

**Scoping and Environmental Impact
Assessment Process and Water Use License
Application for the Proposed Establishment of
a 1.87 million m³ Dam, and the Cultivation of
Approximately 135 ha of Land, Located on
Rem of Express No. 15029, Rem of Heavitree
No. 15976, Farm Portion No. 18322, and Farm
Portion GS No. 17935, within the Inkosi
Langalibalele Local and uThukela District
Municipality, Estcourt, KwaZulu-Natal**
BACKGROUND INFORMATION DOCUMENT

February 2022



WHAT IS THE PURPOSE OF THIS DOCUMENT?

The purpose of this document is to:

- ◆ Inform Interested and Affected Parties (I&APs) about the proposed project, and to invite them to participate;
- ◆ Provide a brief background on the proposed project; and
- ◆ Explain the aims and objectives of the Environmental Impact Assessment (EIA) Process.



WHAT IS THE BACKGROUND TO THIS PROJECT?

The Applicant, Heavitree (Pty) Ltd, wish to apply for Environmental Authorisation and a Water Use License Application (WULA) for the proposed establishment of a 1.87 million m³ dam, and cultivation of approximately 135 ha of land, located on Rem of Express No. 15029, Rem of Heavitree No. 15976, Farm Portion No. 18322, and Farm Portion GS No. 17935, within the Inkosi Langalibalele Local and uThukela District Municipality, Estcourt, KwaZulu-Natal (Refer to **Figure 1, 2 and 3** below).

In terms of the National Environmental Management Act (NEMA, Act No. 107 of 1998) and the Environmental Impact Assessment (EIA) Regulations of 2014 (as amended – 2017), published in Government Notices No. R. (GNR) 324, 325 and 327 of 2017, certain Listed Activities require either a Basic Assessment Process (GNR 324 and GNR 327) or a Scoping and EIA Process (GNR 325) to be undertaken for Environmental Authorisation. The proposed project triggers the following Listed Activities, thus a Scoping and EIA Process is required to be undertaken.

Listed Notice	Activity	Description
327	9	<p><i>“The development of infrastructure exceeding 1000 metres in length for the bulk transportation of water or stormwater – (i) with an internal diameter of 0.36 metres or more; or (ii) with a peak throughput of 120 litres per second or more;...”</i></p> <p>Potentially applicable as water is proposed to be pumped via pipelines from the dam to surrounding lands for irrigation purposes. The lengths and diameters of the pipelines will be confirmed during the process.</p>
327	12	<p><i>“The development of – (i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or ... where such development occurs – (a) within a watercourse;...”</i></p> <p>Applicable as the dam is proposed to have a storage capacity of approximately 1.87 million m³.</p>
327	19	<p><i>“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...”</i></p> <p>Applicable as the proposed dam will result in the excavation of material from a watercourse. The installation of pipelines for irrigation purposes may potentially result in the excavation of material from a watercourse. This will be confirmed once feedback from the Specialist Studies has been received.</p>
325	15	<p><i>“The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for – ...”</i></p> <p>Applicable as the proposed dam and cultivation of land will result in the clearance of more than 20 ha of indigenous vegetation.</p>
325	16	<p><i>“The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high-water mark of the dam covers an area of 10 hectares or more”</i></p> <p>Applicable as the proposed dam is to have a wall height of approximately 18 m.</p>

The Applicant, Heavitree (Pty) Ltd, has appointed Green Door Environmental to undertake this Scoping and EIA Process.

In addition, in terms of Section 21 of the National Water Act (NWA, Act No. 36 of 1998), a WULA from the Department of Water and Sanitation (DWS) is also required. The Listed Water Uses that may be applicable to the proposed project include:

Listed Water Use	Description
Section 21 (a)	<i>“Taking water from water resource”</i>
Section 21 (b)	<i>“Storing water”</i>
Section 21 (c)	<i>“Impeding or diverting the flow of water in a watercourse”</i>
Section 21 (i)	<i>“Altering the bed, banks, course or characteristics of a watercourse”</i>



WHAT IS PROPOSED?

The Applicant, Heavitree (Pty) Ltd, wish to apply for Environmental Authorisation and a Water Use License Application (WULA) for the proposed establishment of a 1.87 million m³ dam, and cultivation of approximately 135 ha of land, located on Rem of Express No. 15029, Rem of Heavitree No. 15976, Farm Portion No. 18322, and Farm Portion GS No. 17935, within the Inkosi Langalibalele Local and uThukela District Municipality, Estcourt, KwaZulu-Natal.

