

BACKGROUND INFORMATION DOCUMENT

PRE-APPLICATION NOTICE

JEFFREYS BAY SEWER RISING MAIN, KOUGA LOCAL MUNICIPALITY, EASTERN CAPE

CEN Integrated Environmental Management Unit

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PURPOSE OF THE BACKGROUND INFORMATION DOCUMENT

The purpose of this Background Information Document (BID) is to provide stakeholders with additional information, the opportunity to register as Interested and Affected Parties and to obtain their comments on the proposed activities for the **Jeffreys Bay Sewer Rising Main**, in the Kouga Local Municipality, Sarah Baartman District Municipality, Eastern Cape.

The **Kouga Local Municipality** will be applying for an **Environmental Authorisation** in terms of the **Environmental Impact Assessment (EIA) Regulations, 2014**, as amended. This application will be done in terms of activities listed in Government Notice R.327, R.324 of 7 April 2017, published in terms of Section 24(5) of the National Environmental Management Act, 1998, as amended. The proposed activities require that a **Basic Assessment** process be undertaken and the relevant authority is the **Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)**.

The **Kouga Local Municipality** will also apply for a **Water Use Licence / General Authorisation** for Section 21 (c) and (i) water use in terms of the National Water Act, 1998 (No. 36 of 1998). The water use application will be submitted to the **Department of Water and Sanitation (DWS)**.

If you would like to participate in the process, please register yourself and/or your organization as an Interested and Affected Party. In participating in the EIA process, your consent is provided for your information to be added to the Interested and Affected Parties (I&AP) Database as required by the EIA Regulations, 2014. Submit issues or comments that you feel need to be addressed by completing the response form or in a letter or by email to:

CEN IEM Unit

Dr Mike Cohen / Mrs Lucille Behrens

Fax: 086 504 2549

Email: steenbok@aerosat.co.za / lucille@environmentcen.co.za

**REGISTRATION AS AN INTERESTED AND AFFECTED PARTY AND ALL
COMMENTS MUST BE SUBMITTED WITHIN 30 DAYS OF THE DATE OF THIS
NOTICE.**

DATE OF NOTICE – 17 MARCH 2023

CLOSING DATE FOR COMMENTS – 19 APRIL 2023

1. THE PROPOSED PROJECT

1.1. Introduction

CEN IEM Unit has been appointed by MJM Consulting Engineers on behalf of the Kouga Local Municipality to undertake the EIA process as the independent Environmental Assessment Practitioner (EAP) for the proposed upgrading of the Jeffreys Bay Sewer Rising Main.

The applicant for an Environmental Authorisation will be the Kouga Local Municipality.

1.2. Proposed Activity

The proposed project entails the upgrading of the sewer rising main pipeline from Dolphin Drive to the Jeffreys Bay Wastewater Treatment Works (WWTW). The proposed pipe diameters are 450mm to 500mm.

The proposed upgrading of the Jeffreys Bay Sewer Rising Main will be located from Dolphin Drive in a westerly direction along Koraal Street to Pumpstation 4A, thereafter along a gravel road in a westerly direction and will turn in a northerly direction along the Jeffreys Bay WWTW gravel road, ending at the WWTW.

The pipeline will be located within road reserves and is approximately 4km in length.

1.3. Locality

The pipeline route is located on Erf 1344 and Erf 913 Jeffreys Bay, Portions 125, 1, 2, 78 of the Farm Estate Klein Zeekoe River 335 located in Wards 11 and 14 in the Kouga Local Municipality, Sarah Baartman District Municipality, Eastern Cape. Refer to **Figures 1 and 2**.

The geographic co-ordinates of the start point is: 34° 3'15.93"S, 24°54'54.54"E, turning point: 34° 3'9.11"S, 24°53'19.04"E and end point: 34° 2'21.22"S, 24°53'20.01"E.

The SG 21 digit Codes are reflected below.

