

**CLEARANCE OF INDIGENOUS VEGETATION
DRAFT SCOPING REPORT**

**PROPOSED CLEARANCE OF INDIGENOUS VEGETATION FOR CULTIVATION
ON PORTION 14 (REMAINING EXTENT) OF THE FARM BARBERTON
TOWNLANDS 369 JU AND ON PORTION 1 OF THE FARM RIVERSIDE 357 JU,
BARBERTON IN THE MPUMALANGA PROVINCE.**

**June 2023
DRAFT SCOPING REPORT
Ref Nr: Moyane/06/2023**

**Prepared for
Moyane Trading Enterprise (Pty) Ltd**

**Prepared by
Thelsa Trading and Projects (Pty) Ltd**

**CLEARANCE OF INDIGENOUS VEGETATION
DRAFT SCOPING REPORT**

ABBREVIATIONS

AIA	Archaeological Impact Assessment
CBA	Critical Biodiversity Area
CBD	Central Business District
DARDLEA	Department of Agriculture Rural Development Land and Environmental Affairs
EAP	Environmental Assessment Practitioner
EIA	Environmental Impact Assessment
EMPr	Environmental Management Programme
ESA	Ecological Support Area
HIA	Heritage Impact Assessment
I&APs	Interested and Affected Parties
IDP	Integrated Development Plan
MTPA	Mpumalanga Tourism and Parks Agency
MBSP	Mpumalanga Biodiversity Sector Plan
NEMA	National Environmental Management Act
SACAA / CAA	South African Civil Aviation Authority
SAHRA	South African National Heritage Resources Agency
SANBI	South Africa National Biodiversity Institute

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1. NEMA REGULATIONS 2014 AS AMENDED - REQUIREMENTS

Title	Draft Scoping Report – Moyane Trading Enterprise (Pty) Ltd
Purpose of this report	<p>This Draft Scoping report is available to all registered and potential Interested and Affected Parties (I&AP's).</p> <p>This Draft Scoping Report forms part of a series of reports and information sources that are being provided during the Environmental Impact Assessment (EIA) for the proposed clearance of indigenous vegetation. This is the first report in the series that that forms part of the environmental process. Registered I&APs will be given an opportunity to comment on the following reports as part of this environmental process:</p> <ul style="list-style-type: none"> - Draft Scoping Report, - Draft Environmental Impact Assessment Report, and - Draft Environmental Management Programme <p>In accordance with the regulations, the objectives of a scoping process is to, through a consultative process:</p> <ul style="list-style-type: none"> (a) identify the relevant policies and legislation relevant to the activity; (b) motivate the need and desirability of the proposed activity, including the need and desirability of the activity in the context of the preferred location; (c) identify and confirm the preferred activity and technology alternative through an impact and risk assessment and ranking process; (d) identify and confirm the preferred site, through a detailed site selection process, which includes an impact and risk assessment process inclusive of cumulative impacts and a ranking process of all the identified alternatives focusing on the geographical, physical, biological, social, economic, and cultural aspects of the environment; (e) identify the key issues to be addressed in the assessment phase; (f) agree on the level of assessment to be undertaken, including the methodology to be applied, the 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 through the life of the activity, including the nature, significance, consequence, extent, duration and probability of the impacts to inform the location of the development footprint within the preferred site; and (g) 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. <p>The Draft Scoping Report is available to all stakeholders for a 30 day review & comment period,</p>
Prepared for	Moyane Trading Enterprise (Pty) Ltd
Author	Gilbert Masuku

2. DETAILS OF ENVIRONMENTAL ASSESSMENT PRACTITIONER

The Candidate EAP, Gilbert Masuku is acting on behalf of Moyane Trading Enterprise (Pty) Ltd. Gilbert Masuku holds a BA in Environmental Management from the University of South Africa. The Candidate EAP has expertise in:

- Basic Assessment, Scoping and Environmental Impact Assessment
- Waste Management License Application,
- Water Use License Applications
- Environmental Auditing and Monitoring
- Public Consultation and Stakeholder Engagement

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Gilbert Masuku is an Environmental Consultant, who completed his Bachelor of Arts: Environmental Management at the University of South Africa (UNISA). Gilbert Masuku is registered with the Environmental Assessment Practitioners Association of South Africa (EAPASA Reg. No: 2019/1222). In addition to his qualification, he completed short courses in Geographic Information Systems (ESRI-SA) and Environmental Law & Compliance.

3. INTRODUCTION

Moyane Trading Enterprise (Pty) Ltd appointed Gilbert Masuku as an independent Candidate Environmental Practitioner (EAP) to undertake the required Scoping and Environmental Impact Assessment(S&EIA) in terms of the National Environmental Management Act 1998 (Act No. 107 of 1998) EIA Regulation 2014 as amended; for the proposed clearance of indigenous vegetation on Portion 14(Remaining Extent) of the Farm Barberton Townlands 369 JU and on Portion 1 of the Farm Riverside 357 JU, near Barberton in the City of Mbombela Local Municipality, Mpumalanga Province. The underlying purpose of clearing the site is to cultivate the land and undertake agricultural activities.

4. RIPARIAN RIGHTS

The northern portion of the proposed is located on Portion 1 of the Farm Riverside 357 JU has a certificate for irrigation from Inkomati-Usuthu Catchment Management Authority.

5. LOCATION

The project site is located on part of Portion 14(Re) of the Farm Barberton Townlands 369 JU and on Portion 1 of the Farm Riverside 369 JU. It is located on the R38 in Barberton (between the R40 entrance to the Barberton and T-junction of the R38 to Kaapmuiden and R40 to Josephsdal Border Post). On Portion 14(Re), there are active municipal infrastructures in a form of a borehole, waste water treatment plant, sewer pipes from town to the waste water treatment plant. On Portion 1 of the farm Riverside 357 JU there is a water package plant that draws water from the Queen's River to the Barberton Township.

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Table 1: The 21 Digit Surveyor General Code for each cadastral land parcel

Property description	S.G. code
Portion 14 (Re) of the Farm Barberton Townlands 369 JU	T0JU00000000036900014
Portion 1 of the Farm Riverside 357 JU	T0JU00000000035700001

