

# FULL SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

## TANGO CITRUS

*Agricultural Development on Portion 11 of Farm Kremlin No 100, Sundays River Valley Municipality.*

**BACKGROUND INFORMATION DOCUMENT, September 2019**



## INTRODUCTION

The project proponent, Venter Wildlife Trust, proposes to develop a portion of Portion 11 of Farm 100 Kremlin (~109ha), Sundays River Valley Municipality (SRVM), for the establishment of citrus orchards and associated infrastructure (internal roads, internal irrigation pipes), hereafter referred to as Tango. The farm is currently zoned for agriculture and the area to be cultivated, including associated infrastructure, will be determined by the outcome of the various specialist assessments forming part of this Scoping and Environmental Impact Assessment (Scoping and EIA) process.

The irrigation water required for the proposed agricultural development is proposed to be supplied from an existing dam on the Farm 713 Hopefield, owned by the applicant and located to the south of the area under assessment. Additionally, the proposed development will require the installation of internal irrigation pipelines of various diameters. The dimensions of the various pipelines, will be determined through the assessment process.

In terms of the NEMA EIA Regulations, 2014 (as amended), published in GN R326, 327, 325 and 324, promulgated under Chapter Five of the National Environmental Management Act (Act 107 of 1998) (NEMAA), and published in Government Gazette 40772 on the 7 April 2017, the project requires full Scoping and Environmental Impact Assessment (Scoping and EIA). The applicant has appointed Public Process Consultants as the independent Environmental Assessment Practitioner (EAP) to undertake the assessment, including the public participation for this project.

## PROJECT LOCALITY

The farm Tango is located ~9 km north of Sunland and ~19 km east Kirkwood (as the crow flies), in the SRVM. The farm can be directly accessed from the intersection of the DR 02006 (Enon Road) and Slagboom road. The nearest boundary of the Addo Elephant National Park is located ~4.5km north of the farm. The locality map attached provides an overview of the location of the proposed agricultural development.

## HOW CAN I PARTICIPATE IN THIS ENVIRONMENTAL ASSESSMENT PROCESS?

In terms of regulation 42(b) of Government Notice R326, Interested and Affected Parties (I&APs) are to request in writing, that their names be placed on the register of I&APs. To register on the database, complete the comment and registration form included with this correspondence or submit your contact details (via fax or email), stating your full name, address and contact numbers, to the consultant indicated in this documentation. In terms of regulation 43(1), a registered I&AP is entitled to comment in writing on all reports and plans submitted as part of the public participation process and raise any issues which may be of significance to the consideration of the application. Additionally, I&APs are required to disclose any direct business, financial, personal or other interest which they may have in the approval or refusal of the application. By registering on the project database, you will be notified as and when information on the project is available for I&AP review and comment.

## WHAT DOES THIS DOCUMENT TELL YOU?

This document provides you, as an I&AP, with background information on the proposed agricultural development, as well as the Scoping and EIA and Public Participation Process. It indicates how you can become involved in the assessment process, receive information and raise issues that may interest and/ or concern you. The sharing of information forms an important component of the public participation process and provides you with the opportunity to become actively involved in the EIA process from the outset. The input received from I&APs together with scientific and technical investigations assists the competent authority, in this instance the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT), Sarah Baartman Region, with their decision-making.

**ALTERNATIVES AND SITE SELECTION**

A key component of the EIA process is the identification and assessment of reasonable and feasible alternatives. The following alternatives have been identified and will be considered in the assessment process:

- No-go alternative
- Layout/ footprint alternatives
- Alternatives as identified by I&APs

Reasonable and feasible alternatives as raised by I&APs, specialists and the technical team will be considered in the assessment process.

**WHAT DOES THE PROJECT ENTAIL?**

The area proposed for the agricultural development is located on Portion 11 of Farm 100, (Tango) which measures ~109ha in extent and is currently zoned for Agricultural use. The total area to be cleared including associated infrastructure (internal roads & irrigation pipes), will be confirmed through specialist and technical input, authority consultation, as well as consultation with I&APs.

