

CHAPTER ONE: INTRODUCTION

1.1 BACKGROUND AND PROJECT OVERVIEW

The applicant, Scheepersvlakte Farms (Pty) Ltd, proposes to clear ~516ha of indigenous vegetation on the Remainder of Portion 7 of the Farm Scheepers Vlakte 98 (~852.12ha), Sundays River Valley Municipality (SRVM), for the cultivation of annual crops (e.g. maize) and the establishment of a variety of citrus, as well as the installation of associated infrastructure. The Farm is currently zoned Agriculture I and the nearest town is Sunland located ~6km north of the site. The nearest boundary of the Addo Elephant National Park is located 7im east of the Farm (See Map 1.1). Located within the boundary of the property is Portion 10 of Farm 98 (~31ha), within which the Scheepersvlakte Dam, owned by the Department of Water and Sanitation (DWS) for water supply to the Nelson Mandela Bay Municipality (NMBM), is situated. Portion 10 of Farm 98 **does not** form part of this assessment process.

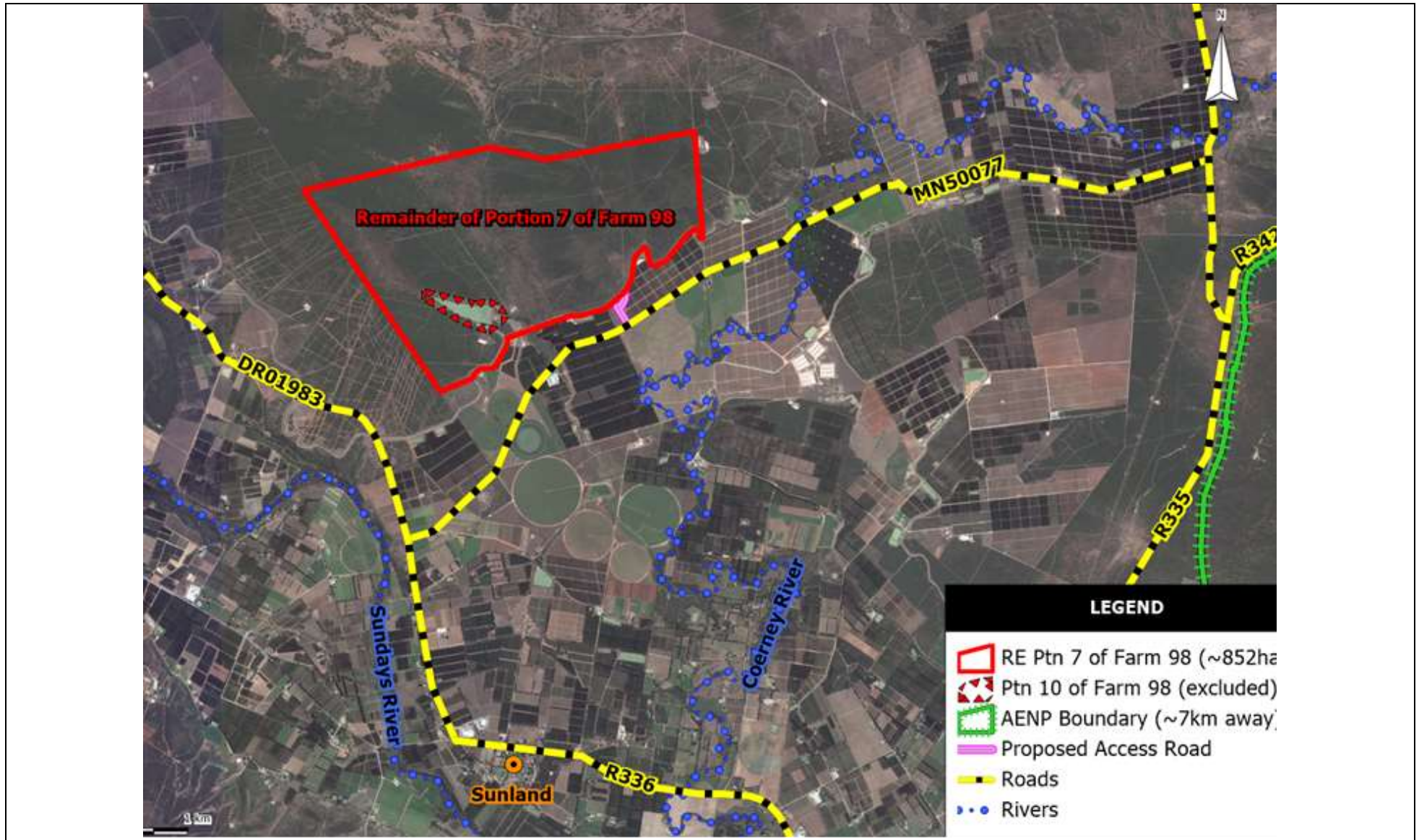
The applicant proposes to clear a total of ~516ha to accommodate the proposed agricultural development including associated infrastructure. The applicant has obtained a water use licence from the DWS for the taking of water from a water resource in terms of section 21(a) of the National Water Act which entitles them to utilise 650ha (5 850 000m³ per annum) of water from the LSRWUA canal system. In order to irrigate the proposed agricultural development, the construction of a new irrigation water storage dam (140 000m³ capacity), as well as the installation of irrigation pipelines of varying diameters is required. In addition, to provide support services to the proposed development, a new logistical services area (~6ha footprint) is proposed to be constructed. Map 1.1 below indicates the location of the property under assessment, the Remainder of Portion 7 of Farm 98, Scheepers Vlakte.