Draft Scoping Report

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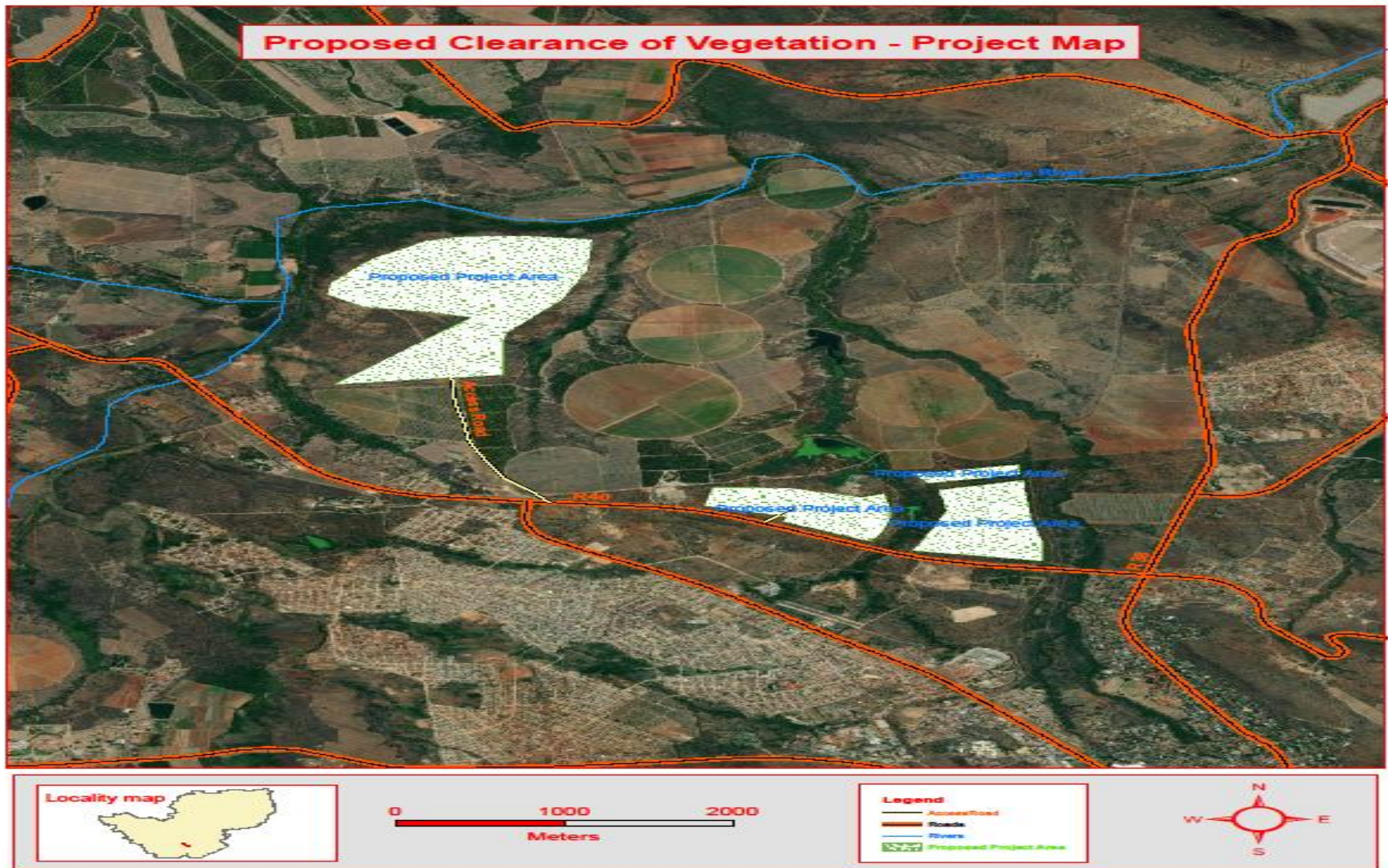


Figure 1: Locality Map

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The EIA report will enable the proponent to determine the areas which are less sensitive and thus may be transformed into agricultural areas in order to do the farming operations. The cleared area will be used to plant tobacco. Access to the site will be by way of the existing entrance to the municipal waste water treatment plants in order to prevent any gradual run off water. Furthermore, access to the northern site of the site will be by way of the existing municipal road to the package plant located at the side of the Queen's River. Farm roads will be less than 3.5m wide and will be designed to allow gradual controlled run off water using mitre drains and speed humps. Modern irrigation systems (micro-jet or dripline) will be installed to each field.

The actual dimensions, layout and configuration of the cultivated lands will be determined depending on the following issues:

- Soil suitability analysis by a recognized soil specialist.
- Technical requirements – runoff and storm water management, accessibility, slope, existing municipal infrastructure.
- Irrigation infrastructure and efficiency.
- Biophysical constraints – ecological corridors, drainage lines, sensitive areas and species of utmost concern.

7. NEED AND DESIRABILITY

7.1. Need

The Dept. of Agriculture, Fisheries and Environment (DAFF, 2011) affirms that access to available food is uneven, however some food security measures have made contributions in plummeting the number of people who go to bed hungry. The Masibuyele Emasimini Programme is one of the initiatives of the Mpumalanga Provincial Government to address food security through agriculture. Moyane Trading Enterprise (Pty) Ltd aims to make a meaningful contribution in addressing food security through commercial farming efforts. This will be achieved through job opportunities to jobless farm workers.

7.2. Desirability

The attributes hereunder determine the desirability of the proposed site

7.2.1. Location and accessibility

The site is accessible from the R40 tarred provincial road. The machinery will have reliable access to the site during physical clearance, harvesting and and/or colleting produce.

7.2.2. Compatibility with the surroundings

The site by and large is surrounded by agricultural activities, citrus cultivation and this evident in the land use and therefore will have negligible impact on the visual character of the surrounding area.

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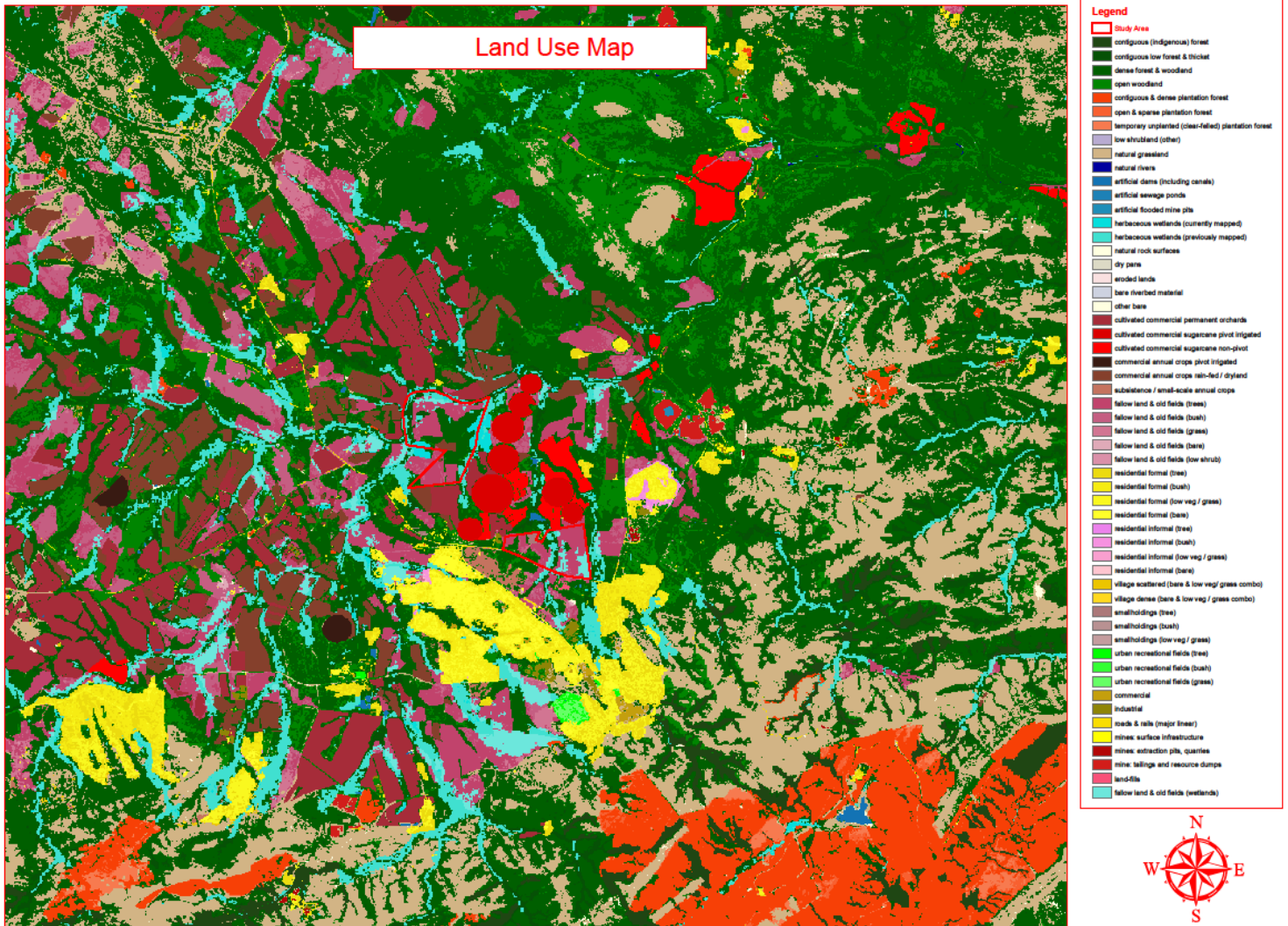