Irrigation water for the development is proposed to be supplied from an existing dam on the adjacent farm, Farm 713 (Hopefield), located south of the DR 02006. An existing water pipe from the dam has already been established up to the northern boundary of Farm 713 adjacent to Tango. 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. The length and diameters of this pipe as well as the internal irrigation pipelines to be installed within the orchards, will be confirmed through the assessment process.

It is further anticipated that the proposed development will entail the following activities on the site:

- Vegetation clearing
- Levelling and landscaping the site to provide runoff control and stormwater management
- Establishment of unpaved internal roads to provide internal access within the orchards
- Installation of irrigation water transfer pipe onto the Tango property from Farm 713
- Installation of internal irrigation infrastructure
- Planting orchards and windbreaks (if required)

Once the necessary infrastructure has been established, the area will be used for the establishment of a variety of citrus. No logistical services area will be needed as infrastructure on adjacent properties will be used to provide technical and logistical support to the proposed agricultural development.

**Note:** The proposed agricultural development on Tango will form part of a larger agricultural development, proposed to measure approximately 200ha in extent, and will include farm portions on an adjacent farm known as Intsomi. However, the proposed agricultural development on Intsomi is subject to a separate assessment process, namely an Amendment Application.

**OVERVIEW OF THE SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS**

In terms of the NEMA EIA Regulations 2014 (as amended), published in GN R326, 327, 325 and 324, promulgated under Chapter Five of the National Environmental Management Act (Act 107 of 1998) (NEMAA), and published in Government Gazette 40772 on the 7 April 2017, the project requires full Scoping and EIA. The table below lists potential listed activities in GN R327, 325 and 324, which trigger either a Basic Assessment or full Scoping and EIA, which may require Environmental Authorisation, should such be granted. A cautious approach has been adopted towards the identification of listed activities. Where there is currently uncertainty with regards to the applicability of a listed activity, it has been included in the table below.

GN R327 – Listing Notice 1 Requiring Basic Assessment	
Activity	Project Component
<p>9. The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</p> <p>(i) with an internal diameter of 0,36 metres or more; or</p> <p>(ii) with a peak throughput of 120 litres per second or more;</p>	<p>In order to supply the proposed development with the required irrigation water, a pipeline is proposed to be installed between the adjacent farm, Farm 713 and Tango and might exceed 1000 metres in length.</p> <p>The dimensions and throughput capacity of the proposed pipeline will be confirmed through the assessment process.</p> <p>This listed activity may require Environmental Authorisation.</p>

<p>19. <i>The infilling or depositing of any material of more than 10 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 10 cubic metres from a watercourse;</i></p>	<p>A number of drainage lines occur on site. The proposed agricultural development may require the installation of irrigation pipelines of varying widths as well as the construction of access roads and vehicle tracks across these drainage lines. The installation of this infrastructure may require the dredging, excavation, removal or moving of soil, sand, pebbles or rock of more than 10 cubic metres from a watercourse.</p> <p>This listed activity may require Environmental Authorisation.</p>
<p>24. <i>The development of a road—</i>  <i>(ii) with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</i></p>	<p>A number of unpaved, internal access roads and vehicle tracks will be required to provide access within the orchards. The width of these roads will vary but some are anticipated to exceed 8 metres. The dimensions of the roads will be determined through the assessment process.</p> <p>This listed activity will require Environmental Authorisation.</p>
<p><b>GN R325 – Listing Notice 2 Requiring Full Scoping and EIA Assessment</b></p>	
<p><b>Activity</b></p>	<p><b>Project Component</b></p>
<p>15. <i>The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for —</i></p>	<p>The area under assessment is ~109ha, most of which is anticipated to be indigenous. The total number of hectares to be cleared will be determined through the assessment process.</p> <p>This listed activity will require Environmental Authorisation.</p>
<p><b>GN R324 – Listing Notice 3 Requiring Basic Assessment</b></p>	
<p><b>Activity</b></p>	<p><b>Project Component</b></p>
<p>4. <i>The development of a road wider than 4 metres with a reserve less than 13,5 metres.</i></p> <p><b>a. Eastern Cape</b></p> <p><i>i. Outside urban areas</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ee) Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>(gg) 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 areas of a biosphere reserve, excluding disturbed areas;</i></p>	<p>A number of unpaved, internal access roads and vehicle tracks will be required to provide access within the orchards. The width of these roads will vary but some are anticipated to exceed 8 metres.</p> <p>The area under assessment is located outside of an urban area, in the Eastern Cape and a portion thereof is included in the National Protected Area Expansion Strategy Focus areas. The site has been identified as a Terrestrial CBA (BLMC2) in terms of the Eastern Cape Biodiversity Conservation Plan and is located ~4.5 kilometres south of the nearest boundary of the Addo Elephant National Park, which is a protected area in terms of NEMPAA.</p> <p>This listed activity will require Environmental Authorisation.</p>
<p>14. <i>The development of –</i></p> <p><i>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</i></p> <p><i>where such development occurs –</i></p> <p><i>(a) within a watercourse;</i></p> <p><i>(c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</i></p>	<p>A number of drainage lines occur on site. The proposed agricultural development may require the installation of irrigation pipelines of varying widths as well as the construction of access roads and vehicle tracks across these drainage lines. It is anticipated that the footprint thereof may exceed 10 square metres within the watercourse and within 32 metres of the watercourse.</p> <p>The area under assessment is located outside of an urban area, in the Eastern Cape and a portion thereof is included in the National Protected Area Expansion Strategy Focus areas. The site has been identified as a Terrestrial CBA (BLMC2) in terms of the Eastern Cape Biodiversity Conservation Plan and is located ~4.5 kilometres south of the nearest boundary of the Addo Elephant National Park, which is a protected area in terms of NEMPAA.</p>

