

BASIC ASSESSMENT PROCESS

KUDUSKLOOF DAM EXPANSION

*Proposed Expansion of an Existing Dam on Farm 682, near Sunland,
Sundays River Valley Municipality*

BACKGROUND INFORMATION DOCUMENT: August 2018



INTRODUCTION

The proponent, Die Boeram Venter Trust, proposes to expand an existing farm dam on Farm 682, measuring ~52ha in extent, near Sunland, in the Sundays River Valley Municipality. It is proposed that the existing dam, which has a capacity of ~15 000m³ (~0.98ha), be expanded by ~49 200m³ (~1.99ha), to have a total storage capacity of ~64 200m³ (~2.98ha). Farm 682 is zoned as Agriculture I and is currently under cultivation. The existing dam is proposed to be expanded into an area which predominantly represents existing cultivated fields.

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 project requires a Basic Assessment (BA), because it triggers, amongst others, the following listed activity, in Listing Notice 1 (GN R327):

“50. The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50 000 cubic metres or more.”

The proponent has appointed Public Process Consultants as the independent Environmental Assessment Practitioner (EAP) to undertake the assessment, including Public Participation for this project.

PROJECT LOCALITY

Farm 682 is located south of the R336 (Kirkwood/ Addo Road) and ~1km south west of Sunland (as the crow flies). Access to the farm is gained by travelling west on the R336, past Sunland, for a distance of ~2.4km, before turning left onto the gravel MR00470 road and continuing south for a distance of ~0.3km. The nearest boundary of the Addo Elephant National Park is located ~7.5km east of Farm 682. The locality map attached provides an overview of the location of the property under assessment.

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 as an I&AP, 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, as well as 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 register, 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 project, the Basic Assessment (BA), as well as the Public Participation Process that will be undertaken. It indicates how you can become involved in the project, 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 BA Process from the outset. Public Participation is an important component of the BA Process and together with scientific investigations, assists the competent authority, in this instance the Department of Economic Development Environmental Affairs and Tourism (DEDEAT), Sarah Baartman Region, with their decision-making.

PROJECT OVERVIEW

Subject to the outcome of the specialist assessments and decision-making process, the project will entail the clearing and excavating of a portion of the cultivated fields on Farm 682 for the expansion of an existing farm dam. The specifications of associated infrastructure (additional uptake pipes, outlet irrigation infrastructure and pumping infrastructure) will be determined through the assessment process.

It is proposed that the existing dam is expanded as follows:

- Details of the existing dam
 - Capacity in cubic metres: 15 000m³
 - Dam footprint in square metres: 9 805m² (0.98ha)
 - Dam wall height in metres: 5.7m
- Details of the proposed expansion
 - Expansion of capacity in cubic metres: 49 200m³
 - Expansion of footprint in square metres: 19 995m² (1.99ha)
 - Increase in wall height in metres: 0.4m
- Details of the total expanded dam
 - Total expanded capacity in cubic metres: 64 200m³
 - Total expanded footprint in square metres: 29 800m² (2.98ha)
 - Final wall height: 6.1m

ALTERNATIVES AND SITE SELECTION

A key component of the BA Process is the identification and assessment of reasonable and feasible alternatives. Reasonable and feasible alternatives as raised by I&APs, specialists and the technical team, will be considered in the assessment process. 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
- Technology (Electricity) alternatives

OVERVIEW OF THE BASIC ASSESSMENT PROCESS AND PUBLIC PARTICIPATION

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 a BA and Environmental Authorisation is required prior to the commencement of any activities on site. The table below lists potential listed activities in GN R327 and 324, which trigger a BA. A cautious approach has been adopted towards the identification of listed activities. Where there is uncertainty with regards to the applicability of a listed activity, it has been included in the table below, in terms of the following:

EIA Regulations (2014), as amended	Project Component
GN R327 (Listing Notice 1)	
50. <i>The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50 000 cubic metres or more.</i>	An existing reservoir is proposed to be expanded by ~49 200 cubic metres, to have a total storage capacity of ~64 200 cubic metres, thereby triggering this listed activity.
GN R324 (Listing Notice 3)	
12. <i>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.</i>	The vegetation type occurring within the proposed development footprint has been identified as Albany Alluvial Vegetation in terms of the NBA mapping resources (VegMap SA).
a. <i>Eastern Cape</i>	This vegetation type is listed as an Endangered ecosystem in terms of Section 52 of the NEMBA.
i. <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</i>	The proposed reservoir expansion will result in the clearance of ~19 995 square metres of vegetation. The presence of Albany Alluvial Vegetation within the proposed development footprint will be confirmed by a relevant specialist through the Basic Assessment

