

AMENDMENT APPLICATION PROCESS

Proposed Amendment to the Amended Environmental Authorisation for the expansion of Agricultural Activities on Portions 9, 10 & 14 of Farm Kremlin No.100, forming part of the farm known as Intsomi, Sundays River Valley Municipality.

Project Applicant: JN Venter Family Trust
DEDEAT Reference No: EC06/LN2/M/61-2013

BACKGROUND INFORMATION DOCUMENT: September 2020



INTRODUCTION

An environmental authorisation was issued to San Miguel Fruits SA (Pty) Ltd (dated 3 October 2016) by the Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), Sarah Baartman Region for the establishment of 168 hectares of citrus orchards as well as associated infrastructure of 32 hectares, for a total development area of 200 hectares on the eastern portion of the farms collectively known as Intsomi. Intsomi Farm consists of 10 individual land portions with a total extent of 1754 hectares. A condition of the environmental authorisation is that at least 1050 hectares be set aside for formal conservation.

The original environmental authorisation was amended by Amendment Notice #1 (dated 25 July 2017). Subsequently, the project proponent, JN Venter Family Trust, has purchased Intsomi from San Miguel Fruits SA (Pty) Ltd, and the establishment of the 200 hectare development area has commenced in accordance with the Environmental Authorisation. This Amendment Application Process, relates to the proposed establishment of an additional ~86ha of citrus orchards, including associated infrastructure (internal roads, internal irrigation pipes) on 3 western portions of Intsomi, namely:

- Portion 9 of Farm 100
- Portion 10 of Farm 100
- Portion 14 of Farm 100

The proposed amendment is deemed substantive in terms of Regulation 31 of the NEMA EIA Regulations, 2014 (as amended) and therefore, an Amendment Report (AR) must be prepared to describe the advantages and disadvantages of the proposed change, assess the impacts thereof, both positive and negative and provide mitigation to enhance potential positive impacts and mitigation to manage or avoid potential negative impacts. The AR must be subjected to a public participation process in order to bring the proposed change to the attention of potential and registered Interested and Affected Parties (I&APs), juristic /affected Organs of State and State Departments as well as the competent authority.

The project proponent, JN Venter Family Trust, has appointed Public Process Consultants as the independent Environmental Assessment Practitioners to undertake the Amendment Application Process.

PROJECT LOCALITY

The closest boundary of Intsomi farm is located approximately 8.8 km east of the town of Enon and approximately 9km north of Sunland. The area under assessment is located adjacent to the "Slagboom Road" (MN50266) and can be accessed directly off this road via an existing access point located approximately 2.5km from the intersection of the Slagboom Road and the Enon Road (DR02006). The nearest boundary of the Addo Elephant National Park is ~720m north of the boundary of the Intsomi farm. See the attached locality map.

WHAT DOES THIS DOCUMENT TELL YOU?

As a registered I&AP on the database for the project, this document provides you with the following:

- Reference to the Environmental Authorisation issued for the agricultural activity on the farm known as Intsomi, recent developments on site and subsequent amendments to the authorisation.
- An overview of the Amendment Application Procedure and specialist studies to be undertaken, as well as an overview of the Public Participation Process for the Amendment Application Process.
- An overview of the proposed project amendments.

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 Amendment Application Process from the outset. This document indicates how you can become involved in the project, receive information and raise issues that may interest and/ or concern you. Public Participation is an important component of the Amendment Application 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.

HOW CAN I PARTICIPATE IN THIS AMENDMENT APPLICATION 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 database, you will be notified as and when information on the project is available for I&AP review and comment.

OVERVIEW OF THE PROPOSED AMENDMENTS

This amendment process proposes the clearing of an additional ~86ha for the establishment of citrus orchards including additional infrastructure (internal roads and internal irrigation pipes). The proposed agricultural development is proposed to be located on three western portions of the farm collectively known as Intsomi, namely:

- Portion 9 of Farm 100
- Portion 10 of Farm 100
- Portion 14 of Farm 100

The proposed agricultural expansion on these three portions of Intsomi will form part of a larger agricultural development, subject to detailed specialist assessment, and proposed to measure approximately 200ha in extent, and will link into an adjacent farm known as Tango (Portion 11 of Farm 100). The proposed agricultural development on Tango is subject to a detailed specialist assessment and a separate Scoping and EIA process. Should this amendment application be granted, as well as the environmental authorisation for Tango, this development area will be collectively referred to as "Tango".