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 Scoping and EIA was submitted to the competent authority on 29 August 2017 and sent to all identified Interested and Affected Parties (I&APs) and Organs of State on 30 August 2017. 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 14 November 2018. Acknowledgement of Receipt thereof was received from DEDEAT on the 16 November 2018.



Map 1.1: The location of the Remainder of Portion 7 of Farm 98, known as Scheepers Vlakte Farm, in relation to the nearest town, Sunland, as well as the Addo Elephant National Park.

On the 19 December 2018, acceptance of the FSR and approval of the Plan of Study for EIA was received from DEDEAT and the reference number EC06/C/LN2/M/47-2018 is 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. As part of the formal acceptance of the FSR and approval of the Plan of Study for EIA, DEDEAT requested that some additional aspects be addressed in the Draft EIA Report. The Draft EIA Report, containing the requested additional information was submitted to DEDEAT on 5 March 2019 and a 30-day comment period extending until 5 April 2019 was provided for the review thereof. Acknowledgement of Receipt of the Draft EIA Report was received from DEDEAT on 7 March 2019. In correspondence dated 9 April 2019, DEDEAT noted that the additional information provided to them, sufficiently addressed the points raised in the acceptance of the FSR.

1.1.1 About the Project Applicant

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

Scheepersvlakte Farms (Pty) Ltd is a citrus farming business initiated by Sun Citrus (represented by Cecil Brummer), B Muller Family Trust (represented by Boetie Muller) and Hansie Klein Kinders Trust (represented by Hansie van der Westhuizen). The philosophy at Sun Citrus has always been that the Human Resources are the most important asset for the business. Since 2000 Sun Citrus has invested in their staff through training and education. However, Sun Citrus is now close to reaching its maximum size as an organization. As such, it is beginning to impose a “ceiling” both on the further development of individuals who have already risen through the ranks, and on those who are still to rise through the ranks of the company. Sun Citrus have, therefore, identified the need to create empowerment opportunities beyond the fruit packing, and farming business.

The Ukukhanya Business Trust was founded as a means/ business opportunity to further empower the employees of Sun Citrus, not only for the benefit of financial growth but also for personal growth and exposure to bigger business opportunities. For this reason, the proposed agricultural development of the Remainder of Portion 7 of the Farm Scheepers Vlakte 98 has been identified as an opportunity for staff from these entities to continue their growth and economic empowerment, while building on their already extensive knowledge of the citrus industry.

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

- Ukukhanya Business Trust (26%) – comprising of existing Sun Citrus employees
- Sun Citrus Holdings (24.67%)
- B Muller Family Trust (24.67%)
- Hansie Klein Kinders Trust (24.67%)

Seven Beneficiaries of the Ukukhanya Business Trust have already been identified. These seven beneficiaries will be the key players in the development of the project. Should the proposed development receive Environmental Authorisation, a further 600 employees will benefit from the development. It is also envisaged that in future the Trust will have the option to increase its shareholding in Scheepersvlakte Farms (Pty) Ltd. This will be made possible by utilizing a portion of their dividends to purchase such shareholding at a price to be determined by the auditors from time to time. Such dividends will be forthcoming from the 10th year of operation of the project.