Assessment 2004;	Process.
<p>16. The expansion of reservoirs, excluding dams, where the capacity will be increased by more than 250 cubic metres.</p> <p>a. Eastern Cape</p> <p>i. Outside urban areas:</p> <p>(ff) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p>	<p>An existing reservoir is proposed to be expanded by ~49 200 cubic metres, to have a total storage capacity of ~64 200 cubic metres.</p> <p>The site is located in the Eastern Cape, outside of an urban area and ~7.5 kilometres from the nearest boundary of Addo Elephant National Park.</p> <p>The land cover on the site is cultivation. The ECBCP has identified the proposed dam expansion site as an Aquatic CBA (BLMC2b), and a portion thereof as a Terrestrial CBA (BLMC2) therefore, this listed activity requires Environmental Authorisation.</p>

The applicability of the listed activities indicated above will be determined through the assessment process. The identified listed activities require Environmental Authorisation from the DEDEAT prior to the commencement of any activities on the site. The environmental assessment needs to show the responsible authority, DEDEAT, and the project proponent, Die Boeram Venter Trust, what the consequences of their choices will be in biophysical, social and economic terms.

Public Process Consultants has been appointed as the independent Environmental Assessment Practitioner (EAP) to undertake the BA for the project. Public involvement forms an important component of this process, by assisting in the identification of issues and alternatives to be evaluated. The assessment process being implemented can be divided into three phases namely:

- **Pre-Application Phase**
 - Notification to DEDEAT
 - Project announcement and registration of I&APs (30 days) (**We Are Here**)
 - Specialist studies
- **Application and Basic Assessment Phase**
 - Application Form prepared and submitted to DEDEAT
 - Consultation BA Report review (30 days)
 - Final BA Report submitted to DEDEAT
- **Decision Making 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 have already commenced in parallel with the Pre-Application Phase. The following specialist studies are proposed to form part of the assessment process:

- Vegetation Assessment
- Aquatic Assessment
- Phase 1 Archaeological and Palaeontological Letters of Exemption
- Technical Input (dam specifications)

Phase 1: Pre-Application Phase (Current Stage)

- **Project Announcement and Registration of I&APs (30 days)**

The first stage in the process entails notification to the DEDEAT, as well as I&APs of the intention to proceed with the BA 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 during a 30-day comment and registration period and to raise any issues for inclusion in the Consultation BA Report (CBAR).

In terms of the NEMA EIA Regulations, 2014 (as amended), the objective of the BA Process is to, amongst others, through a consultative process:

- Determine policies and legislation relevant to the activity;
- Identify the alternatives to be considered;

- Describe the need and desirability of the proposed alternatives;
- Undertake an impact and risk assessment process focussing on the geographical, physical, biological, social, economic, heritage and cultural sensitivity of the site;
- Based on the impact assessment, determine the preferred alternative, identify suitable mitigation measures and any residual risks that need to be managed or monitored.

Phase 2: Application and Basic Assessment Phase (30 days)

• Application Form and Consultation Basic Assessment Report

In parallel with the compilation and submission of the Application Form, the CBAR 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 (Phase 1: Pre-Application phase).

Subsequent to the submission of the Application Form to the competent authority, the CBAR will be released for a minimum, legislated 30-day comment period. All registered I&APs 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 BA Report (FBAR), I&APs will be provided with an executive summary of the CBAR, as well as a comment form. Copies of the report will also be made available on the website www.publicprocess.co.za.

• Final Basic Assessment Report Submission

The FBAR, including the Comments and Responses Trail and EMPr, will be compiled for submission to the competent authority (DEDEAT) for their consideration. Where a BA is applied to an application, the applicant must within 90 days of receipt of the application by the competent authority, submit to the competent authority, a BA Report, including specialist studies, which have been subject to a 30-day Public Participation Process. This BA Report should include all the comments received during the 30-day comment period. All I&APs on the project database will be notified in writing of the submission of the FBAR.