Figure 2: Surrounding Land Use Map

8. LEGISLATIVE FRAMEWORK

8.1. Constitution of the Republic of South Africa No 108 of 1996

Constitution of the Republic of South Africa Act no 108 of 1996 as amended has major inferences for environmental management. The main effects are the protection of environmental and property rights, the change brought about by the sections dealing with administrative law, such as access to information, just administrative action and broadening of the locus standing of litigants. These aspects provide general and overarching support and are of major assistance in the effective implementation of the environmental management principles and structures of NEMA. Section 24 in the Bill of Rights of the Constitution asserts that: Everyone has the right –

To an environment that is not harmful to their health or well-being; and

To have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that -

- *Prevent pollution and ecological degradation;*
- *Promote conservation; and*
- *Secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

8.2. Environmental Impact Assessment Regulations of 2014 and the National Environmental Management Act No 107 of 1998

According to section 24(5) and 44 of NEMA the Minister or Member of the Executive Council (MEC) may make regulations pertaining to applications under NEMA. The Minister (of Environmental Affairs) has made such regulations and the latest were published on 04 December 2014, Amended in April 2017. The EIA Regulations focus chiefly on creating a framework for co-operative environmental governance. NEMA provides for co-operative environmental governance by establishing principles for decision-making on matters affecting the environment, institutions that will promote cooperative governance and procedures for coordinating environmental functions exercised by State Departments and to provide for matters connected therewith.

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In accordance with the EIA Regulations of 2014 and activities listed in Listing Notice 2, the following listed activities are deemed applicable to the proposed development based on the information provided by the project proponent and specialists.

Table 2: Triggered activities according to the EIA Regulations of 2014 as amended

Activity No	Activity description	Intended activity
15	The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for— (i) the undertaking of a linear activity; or (ii) maintenance purposes undertaken in accordance with a maintenance management plan.	Proposed clearance of approximately 270 hectares of indigenous vegetation to establish new cultivated fields

8.3. Conservation of Agricultural Resources Act No 43 of 1983

This Act, seeks to put measures in place with regards to the utilization of the natural agricultural means of South Africa in order to encourage the conservation of the soil, the water sources and/or resources as well as the vegetation and the combating of weeds and alien plants. According to the amendments of the Regulations under the Act, landowners have a fiduciary duty to eradicate alien species on their properties.

8.4. National Heritage Resources Act No 25 of 1999

The National Heritage Resources Act, 1999, enacts the stipulation for cultural and heritage impact assessment in areas earmarked for development, which exceed 0.5 hectares (ha) and where linear developments (including roads) exceed 300 metres in length. The proposed development falls within 5km of Grade I: Heritage resources and 2 km within the Grade II: Heritage resources. However, these heritage sites are located within the Scheme and they will have no bearing on the proposed development.

8.5. Promotion of Access to Information Act No 2 of 2000

The Act embodies that fact that everyone has a Constitutional right of access to any information held by the state and by another person especially when that information is required to exercise or protect any rights. The

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Act aims to affirm a philosophy of transparency and accountability in public and private bodies and to promote a society in which people have access to information that enables them to exercise and protect their rights. With this in mind, the S&EIR process includes the public participation which is actually meant for members of the public who will be affected by a particular development including any other person with interests to be able to provide and raise their concerns regarding the intended development.

In light of this Act, the S&EIR process includes PP which in essence is a platform for communities affected by the proposed development as well as any other persons with interest to be given access to the information that forms part of this process so as to give comments and raise concerns about the proposed development. Therefore, all stakeholders are afforded a period of days in accordance with the EIA Regulations, 2014 to submit comments on both the draft scoping report and environmental impact report. After the comments are received from the stakeholders they get incorporated in comments and received response which actually forms part of each final report (FSR and Final EIR). The final report inclusive of the comments and response report will be submitted to the DARDLEA for decision making.

8.6. Occupational Health and Safety Act No 85 of 1993

The Act aims to make a provision for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery. Furthermore, the Act seeks to provide protection for persons other than persons at work against hazards to health and safety arising out of or in connection with the activities of persons at work; to establish an advisory council for occupational health and safety and to provide for matters connected therewith.

8.7. OTHER NATIONAL AND PROVINCIAL POLICIES AND/OR GUIDELINES

8.7.1. City of Mbombela Land Use Management Scheme

A portion of the proposed site is located within the City of Mbombela Land Use Management Scheme hereinafter referred to as the "Scheme" i.e. Portion 14 (Remaining Extent) of the Farm Barberton Townlands and it is zoned agriculture. In the Scheme, the land use rights determine what is allowed on the property in terms of the type of development, the bulk and intensity thereof and the conditions to which the development or land use are subject. The proposed activity falls within the land use rights which is agriculture. The other portion of the proposed site is located on Portion 1 of the Farm Riverside 357 JU and it falls outside of the City of Mbombela Land Use Management Scheme.

8.7.2. Integrated Environmental Management

Integrated Environmental Management (IEM) is a thinking for preservation that environmental considerations are fully integrated into all stages of the proposed development process and it seeks to strike a necessary balance between conservation and development (DEAT, 1992).

8.7.3. Mpumalanga Biodiversity Sector Plan

In the main, the Mpumalanga Biodiversity Sector Plan seeks to guide conservation and land-use decisions in support of sustainable development. Furthermore, the MBSP, especially its land-use guidelines, is intended to supplement other spatial planning tools such as municipal Integrated Development Plans and Spatial Development Frameworks. In view of the above, the MBSP is aimed at providing directions with regards to the locations and status of sensitivity areas.

8.7.4. City of Mbombela IDP 2022 – 2027

In accordance with the Municipal Systems Act, 32 of 2000, the City of Mbombela has developed the IDP for the next five (5) years (2022-2027) and it is a process under which the municipality conducts a comprehensive analysis of the community needs and subsequently prioritizes available resources to address those needs.

9. PROJECT ALTERNATIVES

According to the EIA Regulations of 2014(1), alternative”, pertaining to a proposed activity, refers to various ways of meeting the general purpose and requirements of the activity which may include alternatives to the:

- Property on which or location where the activity is proposed to be undertaken;
- Type of activity to be undertaken;
- Design or layout of the activity;
- Technology to be used in the activity; or
- Operational aspects of the activity; and
- Includes the option of not implementing the activity.

9.1. Site alternative

There exist no feasible alternatives site for the proposed project. The proponent has entered into a long-term agreement of lease (30 years) with the City of Mbombela Local Municipality on that very specific site.

9.2. Type of activity and technology

The proposed farming operations will use the latest technology for the construction, operation and management of the activities on site as well as any ancillary infrastructure. No technology alternatives were therefore considered as the development will use materials and methods in line with best practices for cultivation and to reach the required product output based on supplier requirements.

