

ENVIRONMENTAL IMPACT ASSESSMENT BACKGROUND INFORMATION DOCUMENT



THE PROPOSED CITRUS DEVELOPMENT ON THE FARM KEUR KLOOF NO. 56, PATENSIE, WITHIN THE KOUGA LOCAL MUNICIPALITY, EASTERN CAPE PROVINCE

INTRODUCTION

Habitat Link Consulting (Pty) Ltd has been appointed by JB Ferreira Boerdery BK (the Proponent) to apply for an Environmental Authorisation (EA) for the abovementioned project. Notice is hereby given in terms of the National Environmental Management Act (NEMA) (Act No. 107 of 1998, as amended) of the proposed citrus development on Portion 2 of the Farm Keur Kloof No. 26, located within the Kouga Local Municipality, Eastern Cape Province (Figure 1). The development will include the cultivation of approximately 33.8 hectares (ha) of land for citrus including service tracks and irrigation pipelines within the same footprint, the development of a farm reservoir (3 000 m³) for water storage and the installation of water supply pipelines (550 m) from an existing water off-take point.



Figure 1: Locality map of the proposed Keur Kloof citrus development.

AIM OF THIS DOCUMENT

The purpose of this Background Information Document (BID) is to ensure that people who are interested in, or affected by, the proposed project are provided with the relevant information, including the process being followed. Registering as an Interested and/or Affected Party (I&AP) allows individuals or groups to contribute ideas, issues, and concerns relating to the proposed project. I&APs also have an opportunity to review all of the reports and submit their comments on these reports. All of the comments that are received will be included in the final reports that are submitted to the Competent Authority (CA). All I&APs are hereby invited to register their interest and submit initial comments on any aspect of the project.

PROJECT DESCRIPTION

The proposed development includes the clearance of approximately 33.8 ha of the 439-ha property for the establishment of citrus orchards, as well as the routing of water pipelines and the construction of a farm reservoir for irrigation purposes (Figure 2). The citrus will be laid out in ten (10) orchard 'blocks' and will be separated by service tracks that will double as routes for the irrigation pipelines. It is anticipated the main service tracks amongst the individual orchards will remain unpaved and new main access tracks leading to the orchards will be gravel surfaces designed to be suited to tractors and other farm vehicles. The project development footprint can be summarised as follows:

- Citrus orchards: 33.8 ha – including 2.8 km of service tracks and irrigation lines;
- Farm reservoir: 3 900 m²; and
- Water supply pipelines: 550 m.