Phase 3: Decision Making and Appeal Period

The competent authority must, within 107 days of receipt of the BA report, grant or refuse Environmental Authorisation. 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.

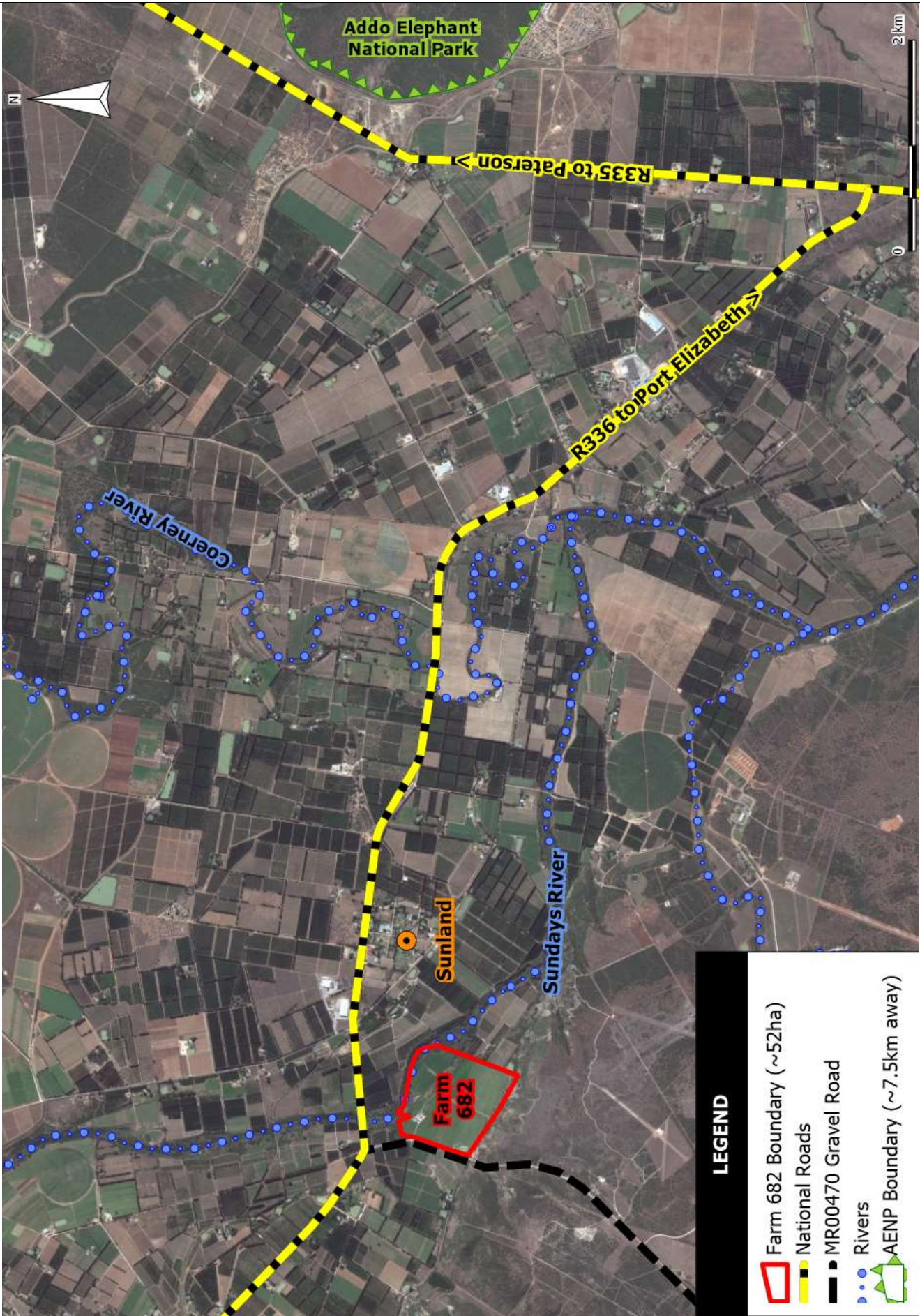
WHAT IS YOUR ROLE AS AN I&AP?

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 participation consultant indicated below.
3. By telephonically contacting the 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 or Fax: 041-373 2002
 Email: sandy@publicprocess.co.za

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



Locality Map: Kudusloof Dam Expansion, Farm 682 near Sunland, SRVM.