

BACKGROUND INFORMATION DOCUMENT

PRE-APPLICATION NOTICE

UPGRADING OF THE ST FRANCIS WATER AND SEWER INFRASTRUCTURE, KOUGA LOCAL MUNICIPALITY, EASTERN CAPE

CEN Integrated Environmental Management Unit

Telephone: 082 320 3111 / Fax: 086 504 2549

E-mail: steenbok@aerosat.co.za

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 **Upgrading of the St Francis Water and Sewer Infrastructure**, 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** may 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 – 15 May 2024

CLOSING DATE FOR COMMENTS – 18 June 2024

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 St Francis Water and Sewer Infrastructure.

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

1.2. Proposed Activity

The proposed project entails the installation of water pipelines (160-250mm diameters) along Sea Glade and Canal Roads, and sewer pipelines (between 110 – 160mm in diameter) along Grand Camore Street, Mayote Circle Place and La Dique Place and 2 new sewer pumpstations.

1.3. Locality

The proposed upgrading of the St Francis Water Infrastructure will be located on Erven 2844, 1466, 1355, 68, 1447 Sea Vista and Sewer Infrastructure located on Erven 943, 1279, 1259, 722 Sea Vista in Ward 12 in the Kouga Local Municipality, Sarah Baartman District Municipality, Eastern Cape. Refer to **Figure 1**.

The geographic co-ordinates of the central point for the water infrastructure is: 34° 8'45.57"S, 24°49'59.69"E and for the sewer infrastructure is: 34° 9'0.07"S, 24°50'9.30"E.

The SG 21 digit Codes are reflected below.

Erf / Farm Portion	SG 21 digit Code
Water Infrastructure:	
Erf 2844 Sea Vista	C03400140000284400000
Erf 1466 Sea Vista	C03400140000146600000
Erf 1355 Sea Vista	C03400140000135500000
Erf 68 Sea Vista	C03400140000006800000
Erf 1447 Sea Vista	C03400140000144700000
Sewer Infrastructure:	
Erf 943 Sea Vista	C03400140000094300000
Erf 1279 Sea Vista	C03400140000127900000
Erf 1259 Sea Vista	C03400140000125900000
Erf 722 Sea Vista	C03400140000072200000