9.3. The no-go alternative

This option assumes that a conservative approach will be followed which would ensure that the environment is not impacted upon in anyway and the site remains the same. Should the Competent Authority decline the application, the 'No-Go' option will be followed, and the status quo of the site will remain. Furthermore, should the CA considers the 'No-Go' option; the property will remain in its current form and will not add value to the area in terms of development and by providing employment to the locals. Although the site is in a natural form, the surrounding land uses are agricultural and therefore may not be able to contribute to the biodiversity and ecological connectivity in the area.

9.4. Process alternative

The process alternative can be achieved by utilizing cultivation under traditional methods using significant amount of water, fertilizers and pesticides and contemporary methods where the processes are minimized with covered high technological controlled farming processes.

9.5. Demand alternative

The demand alternative presents two logical alternatives:

- To retain the site as open land.
- To develop the land as an agriculturally focused area, linking it to the surrounding activities and accessible infrastructure to augment the increasing demand in the area or by providing additional business opportunities and would align to the national, provincial and local demand for economic growth.

10. BASELINE INFORMATION

10.1. Geology

The site might have some sensitive soils that will have to be assessed. The construction requirements will be influenced by geology of the site. Therefore, all the relevant geotechnical report must be adhered to.

10.2. Topography

The topographic assessment will be conducted to determine steep potentially unstable and unsuitable slopes. The contour map will be sourced from the land surveying companies. The result will be documented in the final scoping report.

10.3. Climate

10.3.1. Temperature

The proposed prospecting area is located close to Barberton in the Mpumalanga Province. The Mpumalanga Province generally experiences warm to hot summers and mild winters. Annual average temperatures for the Barberton range from approximately 24 to 28°C in summer to 9 to 15°C in winter. Relative humidity is lowest during autumn and winter and highest during spring and summer.

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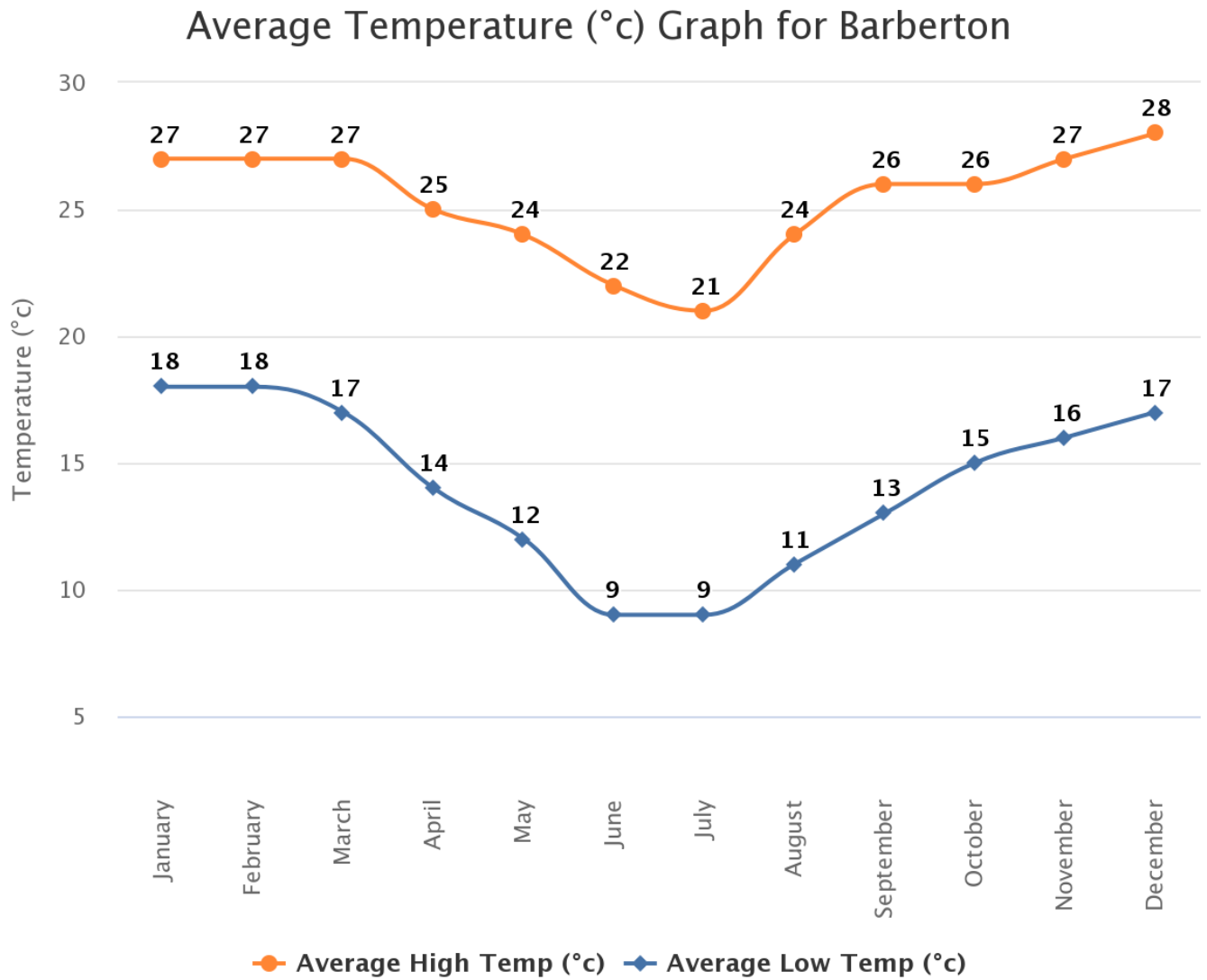


Figure 3: Average Temperatures

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10.3.2. Wind

Wind directions in the Barberton area characterized with winds occurring predominantly from the east-north-easterly and north-easterly sectors. Wind speeds are generally slow to moderate and frequently remain within the range 1 - 5 m/s.