The dam is proposed to be established at GPS coordinates 28°55'56.49" S and 29°48'02.90" E, and located on Farm Portion No. 18322, and Farm Portion GS No. 17935 (Refer to **Figure 3**). It is proposed to be located on the Drakespruit and comprise the following specifications:

- ◆ Storage capacity – 1.87 million m³;
- ◆ Surface area – 40 ha;
- ◆ Wall height – 18 m;
- ◆ Wall length – 478 m; and
- ◆ Water depth – 15 m.

With the water from the proposed dam, the Applicant will be able to irrigate approximately 285 ha of land. Of this 285 ha, approximately 150 ha is currently cultivated and has been cultivated prior to 1998 (green outline on **Figure 1 and 2**). Thus, the remaining areas which total approximately 135 ha, and which have not previously been cultivated, or not cultivated within the past 10 years (i.e. indigenous vegetation), are proposed to be cultivated to enable the establishment of pivots (green shading on **Figure 1 and 2**).

Water from the dam is proposed to be pumped via pipelines to the surrounding lands for irrigation purposes. The lengths and diameters of the pipelines will be confirmed during the process.

Refer to **Figure 1, 2 and 3** below for maps showing the proposed project.



WHERE IS THE PROPOSED PROJECT?

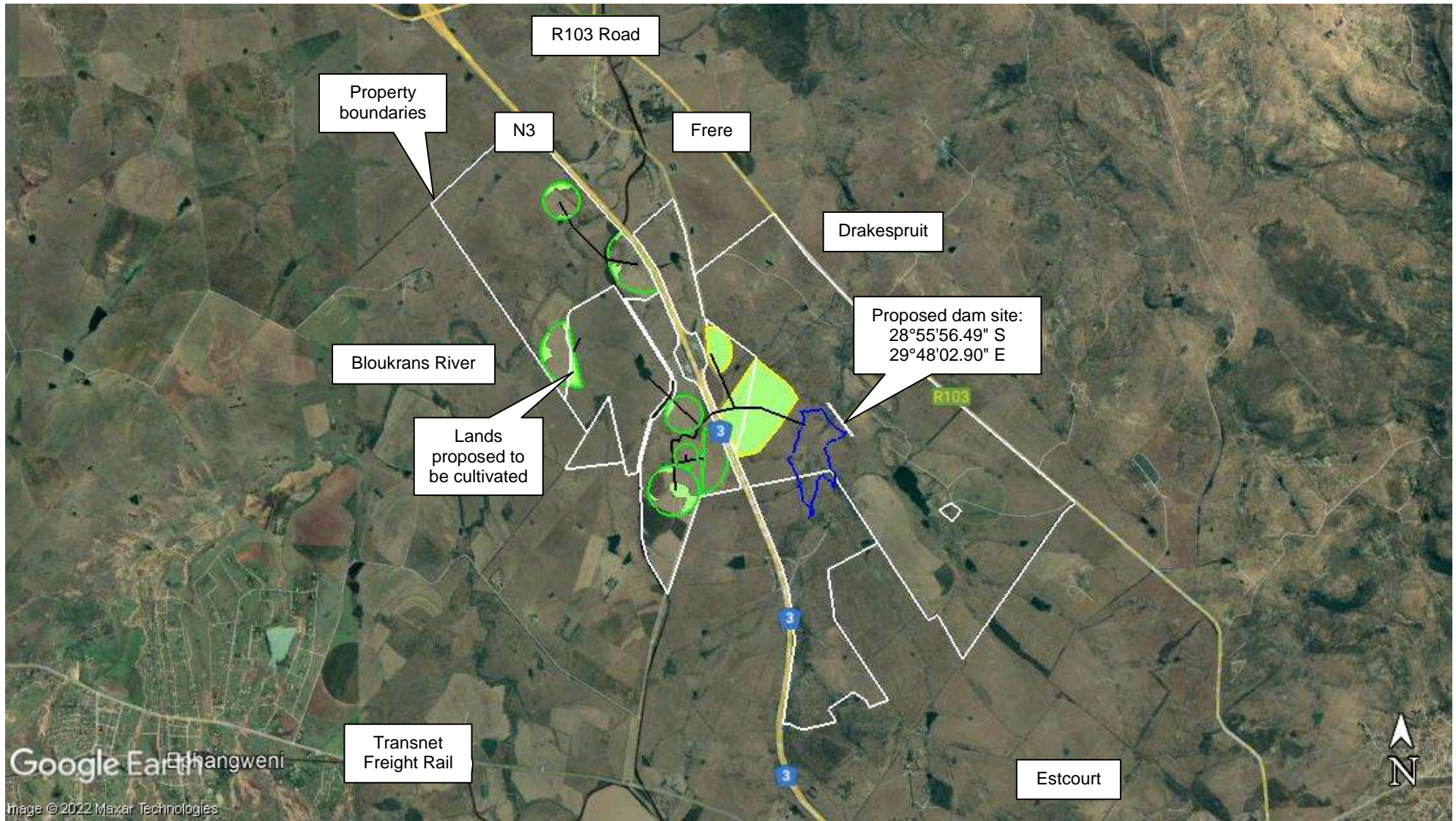


Figure 1: Locality Map showing the proposed project and surrounding area, Estcourt, KwaZulu-Natal (Source: Google Earth).