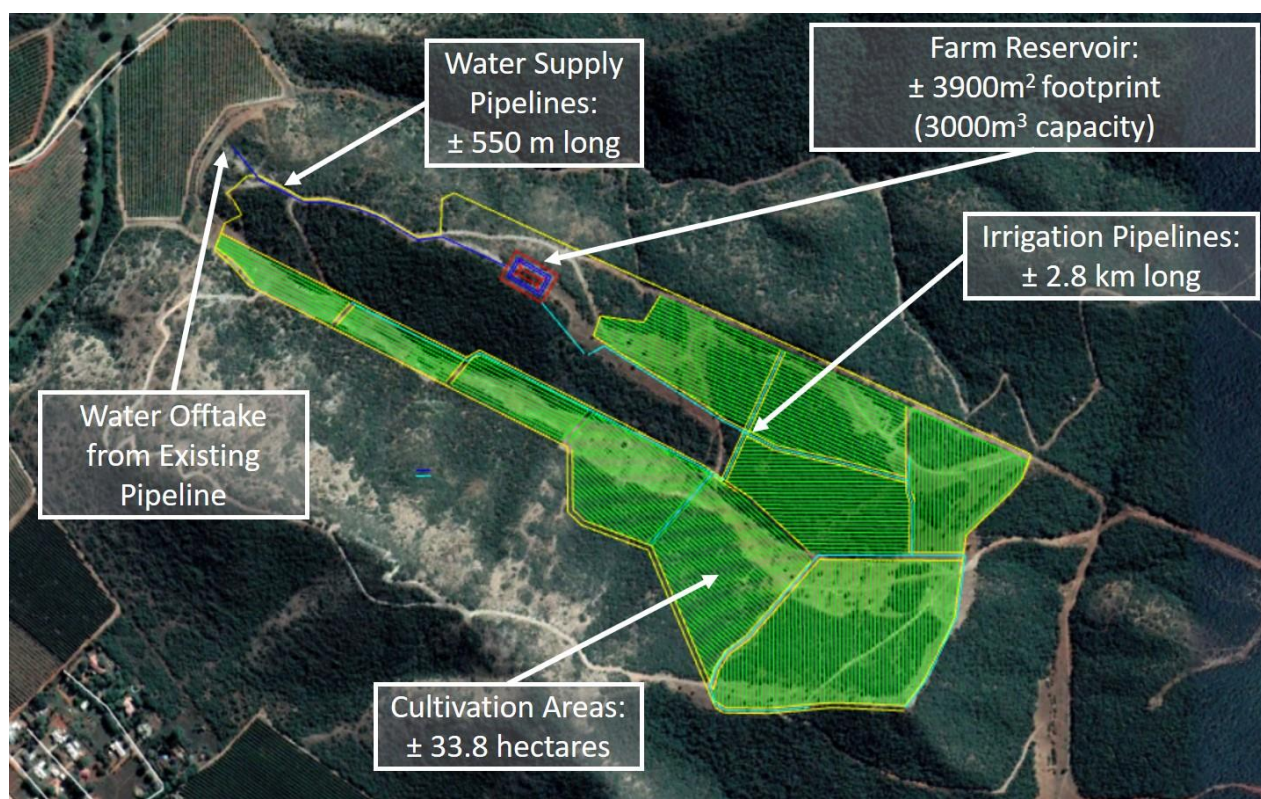


Figure 2: Proposed Keur Kloof citrus development layout.

Water will be sourced from the existing abstraction point at the Klein River, currently used to irrigate existing orchards located directly north-west of the proposed development areas. A new pipeline, approximately 550 m in length, will be implemented to transfer water, via a pump system, to the proposed farm reservoir. The reservoir will have a total capacity of 3 000 m³. The reservoir's location, situated at a relatively higher altitude to the proposed orchards, will allow for irrigation of the citrus via gravity-fed irrigation pipelines that will be constructed along the boundaries of the orchards.

APPLICABLE LEGISLATION

National Environmental Management Act (NEMA) (Act No. 107 of 1998, as amended)

The proposed development constitutes a number of listed activities in terms of the 2014 EIA Regulations (as amended in 2017) as promulgated under NEMA. As such, the proposed development requires an EA prior to commencement of construction and operation. The following listed activities published in GN R. 983, 984 and 985 (as amended in GN R. 327, 325 and 324) are triggered:

No.	Description	Triggering activity
LISTING NOTICE 1 – GN R. 983 (GN R. 327)		
Activity 9	The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water— (i) with an internal diameter of 0,36 metres or more; or (ii) with a peak throughput of 120 litres per second or more.	The proposed development will include the implementation of infrastructure for the bulk transportation of water that will be approximately 3.4 km in total length. At this stage, the internal diameter and peak throughput of the pipeline is unknown.
Activity 19	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.	The proposed development involves the removal and depositing of soil over a 33.8 ha area that traverses a non-perennial drainage line as defined by the National Geo-spatial Information (NGI) database.
LISTING NOTICE 2 – GN R. 984 (GN R. 325)		
Activity 15	The clearance of an area of 20 hectares or more of indigenous vegetation.	The proposed development site will require clearance of approximately 33.8 ha of indigenous vegetation.
LISTING NOTICE 3 – GN R. 985 (GN R. 324)		
Activity 2	The development of reservoirs, excluding dams, with a capacity of more than 250 cubic metres. a. Eastern Cape ii. Outside urban areas, in: (ff) 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;	The proposed development includes the construction of a water reservoir with a capacity of 3 000 m ³ . The reservoir will be developed within the Eastern Cape in an area located approximately 5 km from the Groendal Nature Reserve (a formal protected area as defined by NEMPAA).
Activity 4	The development of a road wider than 4 metres with a reserve less than 13,5 metres. a. Eastern Cape ii. Outside urban areas, in: (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;	The proposed development will include a number of service tracks and, potentially, new gravel access roads wider than 4 m. The roads will be developed within the Eastern Cape in an area located approximately 5 km from the Groendal Nature Reserve (a formal protected area as defined by NEMPAA).
Activity 12	The clearance of an area of 300 square metres or more of indigenous vegetation. a. Eastern Cape ii. Within critical biodiversity areas identified in bioregional plans.	The proposed development site will require clearance of 33.8 ha of indigenous vegetation. A section of the proposed development is located within an area identified as a Critical Biodiversity Area (CBA) as per the Eastern Cape Biodiversity Sector Plan (ECBCP, 2007).

