEAT. As per GN R326, regulation 23. (1) *The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority - (a) an environmental impact assessment report*

inclusive of any specialist reports, and an EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority;"

The EIA phase of the assessment is currently at the stage where the Draft EIA and Draft EMPr is being released for a 40-day authority and I&AP comment period. Copies of correspondence sent to and received from DEDEAT are included in Appendix B of this report. Copies of correspondence to and from I&APs are contained in Appendix E and F, respectively.

1.4 EIA TEAM

This section of the report provides an overview of the EIA project team under the management of Public Process Consultants.

Table 1.1: EIA Team and Specialists.

EIA PROJECT TEAM		
Team Member	**Company**	**Role**
Sandy Wren	Public Process Consultants	EIA Team Leader
Wandile Junundu	Public Process Consultants	Community Consultation
Marisa Jacoby	Public Process Consultants	Environmental Assessment Practitioner
Zandri Grobbelaar	Public Process Consultants	Environmental Assessment Practitioner
Deborah Vromans	Private	Vegetation and Aquatic Specialist Assessment
Lloyd Rossouw	Palaeo Field Services	Phase 1 Heritage Impact Assessment
Freddie Ellis	Private	Soil Suitability Assessment
Cary Hastie	Engineering Advice and Services	Traffic Impact Statement
Henry Holland	MapThis	Visual Impact Assessment
Jaco Spies	JJ Spies Civil Engineers	Roads and Wet Services Report
Rodney Visser	Private	Security Risk Assessment
TECHNICAL TEAM		
Louis Grobler	Private	Dam and Irrigation Infrastructure Design
Frikkie Olivier	Ikamva Lethu (Pty) Ltd / Sundays River Citrus Company	Applicant representative

1.5 DETAILS AND EXPERTISE OF THE EAP AND EXPERTISE TO CARRY OUT SCOPING AND EIA

Public Process Consultants was established in 1997 by Sandy Wren. Initially the company was established to focus on the overarching management and integration of the public participation component for Scoping Reports, EIAs and Strategic Environmental Assessments (SEAs). Under this role, Sandy was actively involved in projects such as the SEA for the expansion of Addo Elephant National Park, SEA for the Coega Industrial Development Zone and Port of Ngqura, the EIA for the Boardwalk Casino and development of a Sustainable Coastal Development Policy for SA. This management and integration role expanded through years of experience to include the management of Basic Assessments, Scoping and EIA Reports. Sandy has over 20 years of experience in the management of Scoping and EIA's, as well as Basic Assessment reports for numerous projects within the Nelson Mandela Bay Metropolitan Area and beyond, for both public and private clients.

Sandy is a graduate from the University of Port Elizabeth, majoring in Political Science, Sociology and Industrial and Organisational Psychology. Sandy obtained a BA Honours Degree in Development Studies in 2003 for which she obtained distinctions in courses in Environmental Management. Sandy is a former Regional Director of Idasa (Institute for Democracy in SA).

Sandy's EIA project management experience includes, proposed new housing and "estate" type developments, expansion of agricultural related activities (broiler house facilities and citrus production), bulk infrastructure related projects (sewer, stormwater, sewage reticulation works and pump stations), as well as industrial type developments (SA Breweries IBhayi Biogas facility, NiRoVe Paint Stripping and increase in LNG for Umicore). Sandy continues to play a key role in the management of various public participation processes associated with the Coega Project (Proposed Regional Hazardous Waste Site Facility; Proposed Bulk Liquid Storage and Handling Facility in the Coega IDZ: Marine Servitude and Pipelines in the Coega IDZ), as well as various renewable energy projects (wind and solar). See Appendix A for curriculum vitae.
The application for the project EIA team is being led by Sandy Wren who will be supported by Marisa Jacoby and Zandri Grobbelaar.

Marisa Jacoby, EAP, obtained a has a BSc Honours in Botany (*cum laude*) from the Nelson Mandela Metropolitan University. Marisa has worked as an EAP, as well as a biophysical specialist (fauna and flora) on various Basic Assessments, Scoping and EIA Processes for new residential developments, expansion of agricultural activities, broiler production facilities, and bulk infrastructure projects. See Appendix A for curriculum vitae.