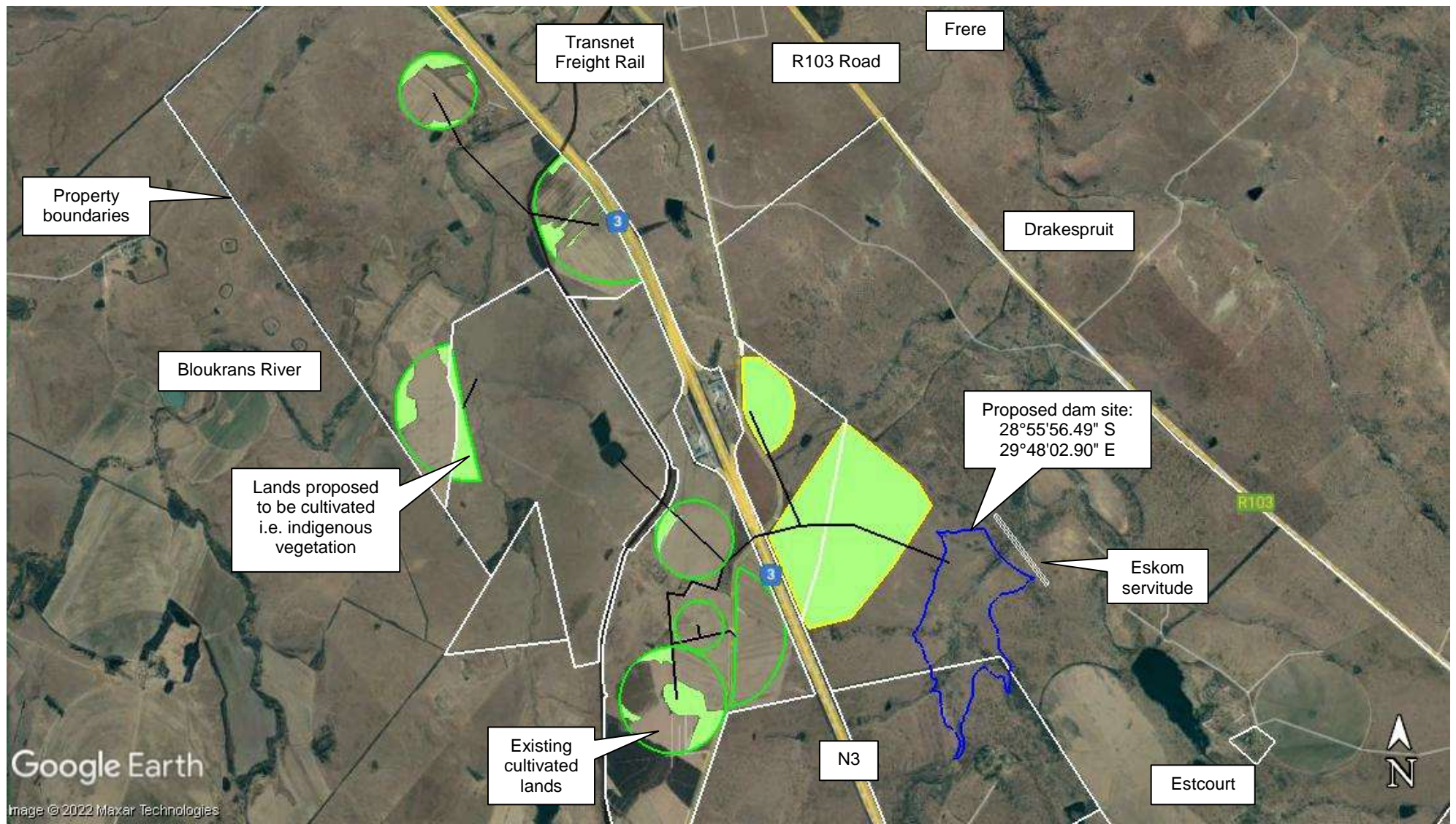


Figure 2: Map showing the proposed project, Estcourt, KwaZulu-Natal (Source: Google Earth).