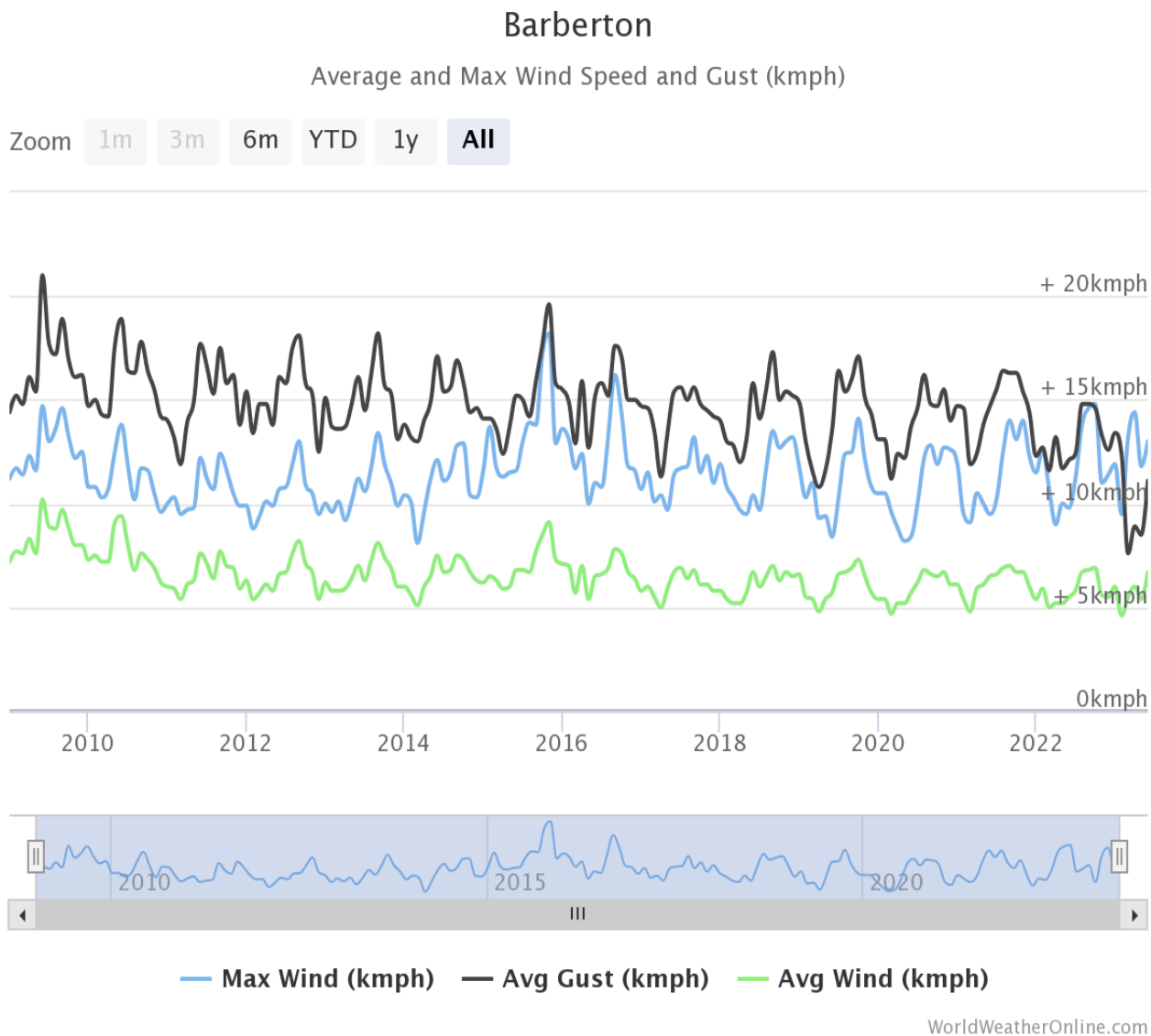


Figure 4: Average Wind Speed

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10.3.3. Precipitation

The study area experiences spring and summer rainfall, receiving most of its rainfall for the months of September to March.

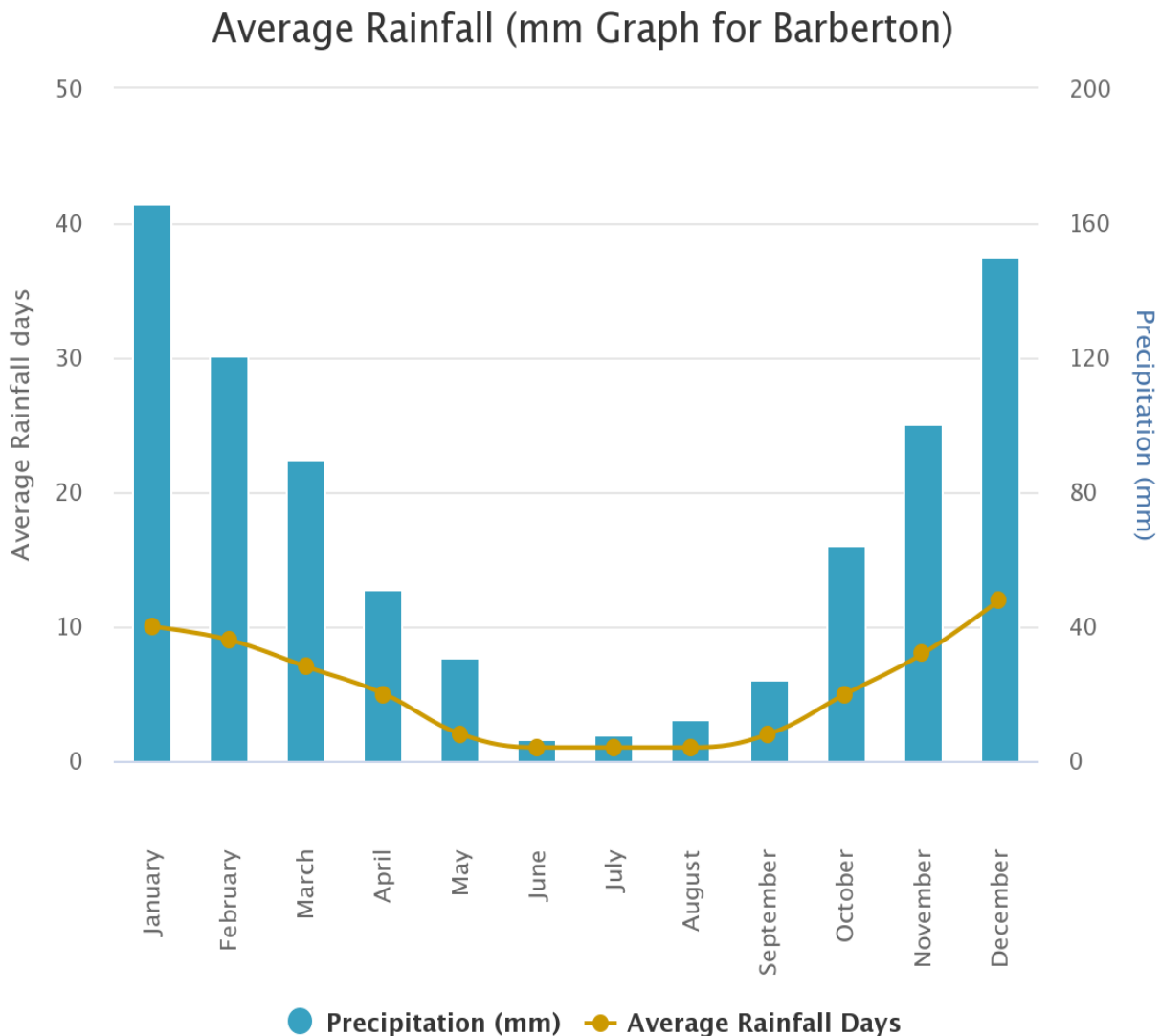


Figure 5: Average Rain Fall

10.4. Hydrology setting

The proposed is mainly within the Kaap Valley Irrigation Major Irrigation Board and to the north it is bordered by the Queen's River. To the south, the proposed site has one functional borehole which is used by the City of Mbombela Local Municipality for industrial purposes at the water treatment plant. The geo-hydrologist specialist will be appointed to seek the possibility of drilling a new borehole specifically for the operations of the proposed site mainly in the south of the site. To the north, the geo-hydrologist will be tasked to look at the possibility of resuscitating the old canal and dam for irrigation purposes. The results will be added to the final environmental impact report.