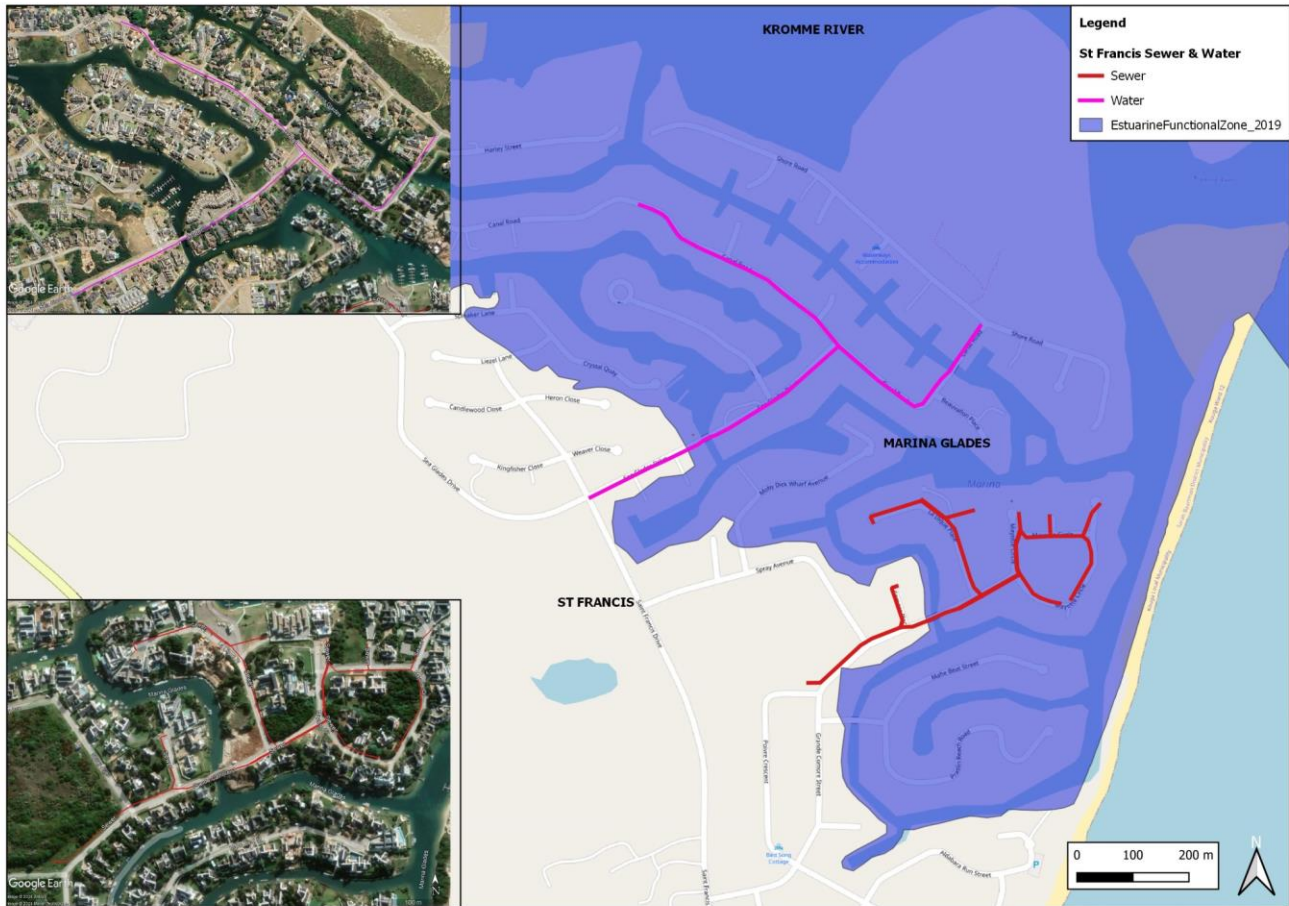


Figure 1: Locality Map

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 19A: The infilling or depositing of any material of more than 5m³ into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5m³ from (ii) ... an estuary or a distance of 100m inland of the high-water mark of the sea or an estuary, whichever distance is the greater.</p>	<p>Activity applicable as more than 5m³ of material will be deposited, excavated, or moved within an estuary or 100m thereof (sites are located within the estuarine functional zone).</p>

Listed Activity	Description
<p>Listing Notice 3, Activity 12: 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>(iii) Within the littoral active zone or 100m inland from the high water mark of the sea, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</p> <p>(iv) Outside urban areas, within 100 metres inland from an estuarine functional zone.</p>	<p>The majority of the road verges are grassed, however there may be portions where vegetation has not been disturbed within the last 10 years.</p> <p>This activity may be applicable and will be confirmed in the EIA process.</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</p> <p>Section 21(i) Altering the bed, banks, course or characteristics of a watercourse</p>	<p>These activities may be applicable if the proposed water and/or sewer infrastructure are located within either 100m of a watercourse or 500m of a wetland.</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
- 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 **18 June 2024**.