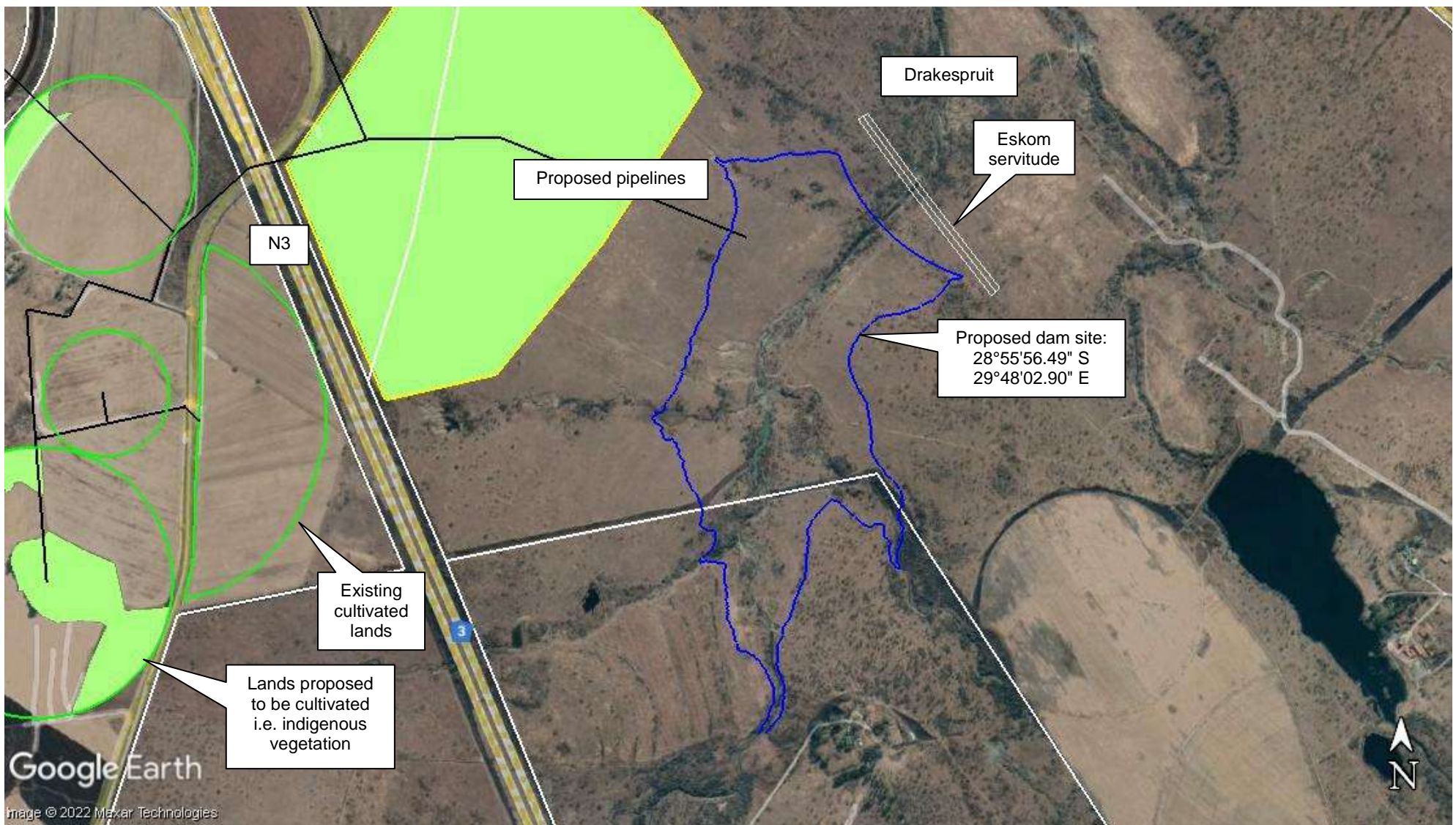


Figure 3: Map showing the proposed dam site, Estcourt, KwaZulu-Natal (Source: Google Earth).



WHAT IS THE AIM OF A SCOPING AND EIA PROCESS?

The Scoping and EIA Process aims to:

- ◆ Inform and involve all potentially I&APs of the proposed project;
- ◆ Identify the potential impacts (positive and negative) that the proposed project may have on the ecological and socio-economic environment;
- ◆ Provide recommendations based on the identified impacts and conduct further specialist studies if necessary; and
- ◆ Provide the Competent Authority with enough information to make an informed decision regarding the proposed development.



WHAT IS INVOLVED IN THE SCOPING AND EIA PROCESS?

The Scoping and EIA Process can be described as follows:

1. Compilation of Application Form:

Consultation will take place between the Environmental Assessment Practitioner (EAP) and the Competent Authority. Following this, the Competent Authority's official Application Form will be completed. This, together with relevant maps and declarations from the applicant, EAP and landowner, will be submitted to the Competent Authority, with the Draft Scoping Report (DSR).

2. Scoping Phase:

The purpose of the Scoping process is to identify all potential environmental impacts (positive and negative) associated with the proposed development. This will be achieved by site visits to the property and consultation with the public and relevant Authorities.

The public and relevant Authorities will be notified of the proposed development through adverts, site posters and direct consultation. This will involve meetings and the review of documentation (DSR) and invitation to comment. A Final Scoping Report will be compiled and will include comments received on the DSR and a Plan of Study for EIA. This will be forwarded to the Competent Authority, who will then instruct the EAP to proceed with the EIA Phase, based on the Plan of Study.

3. EIA Phase:

Environmental issues, concerns, development constraints and possible development alternatives will be investigated using professional judgement, project information, experience of similar projects, a review of available literature and assessment of concerns from Authorities and the public.