Should the proposed agricultural development receive Environmental Authorisation it will allow greater opportunities for existing staff to move to better positions, for example:

- Seven positions at senior levels will be vacated in the packhouse's (Sun Citrus) organizational structure: These positions are all to be filled by currently employed individuals who are within the junior ranks in the business. Each of these individuals will receive the necessary mentoring and training to prepare for these changes, building further on their development and empowerment progress as individuals and exposing them to new challenges and opportunities.
- As positions are vacated to fill the higher positions, so places will be made available for seasonal employees to become permanent employees and for new people, previously not employed by the entities to find employment within the entities. As a result, they too will indirectly become beneficiaries of the proposed development.

Upon completion of construction and during the operational phase of the development, it is estimated that 200 new permanent employment opportunities will be created at a value of ~R13.5 million annually, and 1000 seasonal opportunities at an annual value of ~R31.4 million. Labour will be sourced locally from communities in the SRVM and Nelson Mandela Bay Municipality (NMBM).

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).

Scheepers Vlakte Farm measures ~852.12ha in extent and is zoned Agriculture 1. No formal/intensive agriculture is currently being undertaken on the site. However, portions of the Farm were historically utilised for small scale agricultural activities (livestock grazing and intensive cultivation) and some of the associated infrastructure remains on the site (e.g. drinking troughs, sheds). The portion of Scheepers Vlakte Farm which is proposed for transformation, ~516ha (~61% of the extent of the property), is proposed to be utilised for the establishment of ~468ha of citrus, as well as associated infrastructure. This will include the construction of a new irrigation dam (~7ha), as well as roads, windbreaks, lay down areas and a new logistical services area (~6ha) including a pre-sort packhouse.

Although the vegetation is largely untransformed on the property under assessment, directly adjacent to the northern, eastern and western boundaries, surrounding properties are currently engaged in commercial agricultural activities including citrus orchards, commercial chicken production and livestock/ game grazing. A portion of Farm 713, adjacent to the eastern boundary of the property under assessment, has been zoned to Open Space III. The southern boundary of the property under assessment abuts existing agricultural lands including citrus orchards and cultivated fields (e.g. lucerne). The northern boundary of the property under assessment is adjacent to the Enon Mission Station communal land, showing signs of livestock grazing.

Based on the experience of the EAP, land available for cultivation, which is situated adjacent to existing agricultural areas, is zoned for agricultural use, has existing water use rights, suitable soils, and is near the LSRWUA canal system, is becoming scarce in the Sundays River Valley. Chapter Three of this report provides further detail of the surrounding land use activities.

The Final IDP (2015/ 2016) for the SRVM 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 ~11% of the employment for the SRVM area (Final SRVM IDP 2015/ 2016). 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 in the area, i.e. the availability of a sustainable supply of irrigation water from the LSRWUA canal system, the suitability/ fertility of the soils on Scheepers Vlakte Farm, 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 (April 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 this 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 (**We Are Here**)
- 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 29 August 2017. 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 5 October 2018, in conjunction with the release of the Consultation Scoping Report (CSR) and the legislated 30-day consultation period, which extended from the 5 October to 5 November 2018. Acknowledgement of receipt of the submission of the Application Form, as well as the CSR, was received from DEDEAT on the 22

October 2018 and reference number EC06/C/LN2/M/47-2018 was assigned to the application. Comment received from DEDEAT on 5 November 2018, required that a Visual Impact Assessment be included in the list of specialist studies to be undertaken during the EIA Phase of the assessment. The PoS for EIA for the FSR was amended to include the ToR for a Visual Impact Assessment which was undertaken during the EIA phase of this assessment.

This Final 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 14 November 2018 and Acknowledgement of Receipt thereof was received from DEDEAT on the 16 November 2018. A site visit was held with representatives from DEDEAT on the 12 December 2018 and a copy of the attendance register is included in Appendix B of this report. On the 19 December 2018 acceptance of the FSR and approval of the Plan of Study for EIA was received from DEDEAT. Table 1.3 in section 1.7 below, outlines the additional information requested by DEDEAT in their correspondence of the 19 December 2018 and indicates where this information is addressed in this report. 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;*