Zandri Grobbelaar, EAP, obtained a BSc Honours in Botany (Aquatic Botany and Environmental Management) from the Nelson Mandela Metropolitan University. In partial fulfilment of the requirements for this degree she completed a treatise entitled: "Determining the effect of a macroalgal bloom on salt marsh and *Zostera capensis* cover abundance in the Knysna Estuary". Zandri has worked as an EAP, on various Scoping and EIA Processes for agricultural developments.

1.6 OBJECTIVES OF THE ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

This Draft EIA Report forms part of a series of reports and information documents that are prepared during the EIA process for the proposed agricultural development. The EIA Report must be undertaken in line with the approved Plan of Study for EIA as contained in the accepted FSR. The primary objective of EIA phase of the assessment is to present to I&APs and affected Organs of State an overview of the predicted impacts, proposed mitigation measures (both positive and negative), closure outcomes, residual impacts of the activity and management actions required to avoid or mitigate the negative impacts; or enhance the positive impacts of the project. The assessment of alternatives forms an important part of the assessment process, see Chapter Five of this report.

As per Appendix 3 of the NEMA EIA Regulations, 2014 (as amended), the objectives of the EIA phase of the assessment is to, through a consultative process –

- Determine the policy and legislative context within which the activity is located and document how the proposed activities complies with and responds to the policy and legislative context
- Describe the need and desirability of the proposed activity, as well as within the context of the development footprint on the approved site as contemplated in the accepted scoping report
- Identify the location of the development footprint within the approved site based on an impact and risk assessment process, including cumulative impacts, and the ranking of all the identified development footprint alternatives, focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects of the environment.
- Determine the –
    - Nature, significance, consequence, extent, duration and probability of the impacts to inform identified preferred alternatives; and

  - The degree to which these can be reversed; may cause irreplaceable loss of resources; and can be avoided, managed or mitigated
- Identify the most ideal location for the activity within the development footprint of the approved site based on the lowest level of environmental sensitivity
- Identify, assess and rank impacts on the development footprint on the approved site as contemplated in the approved scoping report through the life of the activity
- Identify suitable measures to avoid, manage or mitigate identified impacts
- Identify residual risks that need to be managed and monitored

The EIA is required to be undertaken through a consultative process and thus the EIA must, amongst others, satisfy the requirements of Chapter Six (Regulations 39-44) of GN R326 of the NEMA EIA Regulations, 2014 (as amended), which relates to the Public Participation Process and the registration of I&APs, the acknowledgment of their comments, as well as recording and responding to comments on the proposed project. Issues raised during the Scoping Process have been included in a Comments and Responses Trail as part of Chapter Four of the FSR. Chapter Four of this report includes comments raised by I&APs after submission of the FSR to DEDEAT and prior to release of the Draft EIA for review. The Final EIA report will include comments received from I&APs during the review of the Draft EIA. Chapter Four of this report provides detail on the Public Participation Process undertaken for the EIA phase of the assessment. Appendix F of this report includes copies of comments received from I&APs and affected Organs of State via mail, email or fax and from meetings held. Comments were received from three (3) Organs of State subsequent to the submission of the FSR.

In terms of legal requirements, a crucial objective of the EIA Phase of the assessment is to satisfy the requirements of Appendix 3 of GN R326 of the NEMA EIA Regulations, 2014 (as amended). Appendix 3 regulates and prescribes the scope and content of the EIA Report and specifies the content required in a report for the competent authority to consider and come to a decision on an application. Table 1.2 below indicates how the requirements of Appendix 3 are met by the different sections of this EIA Report. Specialist Studies undertaken as part of the EIA need to comply with the requirements of Appendix 6 of the NEMA EIA Regulations, 2014 (as amended).

Table 1.2: Summary of where information requirements in terms of Appendix 3 of the EIA Regulations, 2014, (as amended) are provided for in this report.