Irrigation water for the development is proposed to be supplied from an existing dam on the adjacent farm, owned by the same project proponent, Farm 713 (Hopefield) located south of the DR 02006. It is proposed that water will be pumped from this dam via a uPVC transfer pipe, which will be extended underneath (wayleave duct) the DR 02006 road onto the adjacent property (Portion 11 of Farm 100, known as Tango). The establishment of this pipe is however subject to a separate Basic Assessment process as this pipeline is proposed to provide water to the original area authorised for clearance on Intsomi, as well as the area collectively referred to as "Tango". In addition, this pipe will also provide water to a proposed livestock facility, which forms part of a separate amendment application process, being undertaken by the same project proponent. The length and diameters of the internal irrigation pipelines to be installed within the orchards, will be confirmed through the assessment process.

AMENDMENT APPLICATION PROCEDURE

The following Amendment Application Process and associated Public Participation Process was submitted to the competent authority, DEDEAT, by the EAP and has subsequently been approved.

The assessment process being implemented can be divided into three phases namely:

- **Pre-Application Phase**
 - Public Participation Plan for approval by DEDEAT
 - Notification to DEDEAT of intention to commence the amendment application process
 - Project announcement and registration of I&APs (30 days) (**We Are Here**)
 - Specialist studies
- **Amendment Application and Report Phase**
 - Amendment Application Form prepared and submitted to DEDEAT
 - Draft Amendment Report for I&AP review (30 days)
 - Final Amendment Report submitted to DEDEAT
- **Decision Making and Appeal Period**

Phase 1: Pre-Application Phase (Current Stage)

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

In line with the Directions Regarding Measures to Address, Prevent and Combat the Spread of COVID-19, published in Government Notice No. 650 on 5 June 2020 in Government Gazette No. 43412 a Public Participation Plan (PPP) was prepared and submitted to the competent authority for approval, prior to commencement with the Amendment Application process. Approval of the PPP was received from DEDEAT, Sarah Baartman Region on 23 July 2020.

The first stage in the process entails notification to the DEDEAT, as well as I&APs of the intention to proceed with the Amendment Application Process. Identified I&APs and Juristic organs of State will be notified of this step in the process as per the approved PPP. Attached to the notification (email) will be a Background Information Document (BID) on the project, a locality map and a comment form. Project information for the various stage of the Amendment Application will be made available on the website www.publicprocess.co.za. An advertisement will be placed in a local newspaper and a site notice board will be erected at the site. During this stage of the process I&APs are provided with

a 30-day period to register their interest on the project database in order to receive further project information and raise any issues for inclusion in the Draft Amendment Report (DAR).

In parallel with the project announcement and registration period, the following specialist studies are proposed to be undertaken in order to review and assess the impacts associated with the proposed agricultural expansion. The following specialist studies are proposed to form part of the amendment process:

- Aquatic Impact Assessment
- Vegetation Impact Assessment
- Traffic Impact Assessment
- Soil Suitability Assessment
- Phase 1 Archaeological Impact Assessment
- Phase 1 Palaeontological Impact Assessment

Phase 2: Amendment Application and Report Phase

• Application Form and Draft Amendment Report (DAR) (30 days)

In parallel to the compilation and submission of the Amendment Application Form, the Draft Amendment Report (DAR) 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 DAR will be released for a minimum, legislated 30-day I&AP comment period. All registered I&APs will be notified via email 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 Amendment Report (FAR). All I&APs will receive an email with a copy of an executive summary of the DAR, a comment form, and a link to the project website. All juristic/affected Organs of State / State Departments will be provided with a copy of the DAR in the preferred format as agreed to with the respective authorities. All project information will be made available on the website www.publicprocess.co.za.

• Final Amendment Report Submission (FAR)

The Final Amendment Report (FAR), including the Comments and Responses Trail will be compiled for submission to the competent authority (DEDEAT) for their consideration. The FAR, including specialist studies, which has been subjected to a 30-day Public Participation Process must be submitted to the competent authority within 90 days of receipt of the Application Form by the competent authority. All I&APs on the project database will be notified in writing, via email, of the submission of the FAR.

Phase 3: Decision Making and Appeal Period

The competent authority must, within 107 days of receipt of the Amendment Report, reach a decision on the Application and notify the applicant. 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.