<p><b>a. Eastern Cape</b></p> <p><i>i. Outside urban areas:</i></p> <p><i>(bb) National Protected Area Expansion Strategy Focus areas;</i></p> <p><i>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</i></p> <p><i>(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;</i></p>	
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The applicability of all the listed activities indicated above will be determined through the assessment process. The listed activities require Environmental Authorisation from the DEDEAT, prior to the commencement of any activities on the site. The EIA needs to show the competent authority, the DEDEAT, and the project proponent, what the consequences of their choices will be in biophysical, social and economic terms. Public involvement forms an important component of this process, by assisting in the identification of issues and alternatives to be evaluated. The EIA Process being implemented can be divided into four phases namely:

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

To meet the timeframes as prescribed in the EIA Regulations, 2014 (as amended), specialist studies to be included as part of this assessment process will commence in parallel to the Scoping process. The following specialist studies are proposed to be undertaken for this assessment:

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

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

- **Project Announcement and registration of I&APs**

The first stage in the process entails notification to the DEDEAT, as well as interested and affected parties (I&APs) of the intention to proceed with the Scoping and EIA process. Identified I&APs are provided with a Background Information Document (BID) on the project, a locality map and a comment form. An advertisement will be placed in a local newspaper and a site notice board will be erected at the site. I&APs are required to register their interest in the project to receive further project information. I&APs will be provided with a **30-day** period to register their interest on the project database and raise any issues for inclusion in the Draft Consultation Scoping Report (Draft CSR).

- **Draft Consultation Scoping Report Review**

A Draft CSR will be compiled which will include a Comments and Responses Trail – indicating the issues and concerns raised by I&APs during the **30-day** project announcement period. This report will include the Plan of Study for EIA, which will outline the specialist studies proposed to be undertaken for this assessment process, as well as the methodology for the identification, and rating of impacts. In terms of the NEMA EIA Regulations 2014 (as amended), the Scoping process is to, amongst others, through a consultative process:

- *identify policies and legislation relevant to the activity;*
- *motivate the need and desirability of the proposed activity and its location*
- *identify and confirm the preferred activity, technology alternative and/ or site alternative; or if no alternatives, including location alternatives were investigated, the motivation for such;*
- *identify the key issues to be addressed in the assessment phase;*
- *agree on the level of assessment, methodology and expertise required as well as the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site to inform the location of the development footprint within the preferred site; and*
- *identify suitable measures to avoid, manage or mitigate identified impacts and to determine the extent of the residual risks that need to be managed and monitored.*

The **Draft CSR** will be released for a **30-day** comment period. All registered I&APs on the project database will be notified in writing of the opportunity to comment. In order to assist I&APs with their understanding of the project and to facilitate the identification of issues for inclusion in the Consultation Scoping Report (CSR), I&APs will be provided with an executive summary of the Draft CSR, as well as a comment form. Copies of the report will also be made available on the website [www.publicprocess.co.za](http://www.publicprocess.co.za).