10.5. Site characteristics

When the study was initiated, the screening report from the Dept. of Forestry Fisheries and Environment was reviewed to determine which aspects of the site must be investigated. According to SANBI's data, the site contains sections of Ecological Support Area and majority of the site is in a Critical Biodiversity. As stated above the northern portion of the site is affected by the Queen's River wherein most of the adjacent land owners are drawing water for their irrigation purposes. This will be taken into cognizance and attended to as part of the Environmental Impact Assessment Report. The electronic screening tool indicates that the site falls within a highly potential agricultural sensitive zone therefore in line with the proposed application for farming activities. Furthermore, the electronic screening tool shows that the site has high terrestrial biodiversity. An ecological and red data study will be conducted by competent specialist to establish the nature of the biodiversity on site. As indicated in SANBI's biodiversity data, the proposed site falls on areas which are classified as heavily or moderately modified. This is due to the fact that around and/or adjacent to the proposed site there's already some development in a form of access roads, bore hole, municipal packaged plan and water pipe line, municipal sewer pipes, the waste water treatment plant and the ESKOM substation

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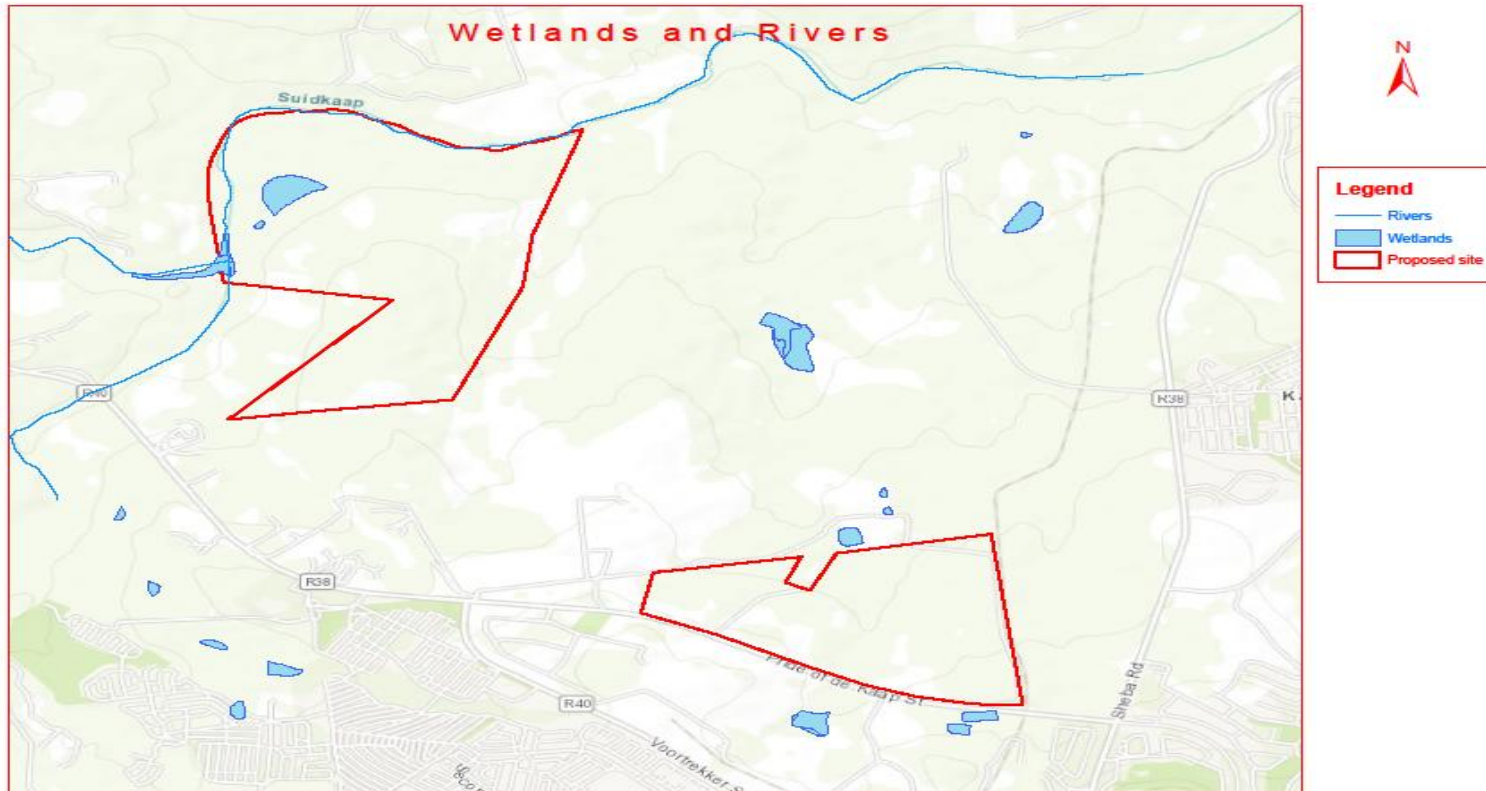


Figure 6: Wetland & Rivers

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Figure 7: Critical Biodiversity Areas

10.6. Socio-economic

The City of Mbombela's Integrated Development shows that Trade was the only industry that showed an increase of 0.6% between 2016 and 2021 whilst all the other industries including agriculture remained constant as no decline nor increase was observed during the same period. This is attributed to the issue of lockdown restrictions which were eased and the hospitality services emanating from tourism were boosted. It is envisaged that the proposed development will yield positive impact with regards to the creation of job opportunities during the development and operational phases and that will be temporary and then seasonal jobs. The development will thus benefit the businesses primarily in Barberton and extending to Nelspruit.

11. PLANNING CONTEXT

The consideration regarding the planning implications of the proposed clearance of vegetation, will be made and the results of the findings will be presented in the EIR. The following key components will likely take place from a planning perspective.

- The verification related to any existing water rights.
- The verification of any existing municipal infrastructure.
- Archeological and cultural sensitivity.
- Ecological and red data study.

12. PUBLIC PARTICIPATION AND STAKEHOLDER ENGAGEMENT

Reports Assessment Reports (DEIR), Draft Environmental Management Programmes (DEMP) and all specialist studies and plans. Such digital copies will be provided to the competent authority, organs of state and state departments via our direct download link. Where such authorities, state departments or organs of state do not have access to digital platforms, copies of the documentation will be provided to such parties upon request.

An advertisement was placed in the local newspaper – **Lowvelder (copy attached - Appendix A3)** and it appeared on the newspaper on the 29th of June 2023. Two notices were placed on the southern portion of the study area, which is located on the entrance to the municipal waste water treatment plant - along the R40 (between the entrance into Barberton and intersection between the R40 to Josephsdal Border Post and the R38 to Kaapmuiden). The other

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notice was placed on the pole in the northern portion of the study area. Another notices were placed at the entrance of the Municipal offices in Barberton CBD.

13. CONSULTATION WITH REGULATORY AUTHORITIES AND STATE ORGANS

- In order to comply with s(40) of the NEMA Regulations, 2014 the intention is to provide all parties listed in sub sections (a), (b), (c) and (d) above with access to full digital copies of the Draft Scoping Reports (DSR) and Draft Impact Inkomati-Usuthu Catchment Management Agency,
- Kaap River Valley Irrigation Board
- Department of Public Works, Roads and Transport,
- Mpumalanga Tourism and Parks Agency,
- Ehlanzeni District Municipality,
- City of Mbombela Local Municipality,
- Ward councilor (Ward 43),
- SAHRA,
- South African Civil Aviation Authority,
- Mpumalanga Heritage Resource Agency,
- Department Agriculture Land Reform and Rural Development

14. CONSULTATION WITH POTENTIAL I&AP

All Interested & Affected Parties (I&APs) that are identified or registered as part of the process will be provided access to the DSR, DEIR, DEMPr and all specialist reports and plans via the following platform:

- The digital copy of the documentation will be available on the direct download link.
- Potential and registered I&APs will be informed that copies of the documentation can be provided via postal or courier services should they not have access to the digital platforms provided.