Erf / Farm Portion	SG 21 digit Code
Erf 1344 Jeffreys Bay	C03400060000134400000
Erf 913 Jeffreys Bay	C03400060000091300000
Portion 125 of the Farm Estate Klein Zeekoe River 335	C03400000000033500125
Portion 1 of the Farm Estate Klein Zeekoe River 335	C03400000000033500001
Portion 2 of the Farm Estate Klein Zeekoe River 335	C03400000000033500002
Portion 78 of the Farm Estate Klein Zeekoe River 335	C03400000000033500078

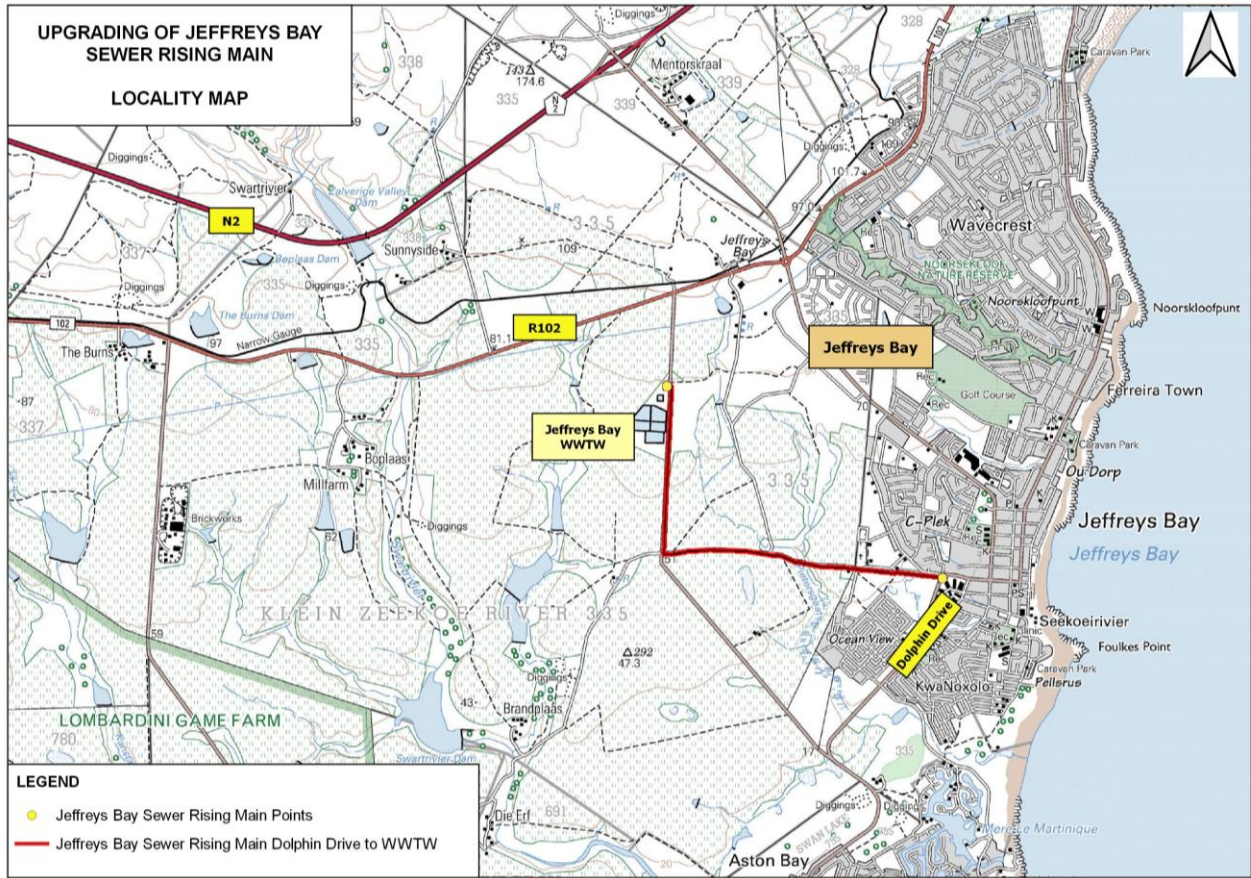


Figure 1: Locality Map



Figure 2: Site Locality

2. ENVIRONMENTAL ASSESSMENT PROCESS

2.1. National Environmental Management Act and EIA Regulations (2014)

The Minister of Environmental Affairs has in terms of Sections 24 and 24D of the National Environmental Management Act (Act No. 107 of 1998, NEMA), as amended, listed the activities that require an environmental assessment.

