

**BACKGROUND INFORMATION DOCUMENT (BID)
BASIC ENVIRONMENTAL IMPACT ASSESSMENT (BAR) FOR THE PROPOSED
UMZIMKHULU BULK WATER PIPELINE, KWAZULU-NATAL PROVINCE**

PURPOSE OF THIS DOCUMENT

SPHE Consulting Services (Pty) Ltd was appointed by Impande Consulting Engineers (Pty) Ltd to conduct an Environmental Impact Assessment [Basic Assessment Process] in *terms of Regulations 19 to 20 of the Regulations compiled in terms of Chapter 4 of the Environmental Impact Assessment Regulations of 2017, for this project which will be registered with the National Department of Environmental Affairs (DEA).*

The purpose of this Background Information Document (BID) is to inform interested and/or affected parties (I&AP's) of the Environmental Basic Assessment Process (BA) that will be conducted for the proposed Development of the Land around the UMzimkhulu area.

In addition to supplying information about the proposed Project, this BID will also provide I&AP's with the opportunity to:

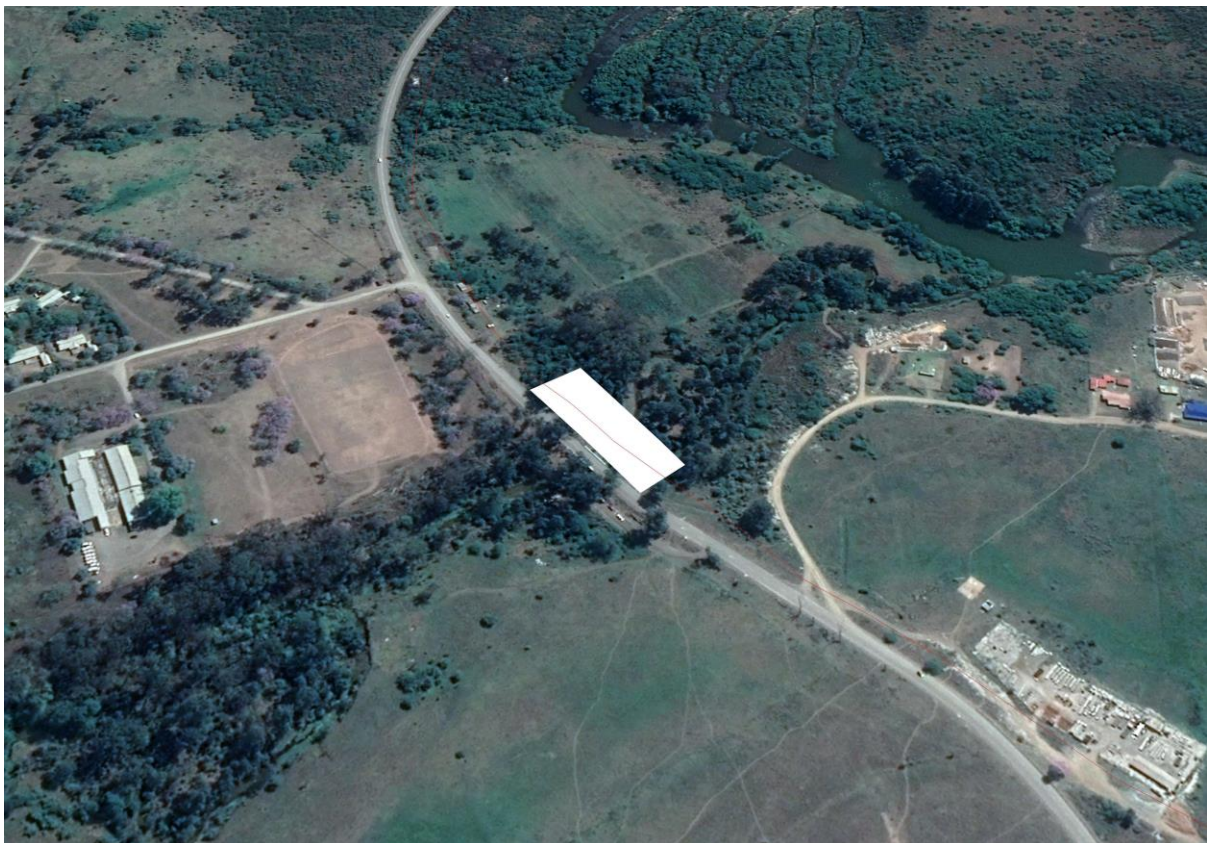
- ✓ **Register as stakeholders in the public participation process; and**
- ✓ **Provide initial comments on the proposed project.**