## **Phase 2: Application and Scoping Phase**

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- **Application Form Submission**

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

- **Consultation Scoping Report Review**

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

Subsequent to the submission of the Application Form to the competent authority, the CSR will be released for a minimum, legislated **30-day** comment period. All registered I&APs on the project database will be notified in writing of the opportunity to comment. In order to assist I&APs with their understanding of the project and to facilitate the identification of issues for inclusion in the Final Scoping Report (FSR), I&APs will be provided with an executive summary of the CSR, as well as a comment form. Copies of the report will also be made available on the website [www.publicprocess.co.za](http://www.publicprocess.co.za).

- **Final Scoping Report Submission**

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

## **Phase 3: Environmental Impact Assessment Phase**

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Once DEDEAT accepts the FSR, with or without conditions, and upon receipt of the approval thereof, the EIA Phase may proceed or continue with the tasks contemplated in the Plan of Study for EIA. The purpose of this stage of the EIA is to undertake specialist investigations to address the issues identified through the Scoping process which may be of significance to the consideration of the application. The specialists will build on the information that was gathered for Phase 1, but will focus their studies on the area under assessment. The specialist studies will include the assessment of alternatives, identification of impacts and the determination of the significance of impacts. Specialists will, where appropriate, formulate mitigatory measures to maximise positive benefits or avoid/ minimise potential negative impacts.

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

The Draft EIA Report and Environmental Management Programme (EMPr) will be prepared and released for a **30-day** review period and will include, amongst others, the following:

- Address issues that have been raised through the Scoping process
- Assess alternatives in relation to the proposed activity, including different means of meeting the general purpose and requirements of the activity (including No Go Option)
- Assess potential impacts
- Recommend management actions to enhance positive benefits or avoid/ minimise negative impacts.

All registered I&APs will be notified of the 30-day comment period in writing. All comments received from I&APs and authorities via meetings held or written correspondence during this period are compiled into a Comments and Responses Trail for inclusion in the Final EIA Report. The Comments and Responses Trail will indicate the nature of the comment, when and who raised the comment, as well as indicate how the comment received has been considered in the Final EIA Report, in the project design or the EMPr for the project.

- **Final EIA Report and EMPr Submission**

The Final EIA Report, including the Comments and Responses Trail and EMPr will be compiled for submission to the competent authority for their consideration (DEDEAT). The applicant must within **106 days** of acceptance of the Scoping Report submit to the competent authority an Environmental Impact Report, inclusive of specialist studies and an EMPr which has been subjected to a **30-day** public participation process. All I&APs on the project database will be notified in writing of the submission of the Final EIA Report.