The purpose of the environmental assessment is to identify potential impacts associated with the development and to recommend measures to avoid or reduce adverse impacts and enhance beneficial or positive impacts.

The following activities are subject to a **Basic Assessment** process in terms of the Environmental Impact Assessment (EIA) Regulations 2014, made under Section 24(5) of NEMA and amended in Government Notice R.327, R325, R.324 of 7 April 2017. Additional listed activities may be identified as the process is undertaken. The competent authority is the **Department of Economic Development, Environmental Affairs and Tourism (DEDEAT)**.

Listed Activity	Description
<p>Listing Notice 1: Activity 10:</p> <p>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –</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 excluding where—</p> <p>(a) such infrastructure is for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve; or</p> <p>(b) where such development will occur within an urban area</p>	<p>The upgrading of the Jeffreys Bay Sewer Rising Main would be over a length of 4km and the pipe diameters are 0.45m to 0.5m.</p> <p>This activity would not be applicable due to the exclusion of the sewer rising main being located within road reserves.</p>
<p>Listing Notice 1: Activity 12:</p> <p>The development of— (ii) infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</p> <p>excluding— (dd) where such development occurs within an urban area; (ee) where such development occurs within existing roads, road reserves or railway line reserves.</p>	<p>The upgrading of the Jeffreys Bay Sewer Rising Main would cross a watercourse.</p> <p>This activity would not be applicable due to the exclusion of the sewer rising main being located within road reserves.</p>
<p>Listing Notice 1: Activity 19:</p> <p>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.</p>	<p>This activity is applicable as the Jeffreys Bay Sewer Rising Main will cross watercourses, namely Pietersgaat.</p>
<p>Listing Notice 3: Activity 12:</p> <p>The clearance of an area of 300m² or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.</p> <p>a. Eastern Cape</p> <p>i. Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of</p>	<p>This activity is applicable as portions of the Jeffreys Bay Sewer Rising Main will be located in an endangered ecosystem, i.e. Humansdorp Shale Renosterveld.</p>

Listed Activity	Description
such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004.	
<p>Listing Notice 3: Activity 14: The development of— (ii) infrastructure or structures with a physical footprint of 10 square metres or more; where such development occurs— (a) within a watercourse; or (c) if no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse; a. Eastern Cape i. Outside urban areas: (ee) Sites or areas identified in terms of an international convention (ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans. (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</p>	<p>This activity is applicable as the Jeffreys Bay Sewer Rising Main will cross a watercourse and will be within 32m of a watercourse. The pipeline is located within an urban area as well as outside an urban area, and within the following identified areas: Garden Route Biosphere Reserve within Transitional and Buffer areas Terrestrial and Freshwater CBAs of the Eastern Cape Biodiversity Sector Plan (2019) 5km of Seekoei River Nature Reserve</p>

2.2. National Water Act and Water Use Activities

The National Water Act, 1998 (Act No. 36 of 1998) [NWA] aims to regulate the use of water and activities, which may impact on water resources through the categorisation of ‘listed water uses’. Such activities require authorisation by the **Department of Water and Sanitation (DWS)** before such an activity may take place.

Activities for the water uses associated with the proposed project, include the following:

Activity	Description
<p>Section 21(c) Impeding or diverting the flow of water in a watercourse Section 21(i) Altering the bed, banks, course or characteristics of a watercourse</p>	<p>Portions of the pipeline are located within 100m of watercourses and 500m from wetlands.</p>

3. IDENTIFIED ISSUES / IMPACTS

As we progress with the environmental investigations we will identify potentially beneficial and adverse impacts. All identified issues will be subjected to an assessment to determine if they are significant and if they require additional investigation. Possible mitigation measures will also be provided to reduce the anticipated adverse impacts. Based on our preliminary investigations, together with the DFFE Screening Tool, we have identified the following specialist assessments:

- ✿ Terrestrial Biodiversity Assessment, including Plant Species Assessment
- ✿ Paleontological, Archaeological & Heritage Assessment
- ✿ Aquatic Biodiversity Assessment

4. DESCRIPTION OF TASKS IN THE EIA ASSESSMENT PROCESS

- ✿ Public participation starts announcing the proposed project, and registration of Interested and Affected Parties (I&APs). Newspaper advertisements and site notices are placed, and notifications are also sent to identified stakeholders. – We are here in the process. Refer to Figure 3.
- ✿ An application for an Environmental Authorisation will be submitted to the competent authority, namely the DEDEAT for this project.
- ✿ A Basic Assessment Report is compiled that considers inputs from stakeholders, I&APs and specialists.
- ✿ Once the Basic Assessment Report is compiled, it is then submitted for a 30 day review period to registered I&APs and stakeholders. This enables you to comment on the Draft Basic Assessment Report and accompanying Draft Environmental Management Programme.
- ✿ Your comments are incorporated and the reports are then finalised.
- ✿ These final reports are submitted to the competent authority for consideration.
- ✿ The competent authority reviews the documents and decides whether the project can proceed or not, their decision is known as an Environmental Authorisation (EA).
- ✿ A copy of the EA is made available to you to consider, along with the reasons for the decision made. If you disagree with the decision, you are provided with information on how to lodge an appeal.

5. HOW DO YOU PARTICIPATE

Register as an Interested and/or Affected Party (I&AP) in order to comment on the proposed application and raise issues or concerns that you feel needs to be considered during the process.

Complete the attached registration form and submit it to the contact details as reflected. Upon submission of the registration form to CEN IEM Unit, you will be registered as an I&AP, and be included on an I&APs database which will ensure that you receive future project notifications.

Regulation 42 of the EIA Regulations, 2014 as amended, requires a register of interested and affected parties to be opened and maintained throughout an EIA process. This register must contain the names, contact details and addresses of (a) all persons who, as a consequence of the public participation process conducted, have submitted written comments or attended meetings; (b) all persons who have requested in writing, for their names to be placed on the register.

In participating in the EIA process, your consent is provided for your personal information (names, contact details and addresses) to be added to the Interested and Affected Parties (I&AP) Database as required by the EIA Regulations, 2014.

Please note the I&AP database is required to be included in any draft or final EIA reports, however CEN IEM Unit will endeavour to not make your personal information (contact details or addresses) available in reports that are provided in the public domain.

If a commenting party has any objection to his or her name, or the name of the represented company / organisation being publicly available such objection is to be highlighted as part of the comments submitted.

CEN IEM Unit will maintain the I&AP database until the end of the EIA Process, and will not wilfully or intentionally distribute this information to a 3rd party.

In certain circumstances, e.g. appeals of Environmental Authorisations, CEN IEM Unit may be required to provide the I&AP database to the Applicant on closure of the EIA Process.

Please note if you do not want to be included in the I&AP database, please advise us in order for your details to be removed. Otherwise it is deemed that you consent for your details to be included, in terms of the Protection of Personal Information Act (No. 4 of 2013 (POPIA)).

If you intend to register as an I&AP or forward comments regarding the proposed application, please submit your completed registration form to CEN IEM Unit by **19 APRIL 2023**.