As per the legislative requirements, the Draft EIA and EMPr was released for a 30-day I&AP and authority review period, which extended from the 5 March 2019 to the 5 April 2019. Notification of the 30-day review period for the Draft EIA was submitted to DEDEAT on the 5 March 2019 and included a CD, as well as a hard copy of the report. Acknowledgement of Receipt of the Draft EIA Report was received from DEDEAT on 7 March 2019. In correspondence dated 9 April 2019, DEDEAT noted that the additional information provided to them, sufficiently addressed the points raised in the acceptance of the FSR (see table 1.3 in Section 1.7 below). Relevant Organs of State and State Departments were provided with an electronic (CD or email) or hard copy of the report and the report was made available on the website www.publicprocess.co.za. Comments were received from one I&AP, Ms Maretha Alant, a representative of SANParks during the 30-day review period. The assessment process is currently at the stage where the Final EIA is being submitted to DEDEAT for their decision-making. All I&APs on the project database will be notified in writing of the submission of the Final EIA Report to DEDEAT, as well as the outcome of the decision-making process.

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
Marisa Jacoby	Public Process Consultants	Environmental Assessment Practitioner
Zandri Grobbelaar	Public Process Consultants	Environmental Assessment Practitioner

Wandile Junundu	Public Process Consultants	Community Consultation
Deborah Vromans	Private	Vegetation and Aquatic Specialist Assessment
Dr Johan Binneman	Eastern Cape Heritage Consultants	Phase 1 Archaeological Impact Assessment
Dr John Almond	Natura Viva	Phase 1 Palaeontological Impact Assessment
Dr Freddie Ellis	Private	Soil Suitability Assessment
Mark Marshall and Roy de Kock	Sandula Conservation	Visual Impact Assessment
Cary Hastie	Engineering Advice and Services	Traffic Impact Assessment
Sandy Wren	Public Process Consultants	EIA Team Leader
TECHNICAL TEAM		
Louis Grobler	CFT	Dam and Irrigation Infrastructure Design
Jaco Spies	JJ Spies Civil Engineers	Civil Engineering Services
Rory Niven	Scheepersvlakte Farms (Pty) Ltd	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, including additional comments submitted by DEDEAT. 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 one (1) Organ of State and two (2) I&APs 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	Appendix A

	parties and any responses by the EAP to comments or inputs made by interested or affected parties;	
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	See Section 1.7 below.
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 <i>gazetted</i> 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.

1.7 ADDITIONAL INFORMATION REQUESTED IN THE APPROVED POS FOR EIA

Table 1.3 below outlines the additional information requested by DEDEAT in their Approval of the PoS for EIA, dated the 19 December 2018 and indicates where this information is addressed in this report.

Table 1.3: Additional Information requested by DEDEAT in Approved PoS for EIA.

Section in Approved PoS for EIA	Information Requirement	Where this is provided in this Draft EIA Report
3. a.	Conservation targets for all vegetation types must be included in the EIR	Conservation targets for the vegetation types are included in the Vegetation and Aquatic Specialist Assessments, Chapter 6 and 7, respectively.
3. b.	Maintaining a buffer between the orchards and the boundary of the property must be considered as an alternative layout during the EIR Phase	Chapter 5 includes the assessment of alternatives, including maintaining a buffer between the orchards and the boundary of the property.
3. b. i.	Clarity is required regarding the construction methodology for the irrigation dams; and	The construction methodology for the proposed new irrigation dam is included in Chapter 2 and in the Comments and Responses Trail in Chapter 4.
3. b. ii.	Details of the pipelines must be provided including the co-ordinates (start, middle and end), the length and diameter of the pipeline, and amount of vegetation to be removed.	The details of the pipelines to be installed are included in Chapter 2 of this report. The Vegetation and Aquatic Specialist Assessments, Chapter 6 and 7, respectively include in the conservation targets of the various vegetation types which will be required to be removed for the pipelines.
3. b ¹ .	It is noted that Mr Mark Marshall of Sandula Conservation has been proposed as the specialist to conduct the Visual Impact Assessment. Confirmation of his expertise in this area must be provided.	Mr Mark Marshall and Mr Roy de Kock have co-authored the specialist Visual Impact Assessment, included as Chapter 13 of this report. Their respective CVs are included as an Appendix to their chapter and a specialist declaration has been completed and signed by Mr Mark Marshall as the representative of Sandula Conservation, included in Appendix C.

¹ Error in numbering of DEDEAT document 3. b. is repeated.