BACKGROUND TO THE PROPOSED PROJECT

Impande Consulting Engineers were appointed by the Herry Gwala District Municipality to construct the UMzimkhulu Bulk Water Pipeline. Impande Consulting Engineers appointed SPHE Consulting Services (Pty) Ltd and ZONHLA Hydro and Enviro services to conduct the environmental Impact Assessment and the Water Use Licence Application.

MOTIVATION FOR THE PROJECT

The people of the Harry Gwala District Municipality are highly in need for clean drinking water. Recently there has been service delivery protests and the main issue is that of clean drinking water. The provision of clean drinking water will play a vital role in improving lives of the people of Harry Gwala District and will also improve the economy of the area. Local community members will be employed during the construction phase of the project. The implementation of this project will be fulfilling the constitutional rights of the people of Harry District Municipality, everyone has a right to clean drinking water.



Proposed Site for the Development

ENVIRONMENTAL AUTHORISATION PROCESS

What is a Basic Assessment Process?

A Basic Assessment (BA) is a process of collecting, organising, analysing, interpreting and communicating information that is relevant for the consideration of a particular application. BA's are undertaken where the impacts are less likely to have significant impacts on the receiving environment.

BA's are used by planning authorities/developers to obtain an independent and objective view of the potential environmental (biophysical and socio-economic) impacts that could arise during the construction and operation of the proposed development. This information needs to provide the Competent Authority with a sound basis for their decision-making. Environmental management and mitigation measures are also identified through the BA process.

National Environmental Management Act (NEMA)

In terms of the Environmental Regulations promulgated under the National Environmental Management Act (Act. No. 107 of 1998), the EIA will be conducted for the proposed development in terms of the new Environmental Impact Assessment [EIA] Regulations, 2017.

The table below provides the listed activities applicable to the project according to Gazette No. 40772 **211** under Notice No. 326 of the EIA Regulations, 2017. According to the EIA Regulations 2017, the project will be a Basic Assessment.

Table 1: Listed activities under EIA Regulations (2017)

Listed Activity 09 of GNR 327 of 07 April 2017: The development of infrastructure exceeding 1000 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;

excluding where-

(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve; or

(b) where such development will occur within an urban area.

Listed activity 19 of GNR 327 of 07 April 2017 : The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from-

(i) a watercourse;

(ii) the seashore; or

(iii) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater but excluding where such infilling, depositing, dredging, excavation, removal or moving-

(a) will occur behind a development setback;

(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; or

(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies.

COMPETENT AUTHORITY

The Competent Authority, as described according to the EIA Regulations 2014, for this proposed project is the National Department of Environmental Affairs (DEA) which will ultimately be responsible for providing a decision on whether the proposed Activity will be granted Environmental Authorisation (EA) in terms of NEMA.

THE BA PROCESS FOR THIS PROPOSED PROJECT

PHASE 1

Draft Basic Assessment Report

- Identify potential issues with the options identified & nominate preferred alternatives.
- I&AP's can assist the environmental specialist by ensuring that all possible environmental impacts are being considered.
- Detailed studies of potential positive and negative impacts associated with the preferred alternative.
- Findings of Impact Assessment Studies [Biodiversity & Heritage].

- Draft Environmental Management Programme [EMPr]

PHASE 2

Final Basic Assessment Report & EMPr

- Consolidate & finalise BAR;
- I&AP comments and concerns raised throughout the BAR will be addressed and included into the Final BAR.

PHASE 3

Decision Making Phase

- Authorities use BA findings to decide if the project should be authorised.

Environmental Issues to be investigated by SPHE Consulting Service during the BA Phase of the Proposed Project

- Soil erosion and sedimentation
- Water and soil pollution
- Loss of biodiversity
- Impacts on watercourses

The Public Participation Process

Public Participation will be for this proposed project.