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15. GENERAL REQUIREMENTS

Table 3: General Requirements in terms of Section 41 of Chapter 6 of the EIA Regulations

Regulated Requirement	Proposed Action
<p>1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.</p> <p>(2) Subregulation (1) does not apply in respect of-</p> <p>(a) linear activities;</p>	<p>A landowner consent for the development has been obtained by way of a 30-year agreement of lease.</p> <p>No deviation</p>
<p>The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by -</p>	
<p>(a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of -</p>	<p>One notice been placed on the pole in the north portion of the and the two notices have placed in the south portion of the site along the R40 between the entrance into Barberton and the intersection to Kaapmuiden and Josephsdal Border Post. One notice has been placed at the Municipal offices entrance</p> <p>No deviation</p>
<p>(i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and</p> <p>(ii) any alternative site;</p>	
<p>(b) giving written notice, in any of the manners provided for in section 47D of the Act, to -</p>	
<p>(i) the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;</p>	<p>The landowner will be requested to assist with identification and notification of all tenants and occupiers on the properties.</p> <p>No deviation</p>
<p>(ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken or to any alternative site where the activity is to be undertaken;</p>	<p>Owners of adjacent properties for the nonlinear components will be notified of this environmental process and will be provided with access to digital copies of the documentation via the direct download link.</p> <p>No deviation</p>
<p>(iii) the municipal councillor of the ward in which the site or alternative site is situated and any organisation of ratepayers that represent the community in the area;</p>	<p>The ward councilor has been telephonically notified of this environmental process and has provided his contact details where the digital copies of the documentation will be sent to.</p> <p>No deviation</p>
<p>(iv) the municipality which has jurisdiction in the area;</p>	<p>All relevant departments of the Local Municipality as well as the District Municipality will be provided with access to the digital copies of the documentation.</p>

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	Municipal officials will be informed that copies of the documentation can be provided via postal or courier services should they not have access to the digital platforms
(v) any organ of state having jurisdiction in respect of any aspect of the activity; and	All organs of state that have jurisdiction in respect of the activity will be notified of this environmental process and will be provided with access to the digital copies of the documentation. Organs of State will be informed that copies of the documentation can be provided via postal or courier services should they not have access to the digital platforms.
(vi) any other party as required by the competent authority;	DARDLEA will be given an opportunity to comment on the DSR, DEIR and DEMPr. Should they identify additional parties that need to provide comment, copies of the documentation and opportunity to comment will be provided to such parties
(c) placing an advertisement in - (i) one local newspaper; or (ii) any official Gazette that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;	An advert notifying potential I&AP's has been placed in "Lowvelder" local newspaper.
(d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken: Provided that this paragraph need not be complied with if an advertisement has been placed in an official Gazette referred to in paragraph (c)(ii);and	Adverts will not be placed in provincial or national newspapers, as the potential impacts will not extend beyond the borders of the municipal area.
(e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to - (i) illiteracy; (ii) disability; or	Notifications will include provision for alternative engagement in the event of illiteracy, disability or any other disadvantage. In such instances, the EAP will engage with such individuals in such a manner as agreed on with the competent authority
(iii) any other disadvantage	
(3) A notice, notice board or advertisement referred to in subregulation (2) must - (a) give details of the application or proposed application which is subjected to public participation; and (b) state - (i) whether basic assessment or S&EIR procedures are being applied to the application; (ii) the nature and location of the activity to which the application relates; (iii) where further information on the application or proposed application can be obtained; and (iv) the manner in which and the person to whom	All notice boards will be placed in terms of this requirement

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<p>representations in respect of the application or proposed application may be made.</p>	
<p>(4) A notice board referred to in subregulation (2) must - (a) be of a size at least 60cm by 42cm; and (b) display the required information in lettering and in a format as may be determined by the competent authority.</p>	<p>All notice boards have complied with this requirement.</p>
<p>(5) Where public participation is conducted in terms of this regulation for an application or proposed application, subregulation (2)(a), (b), (c) and (d) need not be complied with again during the additional public participation process contemplated in regulations 19(1)(b) or 23(1)(b) or the public participation process contemplated in regulation 21(2)(d), on condition that - (a) such process has been preceded by a public participation process which included compliance with subregulation (2)(a), (b), (c) and (d); and (b) written notice is given to registered interested and affected parties regarding where the - (i) revised basic assessment report or, EMPr or closure plan, as contemplated in regulation 19(1)(b); (ii) revised environmental impact report or EMPr as contemplated in regulation 23(1)(b); or (iii) environmental impact report and EMPr as contemplated in regulation 21(2)(d); may be obtained, the manner in which and the person to whom representations on these reports or plans may be made and the date on which such representations are due.</p>	<p>This will be complied with if final reports are produced later in the environmental process.</p>
<p>6) When complying with this regulation, the person conducting the public participation process must ensure that - (a) information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties; and (b) participation by potential or registered interested and affected parties is facilitated in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application. (7) Where an environmental authorisation is required in terms of these Regulations and an authorisation, permit or licence is required in terms of a specific environmental management Act, the public participation process contemplated in this Chapter may be combined with any public participation processes prescribed in terms of a specific environmental management Act, on condition that all relevant authorities agree to such combination of processes.</p>	<p>All reports that are submitted to the competent authority will be subject to a public participation process. These include: - Draft Scoping Report - Draft Environmental Impact Report - Draft Environmental Management Programme - All Maps and Plans - All specialist reports that form part of these environmental processes.</p>

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16. NOTIFICATION OF AVAILABILITY OF DRAFT SCOPING REPORT

Automatically registered I&AP's were notified of the availability of the Draft Scoping Report for review and comment. This Draft Scoping Report is available for a 30 Day review and comment period extending from the 20th of July 2023 to the 20th August 2023.

17. COMMENTS AND RESPONSES ON DRAFT SCOPING REPORT

All comments received on this Draft scoping report will be considered, responded to and included in the formal scoping report.

18. AVAILABILITY OF DRAFT SCOPING REPORT

The draft scoping report will be available for a 30 day comment period extending from 20th of July 2023 to the 20th of August 2023.

Copies of the report will also be available at the following location:

- Direct download link.
- All notifications (including the site notice and advert) have made provisions for potential I&AP's to contact the EAP, should they not have access to the digital platforms provided. In such instances, the EAP will arrange other suitable mechanisms for them to be able to access the relevant information.

19. PLAN OF STUDY

In compliance with Appendix 2 of NEMA Regulation 2014 as amended, the following plan of study for undertaking the Environmental Impact Assessment Report is provided. In terms of these regulations the following must be included in this plan of study.

- (i) a description of the alternatives to be considered and assessed within the preferred site, including the option of not proceeding with the activity;
- (ii) a description of the aspects to be assessed as part of the environmental impact assessment process;
- (iii) aspects to be assessed by specialists;
- (iv) a description of the proposed method of assessing the environmental aspects, including a description of the proposed method of assessing the environmental aspects including aspects to be assessed by specialists;
- (v) a description of the proposed method of assessing duration and significance;

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- (vi) an indication of the stages at which the competent authority will be consulted;
- (vii) particulars of the public participation process that will be conducted during the environmental impact assessment process; and
- (viii) a description of the tasks that will be undertaken as part of the environmental impact assessment process;
- (ix) identify suitable measures to avoid, reverse, mitigate or manage identified impacts and to determine the extent of the residual risks that need to be managed and monitored.