The significance of environmental issues will be evaluated in terms of their expected extent, intensity, duration and probability of occurrence. Measures to manage and minimise impacts to within acceptable levels, as well as measures to maximise the socio-economic benefits associated with the development, will be identified and recorded in the EIA Report. The EIA Report will be circulated to I&APs for comment and a final version of the EIA Report will then be submitted to the Competent Authority

4. Authority Decision

The EIA Report will be used as the basis for the decision, by the Competent Authority, on whether the project should be approved or not. The Competent Authority can refuse

permission, or grant permission for the development to proceed by issuing Environmental Authorisation (EA).



WHAT POTENTIAL ENVIRONMENTAL IMPACTS HAVE INITIALLY BEEN IDENTIFIED?

The following issues have been identified as potentially problematic and will, amongst other issues, be investigated during the Scoping and EIA Process:

- ◆ Potential impacts on fauna or flora;
- ◆ Confirmation on water availability in the catchment;
- ◆ Potential erosion;
- ◆ Potential implications of the nearby Eskom servitude on the proposed dam; and
- ◆ Potential impacts on water resources.



HOW CAN I&APs COMMENT ON THIS PROJECT?

The need for public input and involvement is of critical importance. All I&APs (neighbours, authorities, organisations etc.) are invited to comment on the proposed project. Comments can be communicated to us by post, telephone or email (contact details are provided below).

In terms of the requirements of the EIA Regulations and the Protection of Personal Information Act (POPIA, Act No. 14 of 2013) by registering as an I&AP, I&APs are deemed to give their consent for relevant information to be processed and disclosed. For the purposes of this Scoping and EIA Process, only the names, affiliation and comments of I&APs will be included in the Scoping and EIA Report. Should additional personal information be required by the Competent Authority, consent to share this information will be obtained from the I&AP first.

In order to ensure that your comments are addressed and incorporated, please ensure that we have received all comments by **14 March 2022**.