Section in Appendix 3	Requirements for an Environmental Impact Assessment process	Where this is provided in this Draft EIA Report
3. (1) (a) (i)	details of the EAP who prepared the report	Appendix A
3. (1) (a) (ii)	the expertise of the EAP, including curriculum vitae;	Appendix A
3. (1) (b)	the location of the development footprint of the activity on the approved site as contemplated in the accepted scoping report, including-	Chapter 2 and Chapter 5 for Alternatives.
3. (1) (b) (i)	the 21-digit Surveyor General code of each cadastral land parcel;	Chapter 2
3. (1) (b) (ii)	where available, the physical address and farm name;	Chapter 2
3. (1) (b) (iii)	where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;	Chapter 2
3. (1) (c)	a plan which locates the proposed activity or activities applied for at an appropriate scale, or, if it is-	Appendix H
3. (1) (c) (i)	a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken;	This is not a linear activity.
3. (1) (c) (ii)	on land where the property has not been defined, the coordinates within which the activity is to be undertaken;	The property boundary has been defined.
3. (1) (d)	a description of the scope of the proposed activity, including-	Chapter 2
3. (1) (d) (i)	all listed and specified activities triggered and being applied for; and;	The scope of the activity in Chapter 2 and listed activities in Chapter 4.

3. (1) (d) (ii)	a description of the associated structures and infrastructure related to the development;	Chapter 2
3. (1) (e)	a description of the policy and legislative context within which the development is located and an explanation of how the proposed development complies with and responds to the legislative and policy context;	Chapter 4 and Chapters 6 to 13.
3. (1) (f)	a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred development footprint within the approved site as contemplated in the accepted scoping report;	Chapter 1
3. (1) (g)	A motivation for the preferred development footprint within the approved site as contemplated in the accepted scoping report;	Chapter 5
3. (1) (h)	a full description of the process followed to reach the proposed development footprint within the approved site as contemplated in the accepted scoping report, including:	Chapter 5: Assessment of Alternatives.
3. (1) (h) (i)	details of the development footprint alternatives considered;	Chapter 5 for Alternatives and Chapters 6 to 13 for specialist studies.
3. (1) (h) (ii)	details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;	Chapter 4 and Appendix B, D, E and F.
3. (1) (h) (iii)	a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;	Chapter 4: Comments and Responses Trail.
3. (1) (h) (iv)	the environmental attributes associated with the development footprint alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;	Chapter 5 for Alternatives and Chapters 6 to 13. for specialist studies
3. (1) (h) (v)	the impacts and risks identified including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts- (aa) can be reversed; (bb) may cause irreplaceable loss of resources; and (cc) can be avoided, managed or mitigated;	Alternatives in Chapter 5. Specialist Studies including the assessment of impacts and risks in Chapters 6 to 13.
3. (1) (h) (vi)	the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks;	Alternatives in Chapter 5. The methodology used for the rating of impacts in the EIA Phase of the Assessment is provided in Chapter 4.
3. (1) (h) (vii)	positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;	Alternatives in Chapter 5. Specialist Studies including the assessment of impacts and risks in Chapters 6 to 13.
3. (1) (h) (viii)	the possible mitigation measures that could be applied and level of residual risk;	Specialist Studies including mitigation measures proposed and level of residual risk in Chapters 6 to 13.
3. (1) (h) (ix)	if no alternative development footprints for the activity were investigated, the motivation for not considering such; and	Property/ location, as well as layout/ development footprint alternatives have been assessed as part of this assessment, reasoning is provided in Chapter 5.
3. (1) (h) (x)	a concluding statement indicating the location of the preferred alternative development footprint within the approved site as contemplated in the accepted scoping report;	Chapter 5 for Assessment of Alternatives.
3. (1) (i)	a full description of the process undertaken to identify, assess and rank the impacts the activity and associated structures and infrastructure will impose on the preferred development footprint on the approved site as contemplated in the accepted scoping report through the life of the activity, including-	Chapter 5 for Assessment of Alternatives. Results of specialist studies in Chapter 6 to 13.