20. DESCRIPTION OF THE ALTERNATIVES TO BE CONSIDERED AND ASSESSED

Please refer to section 8.1 above where Alternatives have been considered in this scoping report and where relevant impacts will be assessed in the impact assessment phase of this environmental process. As mentioned earlier in the report, there exist no feasible alternatives site for the proposed project. The proponent has entered into a long-term agreement of lease (30 years) with the City of Mbombela Local Municipality on that very specific site. Regarding other alternatives, such as access alternatives and technology alternatives, the proponent will use the latest technology for the construction, operation and management of the activities on site as well as any ancillary infrastructure. No technology alternatives were therefore considered as the development will use materials and methods in line with best practices for cultivation and to reach the required product output based on supplier requirements.

21. ASPECTS TO BE ASSESSED

The potential impacts on the economic, social and biophysical environments that have been identified in this scoping report will be assessed in the Environmental Impact Assessment phase of this Environmental Process. The EAP and the participating specialist have identified potential impacts of the project listed in the table hereunder and will therefore be assessed in the Environmental Impact Report. It must be noted that this section reflects the impacts as identified during the scoping phase and additional impacts be identified by specialists during the Environmental Impact Assessment Phase.

In this regard, the potential impacts and associated risk factors that may be generated by the development are identified.

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Table 4: Nature of impacts to be assessed in the Impact Assessment Phase of the Environmental Process

Specialist discipline	Nature of impact to be accessed	Project phase
Ecology and aquatic	Loss and fragmentation of vegetation communities	Construction, operation
	Negative fragmentation impacts	
	Direct and indirect loss and disturbance of faunal species and community	
	Direct and indirect loss and disturbance of species of conservation concern	
Avifaunal	The loss of habitat and subsequent displacement of bird species	Construction and operation
Agriculture	Soil erosion	Construction and operation
	Soil compaction	Construction
	Soil chemical pollution	Construction and operation
	Loss of soil fertility through disturbance of in situ horizon organization	Construction
Heritage	Direct impact on heritage resources within the study area	construction
Visual	Loss of site landscape character from the removal of vegetation	Construction
	Wind-blown dust due to the clearance of large vegetation	Construction
	Possible soil erosion from temporary road crossing drainage lines	
	On-going windblown dust	Operation
Socio-economic	Employment including skills development and business opportunities	Construction and operation
	Potential influx of job-seekers.	Construction and operation
	Nuisance impacts such dust, noise, safety, and crime associated with construction related activities.	Construction and operation

Over and above the listed specialists, a storm-water specialist will be appointed to prepare the storm-water management plan. This plan will form part of the EMPr.

22. SITE SENSITIVITY VERIFICATION

The specialist's site sensitivity verification report – **Appendix E-1**, which is delivered as an integrated document that include site sensitivity verification for the following subjects and themes:

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- Terrestrial plant species
- Terrestrial animal species
- Terrestrial biodiversity
- Aquatic biodiversity

The aforementioned specialists will be finalising their detailed site investigations in the coming months and the outcome of the Site Sensitivity Verification will be presented in the Draft Environmental Impact Report.

23. SPECIALIST STUDIES REQUIRED IN TERMS OF THE NATIONAL SCREENING TOOL

The table hereunder reflects the specialist studies as recommended in the DEA Screening Tool and whether they will be included in the Draft EIR.

Table 5: Specialist studies as recommended in the DFFE Screening Tool

Recommended study	Discussion
Heritage impact assessment	To be undertaken
Paleontology impact assessment	To be undertaken
Terrestrial biodiversity impact assessment	To be undertaken
Aquatic biodiversity impact assessment	To be undertaken
Socio-economic impact assessment	To be undertaken
Plant species assessment	To be undertaken
Animal species assessment	To be undertaken

24. ASSESSMENT METHODOLOGY

All possible impacts need to be assessed – the direct, in-direct as well as cumulative impacts. Impact criteria should include the following:

24.1. Nature of the impact

This is an appraisal of the type of effect the construction, operation and maintenance of a development would have on the affected environment. This description should include what is to be affected and in what way.

24.2. Extent of the impact

Describe whether the impact will be: local extending only as far as the development site area; or limited to the site and its immediate surroundings; or will have an impact on the region, or will have an impact on a national scale or across international borders.

24.3. Intensity

The specialist should establish whether the impact is destructive or benign and should be qualified as low, medium or high. The specialist study must attempt to quantify the magnitude of the impacts and outline the rationale used.

24.4. Probability of occurrence

The specialist should describe the probability of the impact actually occurring and should be described as improbable (low likelihood), probable (distinct possibility), highly probable (most likely) or definite (impact will occur regardless of any prevention measures).

24.4.1. The impacts should also be assessed in terms of the following aspects:

24.4.1.1. Status of the impact

The specialist should determine whether the impacts are negative, positive or neutral. The impacts are to be assessed in terms of their effect on the project and the environment.

24.4.1.2. Cumulative impact

Consideration must be given to the extent of any accumulative impact that may occur due to the proposed development. Such impacts must be evaluated with an assessment of similar developments planned and already in the environment. Such impacts will be either positive or negative, and will be graded as being of negligible, low, medium or high impact.

24.4.1.3. Degree of confidence in predictions

The specialist should state what degree of confidence (low, medium or high) is there in the predictions based on the available information and level of knowledge and expertise.

Based on a synthesis of the information contained in the above-described procedure, the specialists are required to assess the potential impacts in terms of the following significance criteria:

No significance: The impacts do not influence the proposed development and/or environment in any way.

Low significance: The impacts will have a minor influence on the proposed development and/or environment. These impacts require some attention to modification of the project design where possible, or alternative mitigation.

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Moderate significance: The impacts will have a moderate influence on the proposed development and/or environment. The impact can be ameliorated by a modification in the project design or implementation of effective mitigation measures.

High significance: The impacts will have a major influence on the proposed development and/or environment.

25. CONSULTATION WITH THE COMPETENT AUTHORITY

The Environmental Assessment Practitioner will be in consultation with the DARDLEA during the entire process of the application for environmental authorization. Hereunder are the relevant documents to be submitted to the DARDLEA:

- Application form for environmental authorization.
- Draft scoping report and any other additional information that may be of importance.
- Final scoping report and any other additional information that may be relevant.
- Draft environmental impact assessment and any other additional information that may be of importance.
- Final environmental impact assessment and any other additional information that may be required.

26. PUBLIC INSIGHT ON THE SCOPING REPORT AND THE DRAFT EIA REPORT

The draft scoping report will be or made available for public insight from 20th of July 2023 to the 20th of August 2023 in electronic format to all I&AP and in hard copies at the DARDLEA offices in Nelspruit. At the same time the draft scoping report will be sent to the DARDLEA for consideration. Up on approval of the Scoping report, the Draft EIA will be completed. The Draft EIA report will be available to the public for comments for the prescribed 30 days period. Any comment raised during the aforementioned period will be addressed in the Final Environmental Impact Assessment Report to be submitted to the DARDLEA.

CONCLUSION

The EAP believes that the methodology and plan of study that will be used to assess the current state of the environment will be adequate to address any potential impact. The information will be of utmost importance in the composing of the Environmental Impact Assessment as a tool in the decision making process. All the mitigation aspects pointed out in this Scoping Report will be dealt with in the EIA.

Gilbert Masuku
EAPASA: Cand. Environmental Assessment Practitioner

ANNEXURES

Annexure A: EAP Declaration

Annexure B: EAP CV

Annexure C: Locality Map

Annexure D: Public Participation

Annexure E: DEA Screening Tool

Annexure E1: Specialist site sensitivity reports (north and south part of the site)

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DRAFT SCOPING REPORT

Draft Scoping Report