The key objective of public participation during this BA will be to provide I&AP's with sufficient and transparent information on an on-going basis in order to ensure effective participation throughout the process. As part of this public participation process the I&AP's will be provided with the opportunity to comment on the findings of the Basic Assessment Report, which will be made available for public review during the process.

It is important that relevant I&AP's are identified and involved in the public participation process from the outset of the proposed project. In order to ensure effective public participation, the public participation process includes the following steps:

Public Participation Process for Basic Assessment

PHASE 1

Notification of commencement of BA Process

Primary purpose is to notify the IAP's of the project and invite them to register for the project, and include them in the following activities:

- Advertise the EIA Process (local or regional press)
- Notification/Invitation letters to identified stakeholders, IAP's and Organs of State informing & inviting them to become a part of the Public Participation Process
- Distribution of the BID

PHASE 2

Basic Assessment Process

Consultation with & transfer of information to Stakeholders & IAP's in order to identify issues associated with the proposed project. Consultation will be undertaken through:

- Telephonic conversations
- One-on-one interviews (where required)
- Focus Group Meetings (where required)
- A draft Basic Assessment Report will be made available for a period of 30 day for review and comment
- A public meeting will be held

PHASE 3

Decision Making

Registered stakeholders and I&AP's will be informed in writing of the Authority's decision regarding the project.

- There is an appeal period during which I&APs have the opportunity to appeal against the Environmental Authorisation (EA).
- This appeal period commences, within 14 days of the date of the decision on the EA.
- You will receive personal notification, once registered, by fax or e-mail of all documents available for comment, and due dates for comment at every stage.

Your responsibilities as an I&AP:

In terms of the EIA Regulations, your attention is drawn to your responsibilities as and I&AP:

- In order to participate in this BA process, register yourself on the project database.
- Inform any other parties (neighbours, friends, colleagues, etc) who may be interested and/or affected by the proposed project about the EIA process and encourage them to become involved.
- Ensure that any comments regarding the proposed project are submitted within the timeframes that have been approved or set by the Department, or within any extension of a timeframe agreed to by Department and the applicant (i.e. Uthukela District Municipality).

- Disclose any direct business, financial, personal or other interest which you may have in the approval or refusal of the application for the proposed Mama and Mphethu Pipeline project.

Our responsibilities as Independent Environmental Consultants:

In terms of the EIA Regulations, our responsibilities in the public consultation process include:

- Ensure that sufficient information regarding this proposed project is made available to you [I&AP's], either through the BID or providing information as and when requested.
- Ensure that you have an understanding of the proposed project to be able to comment informatively and to enable you to submit any concern in an informed manner.
- Ensure that the following actions are taken upon receiving any comments/queries/issues:
 - ✓ The contact details provided by are entered into the project database and that you as I&AP are sent all further information.
 - ✓ If queries or comments are sent, we are to respond in writing
 - ✓ If a call received, your details and queries / comments are recorded. Should we not be able to answer your question immediately, your call will be returned as soon as possible with a response.

How to become involved:

- A response via phone, fax or e-mail to our invitation for your participation, which will be advertised in the printed media [newspaper].
- Mail, fax or e-mail the attached Registration and Comment Form to SPHE Consulting Services (Pty) Ltd.
- Attend the meetings that may be held during the course of the project. Should you register as an I &AP you will automatically be invited to attend these meetings.
- Contact us telephonically should you have a query, comment or require further project information.
- Review the draft Basic Assessment Report within the 30-day review periods that will be stipulated in the advertisement as well as in your personalised letter.

If you consider yourself an I&AP for this proposed project, we urge you to make use of the opportunities created by the public participation process to become actively involved in the process and provide comment or concerns which affect and/or interest you, or about which you would like more information. Your input into this process forms a key part of the Environmental Studies and we would like to hear from you to obtain your views on the proposed project. Upon completing and submitting the accompanying Registration and Comment Form, you automatically register yourself as

an I &AP for this proposed project, and are ensured that your comments and/or concerns raised regarding the proposed project are noted.

The public participation consultants will respond to all comments and queries received during the course of the project.

COMMENTS AND QUERIES

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LIST OF ACRONYMS

BA	Basic Assessment
BID	Background Information Document
DEA	Department of Environmental Affairs
EA	Environmental Authorisation
EMPr	Environmental Management Programme
I&AP	Interested and Affected Party
NEMA	National Environmental Management Act