Based on the listed activity identified in **Listing Notice 2**, the proposed project will be **subject to scoping and environmental impact reporting (S&EIR) process**. In order to comply with the NEMA, the impacts associated with the activities listed above will need to be identified and assessed during this process and will include the necessary specialist studies. The Competent Authority (CA) for this project is identified as the Member of the Executive Council (MEC) of the Eastern Cape Department of Economic Development, Environmental Affairs and Tourism (DEDEAT).

National Water Act (NWA) (Act No. 36 of 1998, as amended)

The NWA is the primary regulatory legislation for the control, management and use of water resources. Section 21 of the NWA sets out water uses that may require registration or licencing. This includes any development activities that may impact upon the flow and function of watercourses. The proposed development may occur within 500 m of a wetland and/or may cross a natural drainage line. As such, the need for a Section 21 (c) and (i) water use authorisation (WUA) will need to be discussed with the Department of Water and Sanitation (DWS). Should a WUA be required, this will be undertaken in parallel with the S&EIR process.

National Heritage Resources Act (NHRA) (Act No. 25 of 1999, as amended)

The NHRA provides for the protection and management of South Africa's heritage resources. Section 38 of the NHRA notes that *'any person who intends to undertake a development categorised as—*

(c) any development or other activity which will change the character of a site—

(i) exceeding 5 000 m² in extent

must at the very earliest stages of initiating such a development, notify the responsible heritage resources authority and furnish it with details regarding the location, nature and extent of the proposed development.'

The proposed 33.8 ha development will change the character of the site. As such, a Heritage Notice of Intent to Develop (NID) will thus need to be submitted to the provincial heritage authority, along with a Heritage Assessment. This will be undertaken in conjunction with the NEMA process.

POTENTIAL IMPACTS ASSOCIATED WITH THE DEVELOPMENT

The following preliminary environmental issues have been identified and will be investigated during the application process:

- Loss of vegetation communities;
- Impacts on biodiversity and plant Species of Conservation Concern;
- Disruption of ecosystem function and processes (e.g. invasion of alien plant species);
- Impact on faunal habitats;
- Impact on water availability and water resources;
- Soil compaction and erosion;
- Dust, noise and other nuisance aspects;
- Generation of waste (e.g. fruit waste);
- Impact on visual aesthetics;
- Loss of sites of archaeological and/or palaeontological importance;
- Employment creation and socio-economic benefits; and
- Improvement in food security.

These and other impacts will be assessed in detail during the S&EIR process and mitigation measures to reduce the significance of the negative impacts will be provided in the Environmental Management Programme (EMPr).

SCOPING AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS

The listed activities trigger the requirement of an S&EIR process (Figure 3). This process is initiated through a scoping phase as dictated by Section 21 of the 2014 NEMA EIA Regulations (as amended in 2017). The scoping process serves to bring stakeholders on board by means of consultation with relevant government departments, allowing for the identification of potential issues and concerns at the onset of the study. After completion of the scoping phase, detailed specialist studies will be undertaken in order to address issues identified during the scoping phase. The drafting of the EIA report is then undertaken in accordance with Section 23 of the 2014 NEMA EIA Regulations (as amended in 2017). All draft reports are submitted for public review as per Section 41 of the regulations. The recommendations cited in the EIA report are detailed in an EMPr, which defines the actions to be implemented, and is required to be submitted alongside the EIA report.