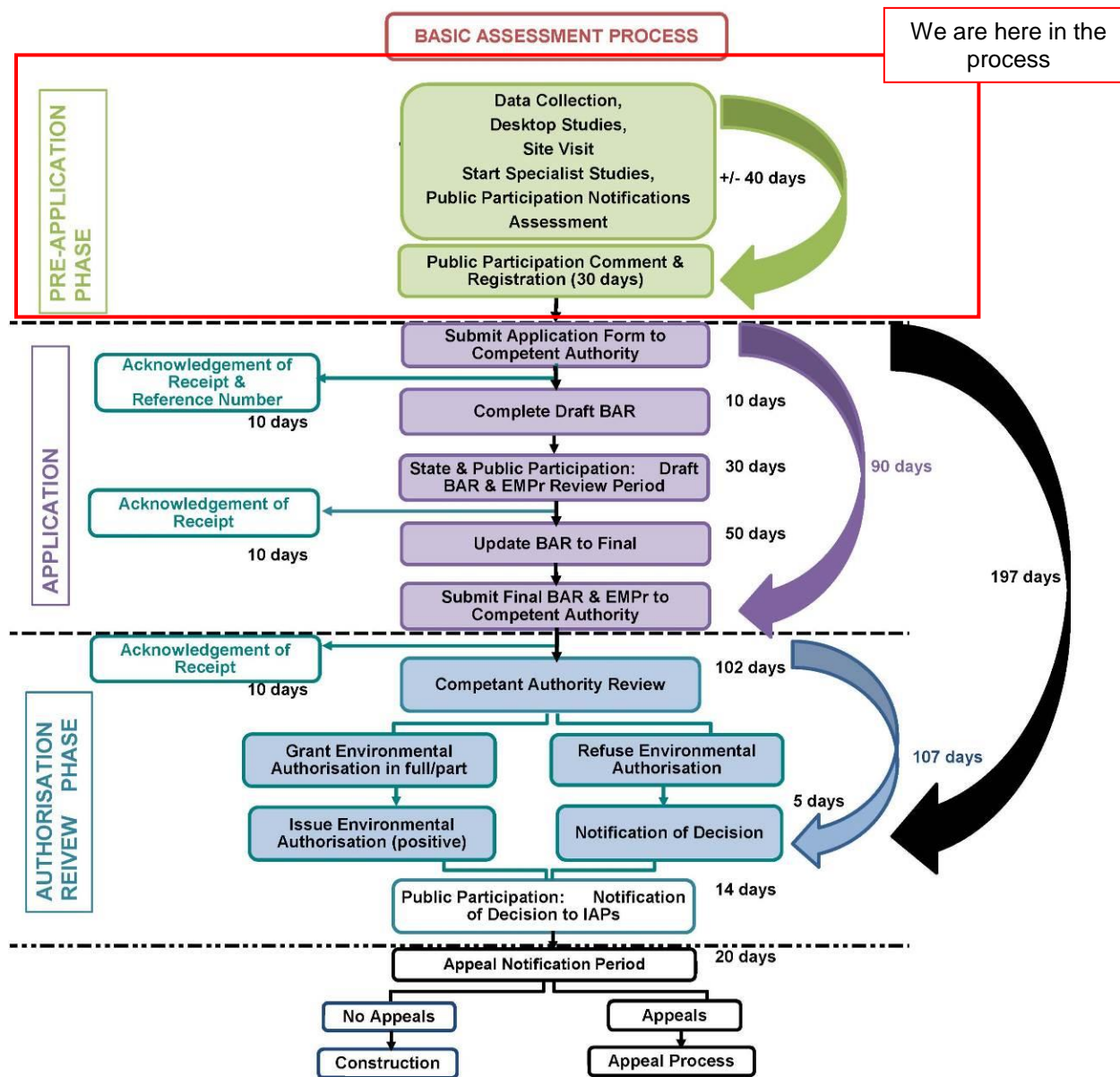


Figure 2: Basic Assessment Process, EIA Regulations 2014



CEN IEM UNIT

Fax 086 504 2549

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

REGISTRATION / COMMENT SHEET

UPGRADING OF THE ST FRANCIS WATER AND SEWER INFRASTRUCTURE, Kouga Local Municipality, Eastern Cape,

Date of Notice: 15 May 2024

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, my consent is provided for my 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: 18 June 2024

Name of Respondent: _____

Organisation / Company: _____

Address: _____

Fax Number: _____

Tel Number: _____

Email: _____

Please use additional sheets as necessary

Signature: _____

Date: _____