

Environmental Impact Assessment (EIA) for the proposed construction,  
operation and decommissioning of the Saldanha Regional Marine Outfall  
Project of Frontier Saldanha Utilities (Pty) Ltd. at Danger Bay  
in the Saldanha Bay region

## FINAL EIA REPORT

# APPENDIX C

DEA&DP Letter of Acceptance  
of Final Scoping Report

From:

To: \*00214466050

26/06/2014 14:09

#835 P.001/004



**Western Cape  
Government**  
Environmental Affairs and  
Development Planning

Directorate: Land Management  
Region 2

**EIA REFERENCE NUMBER:** 16/3/1/2/F4/17/3009/13  
**ENQUIRIES:** MS. K. ADRIAANSE

**DATE OF ISSUE:** 26 JUN 2014

The Director  
Frontier Saldanha Utilities (Pty) Ltd.  
P.O. Box 8399  
Foreshore  
**CAPE TOWN**  
8012

**For attention: Mr. C. Thomas**

Tel: (021) 446 6040  
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Dear Sir

**ACCEPTANCE OF THE FINAL SCOPING REPORT AND PLAN OF STUDY FOR THE PROPOSED PIPELINE  
TRANSFER SYSTEM AND ASSOCIATED INFRASTRUCTURE TO DISCHARGE EFFLUENT INTO THE SEA NEAR  
DANGER BAY, SALDANHA BAY.**

The Scoping Report ("SR") (dated March 2014) and your correspondence dated 24 March 2014 and received by this Department on 01 April 2014, this Directorate's acknowledgement and rejection thereof dated 09 April 2014, the final SR (dated March 2014) and your correspondence dated 09 May 2014 and received by this Department on 14 May 2014 and this Directorate's acknowledgement thereof dated 26 May 2014, refer.

This letter serves to inform you that the aforementioned document has been accepted by this Directorate.

1. The following information must be included in the Environmental Impact Assessment Report ("EIAR"):

1.1. Applicable listed activities:

1.1.1. As indicated in this Directorate's correspondence dated 08 August 2013, applicability of each listed activity with respect to the proposed development must be clearly indicated. You are therefore required to provide a list of the applicable listed activities and a description of how the proposed development triggers the relevant listed activity. A direct link between the listed activity and the proposed development must be clearly indicated.

1.2. Activity Description:

1.2.1. The activity description (i.e. the terrestrial and marine components) must include a description of all associated infrastructure required for the proposed development as well as the respective development footprints; and

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- 1.2.2. A description of the proposed access road (i.e. length and width) and the volume of each diesel storage tank.

1.3. Alternatives:

- 1.3.1. It is noted that 2 marine outfall areas will be assessed as part of the Environmental Impact Assessment ("EIA") phase. It is recommended that the authorised outfall area (authorised as part of the West Coast District Municipality's desalination plant) be investigated as an alternative outfall area given that an environmental authorisation has already been granted.

1.4. Need and Desirability:

- 1.4.1. It is noted that the need and desirability of the proposed development is motivated in terms of the users that will be linked to the pipeline transfer system. However, the motivation provided with respect to the proposed development itself is inadequate. Therefore, a motivation with respect to the proposed development must be provided. You are advised to consider this Department's Guideline on Need and Desirability (dated March 2013).

1.5. Specialist input:

- 1.5.1. Reference is made to a study undertaken by Worley Parsons and the CSIR to identify the 3 marine outfall routing alternatives. However, this study has not been included in the final Scoping Report. A duly dated and signed copy of the study must be included in the EIAR; and
- 1.5.2. Reference is made to a desk top study undertaken by Process Projects (dated August 2013) to identify technological alternatives for the proposed development. A duly dated and signed copy of the study must be included in the EIAR.

1.6. Plan Of Study:

- 1.6.1. The terms of reference of the marine ecology specialist study must include the cumulative impacts that may occur. Furthermore, the study must indicate what the maximum effluent disposal quantity may be prior to the water quality of the Bay becoming unacceptable/ affect other users in close proximity to the outfall pipe;
- 1.6.2. Given that the electrical corridor may consist of overhead powerline cables, a visual statement (or a visual impact assessment if required) must be included in the EIAR; and
- 1.6.3. An Effluent Monitoring Plan must be compiled and form part of the draft Environmental Management Programme which must be submitted with the EIAR.

1.7. Public Participation:

- 1.7.1. You are advised to consult with this Department's Directorate: Pollution Management during the EIA phase of the proposed development; and
- 1.7.2. Written comment from the Department of Environmental Affairs: Oceans and Coast must be obtained.