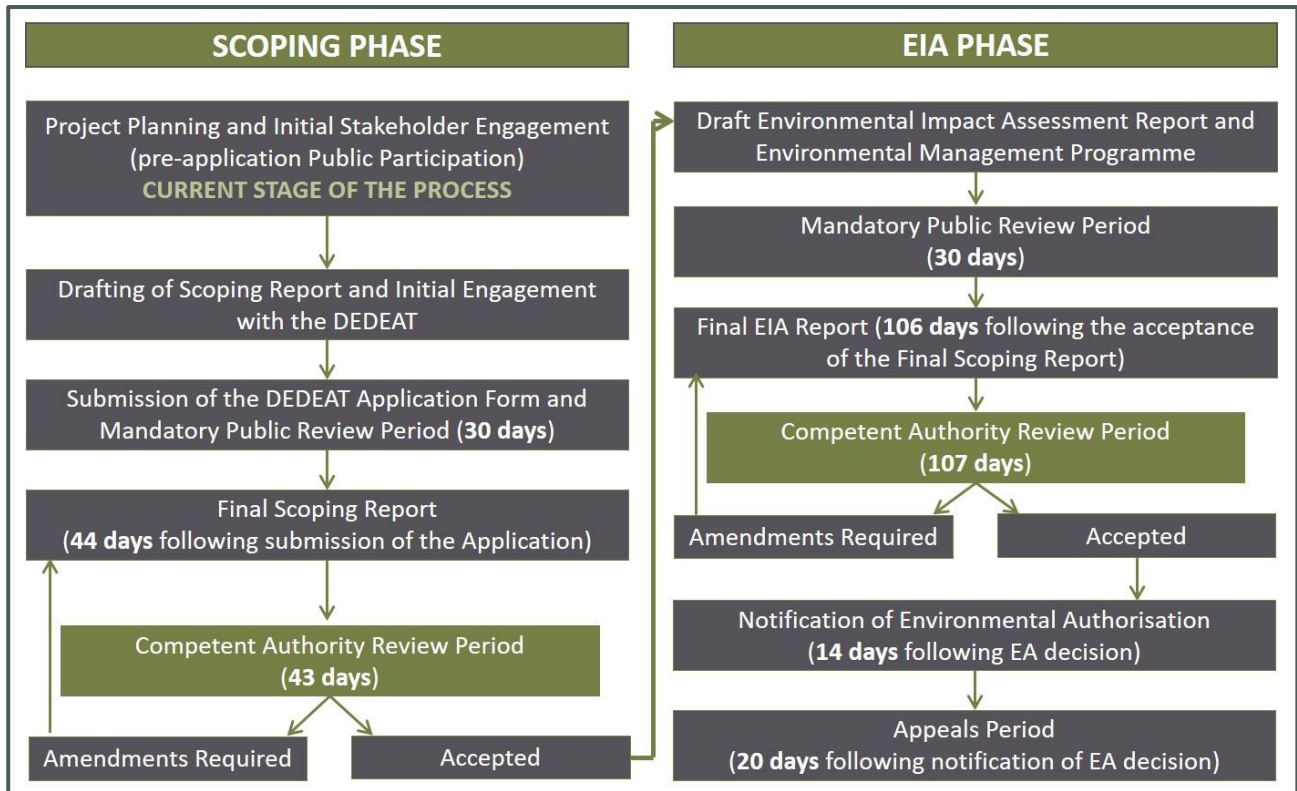


Figure 3: Scoping and Environmental Impact Reporting (S&EIR) process.

PUBLIC PARTICIPATION PROCESS

In terms of NEMA, public participation forms an integral part of the S&EIR process. The Public Participation Process (PPP) provides people who may be affected by the proposed development with an opportunity to provide comment and to raise issues of concern about the project, or to make suggestions that may result in enhanced benefits for the project. Comments and issues raised during the PPP will be captured, evaluated and included in an Issues and Responses Trail (IRT). These issues will be addressed and included in the final versions of the S&EIR reports, which will be submitted to the DEDEAT.

INVITATION TO COMMENT

Should you wish to express your views regarding this proposed development, please send us your written comments. The names of all registered Interested and Affected Parties (I&APs), together with the comments received, will be incorporated into the IRT and will be submitted to the competent authority (DEDEAT). Please note that I&APs must provide their name, contact details (postal address, telephone number and email address) and an indication of any direct business, financial, personal, or other interest they may have in the approval or refusal of the proposed development.

Please submit your name, contact information (address, telephone number, email address, postal address) and any written comments to Habitat Link Consulting:



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