3. (1) (i) (i)	a description of all environmental issues and risks that were identified during the environmental impact assessment process; and	Results of specialist studies in Chapter 6 to 13.
3. (1) (i) (ii)	an assessment of significance of each issue and risk and an indication of the extent to which the issue and risk could be avoided or addressed by the adoption of mitigation measures;	Results of specialist studies in Chapter 6 to 13.
3. (1) (j)	An assessment of each identified potentially significant impact and risk, including- (i) cumulative impacts; (ii) the nature, significance and consequence of the impact and risk; (iii) the extent and duration of the impact and risk; (iv) the probability of the impact occurring; (v) the degree to which the impact and risk can be reversed; (vi) the degree to which the impact and risk may cause irreplaceable loss of resources; and (vii) the degree to which the impact and risk can be mitigated;	Results of specialist studies in Chapter 6 to 13.
3. (1) (k)	where applicable, a summary of the findings and recommendations of any specialist report complying with Appendix 6 to these Regulations and an indication as to how these findings and recommendations have been included in the final assessment report;	Chapter 14 for a summary of the key findings of the EIA.
3. (1) (l)	an environmental impact statement which contains- (i) a summary of the key findings of the environmental impact assessment:	Chapter 14 for a summary of the key findings of the EIA.
3. (1) (l) (ii)	a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred development footprint on the approved site as contemplated in the accepted scoping report indicating any areas that should be avoided, including buffers; and	Appendix H
3. (1) (l) (iii)	a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives;	Chapter 5 for the Assessment of Alternatives. Chapter 14 for a summary of the key findings of the EIA.
3. (1) (m)	based on the assessment, and where applicable, recommendations from specialist reports, the recording of proposed impact management outcomes for the development for inclusion in the EMPr as well as for conditions of authorisation;	Chapter 6 to 13 for recommendations from specialist studies for management actions to be included in the EMPr. Chapter 14 for a summary of the key findings of the EIA and conditions of authorisation. Part B of this report for the EMPr.
3. (1) (n)	the final proposed alternatives which respond to the impact management measures, avoidance and mitigation measures identified through the assessment;	Chapter 5 for the Assessment of Alternatives.
3. (1) (o)	any aspects which were conditional to the findings of the assessment either by the EAP or specialist which are to be included as conditions of authorisation	Chapter 14 for a summary of the key findings of the EIA and conditions of authorisation.
3. (1) (p)	A description of any assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed;	Chapters 6 to 13 for specialist studies and any assumptions, uncertainties and gaps in knowledge.
3. (1) (q)	a reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation;	Chapter 14 for a summary of the key findings of the EIA and conditions of authorisation.
3. (1) (r)	where the proposed activity does not include operational aspects, the period for which the environmental authorisation is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised;	This activity does include operational aspects. Recommendations for the period of the Environmental Authorisation in Chapter 2, Section 2.4.

3. (1) (s)	an undertaking under oath or affirmation by the EAP in relation to - (i) the correctness of the information provided in the reports; (ii) the inclusion of comments and inputs from stakeholders and I&APs; (iii) the inclusion of inputs and recommendations from the specialist reports where relevant; and (iii) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested or affected parties;	Appendix A
3. (1) (t)	where applicable, details of any financial provision for the rehabilitation, closure, and ongoing post decommissioning management of negative environmental impacts;	Not applicable.
3. (1) (u)	an indication of any deviation from the approved scoping report, including the plan of study, including- (i) any deviation from the methodology used in determining the significance of potential environmental impacts and risks; and (ii) a motivation for the deviation;	No deviations from the approved Scoping Report.
3. (1) (v)	any specific information that may be required by the competent authority; and	None requested to date.
3. (1) (w)	any other matters required in terms of section 24(4)(a) and (b) of the Act	The Scoping and EIA process takes into consideration IEM principles as contained in NEMA.
3. (2)	Where a government notice *gazetted* by the Minister provides for any protocol or minimum information requirement to be applied to an environmental impact assessment report the requirements as indicated in such notice will apply.	Where applicable this will be indicated.