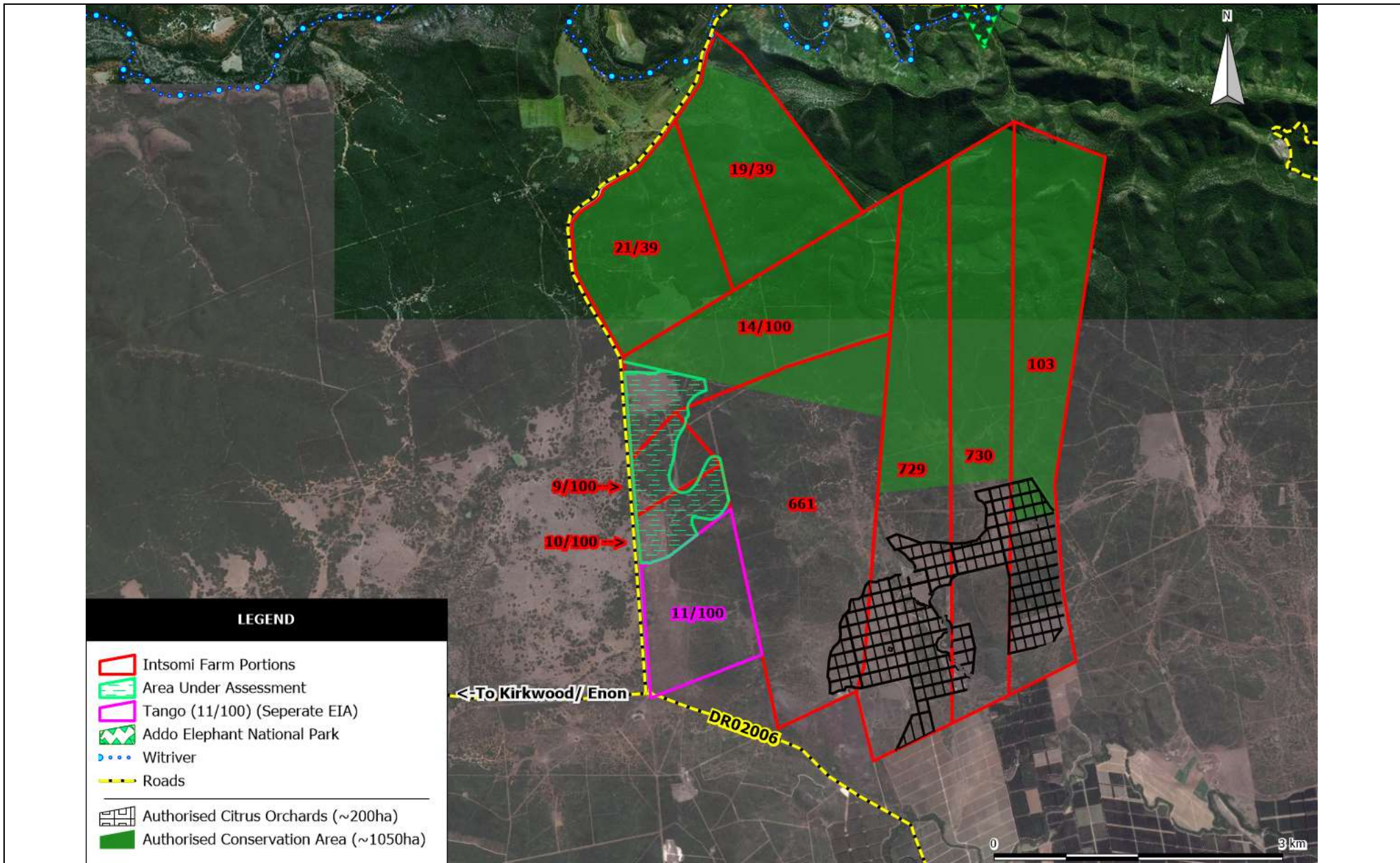
WHAT IS YOUR ROLE AS AN INTERESTED AND AFFECTED PARTY (I&AP)?

1. Should you wish to register your interest in the project or raise issues of concern you are required to respond to the letters of notification and/ or newspaper advertisements:
 - By emailing a comment form to the public 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 a comment form to the public participation consultant indicated below.
3. By telephonically contacting the public participation consultant if you have a query, comment, or require further project information.
4. By reviewing the Draft Amendment Report and submitting any comments/ issues within the specified comment period.

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 following website: www.publicprocess.co.za



Locality Map: Intsomi Farm Portions in relation to major roads and The Addo Elephant National Park. Included on this map is Tango (11/100) which is subject to a separate assessment and will be submitted in parallel with the Intsomi Citrus Amendment.