#### **Phase 4: Decision Making and Appeal Period**

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

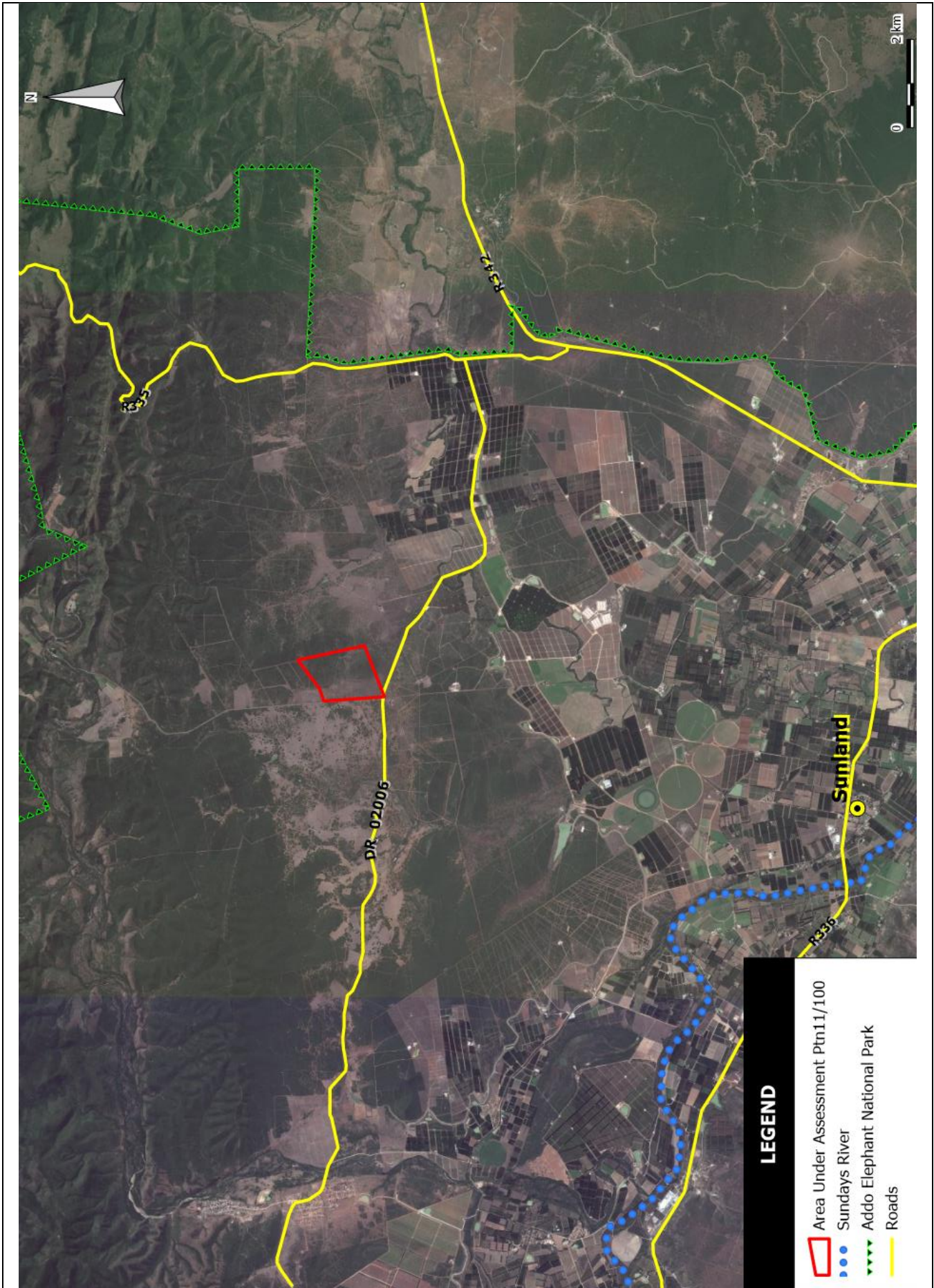
#### **WHAT IS YOUR ROLE AS AN I&AP?**

1. I&APs are required to respond to the letters of notification and/ or newspaper advertisements and register their interest on the project database.
  - By emailing, faxing or mailing a comment form to the participation consultant indicated below.
  - By registering your interest in the project, you will be kept informed of the process and will be notified of any opportunities to comment.
2. I&APs are required to state their area of interest and/ or concern in the matter.
  - By emailing, faxing or mailing a comment form to the public participation consultant indicated below.
3. By telephonically contacting the public participation consultant if you have a query, comment, or require further project information.
4. By reviewing the Draft Reports and submitting any comments/ issues within the specified comment periods.

#### **WHO SHOULD YOU CONTACT?**

Sandy Wren, Public Process Consultants  
PO Box 27688, Greenacres, 6057.  
Phone 041-374 8426  
Fax 041-373 2002  
Email [sandy@publicprocess.co.za](mailto:sandy@publicprocess.co.za)

**Information on the project can be downloaded from the following website: [www.publicprocess.co.za](http://www.publicprocess.co.za)**



**LEGEND**

- ▭ Area Under Assessment Ptn11/100
- ⋯ Sundays River
- ⋯ Addo Elephant National Park
- Roads

Locality of Portion 11 of Farm Kremlin No. 100 (Tango), in relation to major roads and towns, in the Sundays River Valley Municipality.