1.8. General:

- 1.8.1. Reference is made to a Memorandum of Understanding (dated 20 November 2013) between the applicant and the West Coast District Municipality regarding the co-disposal of effluent into Danger Bay. A copy of the document must be included in the EIAR;

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- 1.8.2. Figure 1.1 refers to the Jacobs Bay Western and Eastern Corridors. Please note that numbers 13-21 (indicating the Western Corridor) are not displayed.
  - 1.8.3. Page 2-18 of the final SR indicates that Eskom has provided confirmation of spare, unallocated capacity to supply electricity from the Langebaan Feeder no.2. However, written confirmation from Eskom is not included in the final SR. Written confirmation must therefore be obtained and included in the EIAR;
  - 1.8.4. Page 2-19 of the final SR indicates that the Saldanha Bay Municipality has provided confirmation of spare, unallocated capacity to supply electricity from the Transnet Feeder. However, written confirmation from the Saldanha Bay Municipality is not included in the final SR. Written confirmation must therefore be obtained and included in the EIAR;
  - 1.8.5. Please note that proof of the submission of the Coastal Waters Discharge Permit and the Water Use Licence Application must be submitted with the EIAR; and
  - 1.8.6. Please note that this Department's guidelines have been revised. The guidelines dated March 2013 must be referred to in the EIAR. The guidelines are available and can be downloaded from the Department's website (<http://www.westerncape.gov.za/eadp>).
2. Public Participation
- 2.1. You are hereby reminded that the Public Participation Process to be followed in the Environmental Impact Reporting phase must also comply with Regulation 54 of the NEMA EIA Regulations, 2010 as well as this Department's Guideline on Public Participation (dated March 2013); and
  - 2.2. Please be advised that the Draft EIAR must first be submitted to this Directorate whereafter it must be made available to the registered I&APs, including all the relevant State Departments that administer laws relating to a matter affecting the environment, for comment for a period of 40 days. The applicant/EAP is required to inform this Directorate in writing upon submission of the Draft EIAR to the relevant State Departments. Please be further advised that, unless otherwise indicated by this Directorate, a commenting period of at least 21 days must be provided to registered I&APs, including the relevant State Departments, to comment on any final reports, additional information or documentation.
3. In addition to the above, you must clearly show how the proposed development complies with the principles contained in section 2 of the NEMA and must also show how the proposed development meets the requirements of sustainable development.
4. This Directorate awaits the submission of the final EIAR as prescribed by the NEMA EIA Regulations, GN. R 543 of 18 June 2010. Your attention is further brought to Regulation 67 (1) of GN No. R. 543 of 18 June 2010 which states that "An application in terms of these Regulations lapses if the applicant, after having submitted the application fails, for a period of six months, to comply with a requirement in terms of these Regulations." As such, should there be no substantial activity on file regarding your pending application within a period of six months, your application will lapse. You will then be required to resubmit an application, should you wish to proceed with your activity.



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5. If you, however, have been complying with the requirements of the NEMA EIA Regulations and have progressed with the application process, but for some reason will not be able to submit the final EIAR within the six months period, you must inform this Directorate as such before the end of the six month period. You will be required to submit a concise motivation why the final EIAR will not be submitted within the six month period. The motivation must include the tasks that have been performed to date (including the proof thereof), the reasons for the delay in submission and an indication when the final EIAR will be submitted to this Directorate. Such motivation must reach this Directorate before the end of the six month period. This Directorate will consider your motivation and inform you of its decision whether or not to continue with the processing of the current application. Should no motivation be provided, your file will be closed for administrative purposes. As such, a new application process will have to be initiated with a new application form to be submitted if you wish to again pursue your proposed development.
6. You are reminded that the final EIAR must include duly dated and originally signed declaration forms including the environmental assessment practitioner and all specialists.
7. Furthermore, on 28 February 2014 the Minister of Environmental Affairs gazetted Fee Regulations in terms of sections 24(5)(c)(i), 24(5)(j) and 44(i)(a) and (b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") (Government Notice No. R. 141 in Government Gazette No. 37383 of 28 February 2014) which introduced a fee structure for the consideration and processing of applications for environmental authorisations. The Fee Regulations came into effect on 01 April 2014. Therefore, should your application lapse in terms of Regulation 67 (1) of GN No. R. 543 of 18 June 2010, please note that the Fee Regulations will be applicable to all new applications.

Kindly quote the abovementioned reference number in any future correspondence in respect of the application.

Please note that the activity may not commence prior to an environmental authorisation being granted by this Directorate.

The Department reserves the right to revise or withdraw comments or request further information based on any information received.

Yours faithfully

  
**HEAD OF DEPARTMENT**

Copies: (1) Ms. M. Levendal / Mr. P. Lochner (CSIR – Environmental Management Services)  
(2) Mr. L. Gaffley / Ms. N. Duarte (Saldanha Bay Municipality)

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