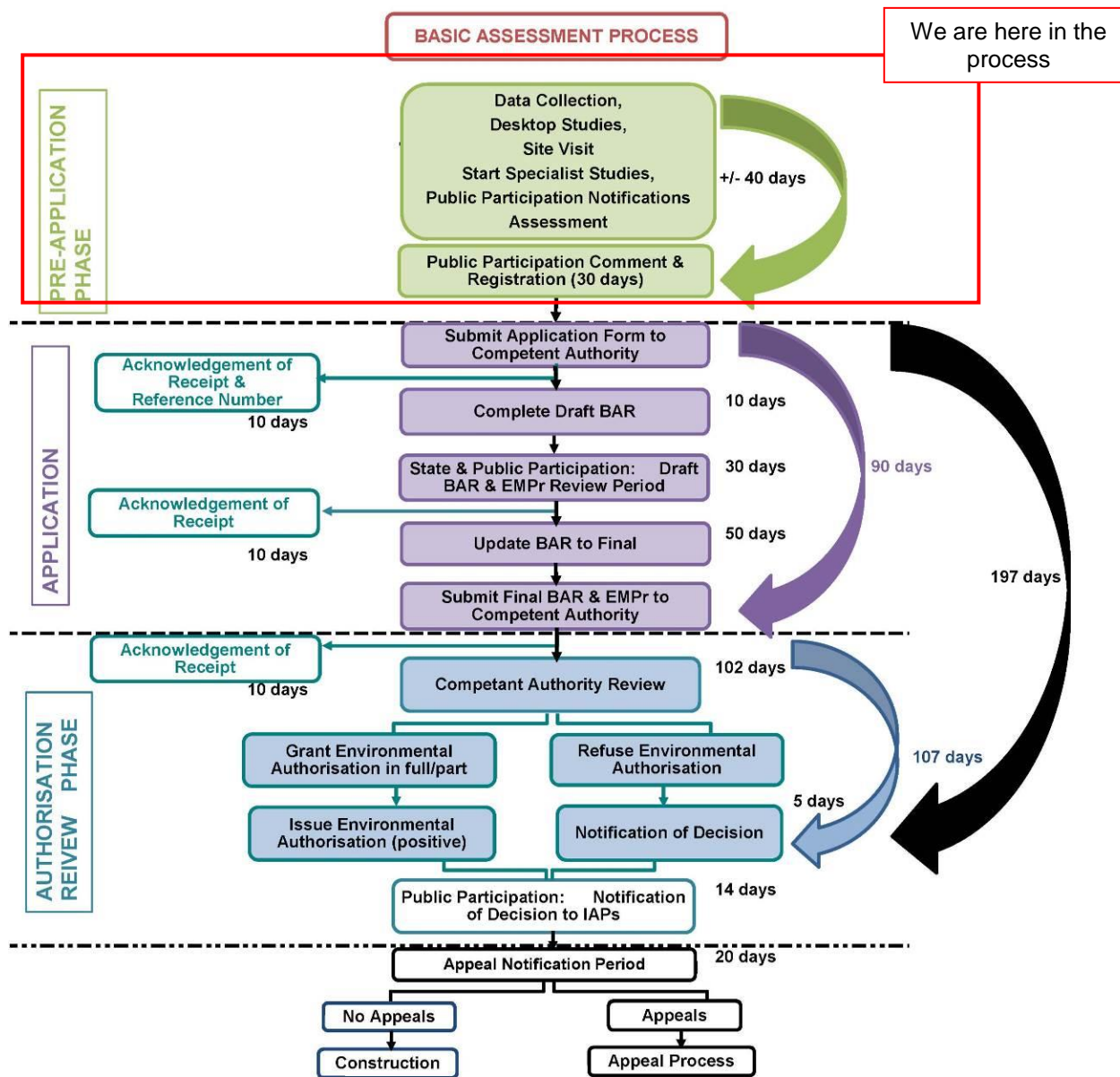


Figure 3: Basic Assessment Process, EIA Regulations 2014



CEN IEM UNIT

Fax 086 504 2549

Email steenbok@aerosat.co.za / lucille@environmentcen.co.za

REGISTRATION / COMMENT SHEET

JEFFREYS BAY SEWER RISING MAIN, Kouga Local Municipality, Eastern Cape,

Date of Notice: 17 MARCH 2023

I wish to register as an Interested and / or Affected Party and request that the following issues receive attention during the assessment process.

In participating in the EIA process, your consent is provided for your personal information (names, contact details and addresses) to be added to the Interested and Affected Parties (I&AP) Database as required by the EIA Regulations, 2014.

If a commenting party has any objection to his or her name, or the name of the represented company / organisation being publicly available such objection is to be highlighted as part of the comments submitted.

Closing Date for Comments: 19 APRIL 2023

Name of Respondent: _____

Organisation / Company: _____

Address: _____

Fax Number: _____

Tel Number: _____

Email: _____

Please use additional sheets as necessary

Signature: _____

Date: _____