

ENVIRONMENTAL IMPACT ASSESSMENT

**NOTICE OF ENVIRONMENTAL IMPACT ASSESSMENT PROCESS FOR THE
PROPOSED CONSTRUCTION OF A SEDIMENT TRAP WITHIN THE MALANS
STREAM ON ERF 26055 AS PART OF THE BOSCHENMEER GOLF ESTATE,
PAARL, WESTERN CAPE.**

**BACKGROUND INFORMATION DOCUMENT (BID)
AND INVITATION TO PARTICIPATE**

20 March 2019

DEA&DP REFERENCE No: 16/3/3/6/7/1/B3/28/1033/19

1. PURPOSE OF THIS DOCUMENT

The purpose of this document is to:

- Provide stakeholders with information about the proposed construction of a sediment trap on Erf 26055 as part of the Boschenmeer Golf Estate, Paarl, Western Cape.
- Introduce and explain the Environmental Impact Assessment and Public Participation process to be followed for the proposed development, in terms of applicable environmental legislation (National Environmental Management Act (NEMA), (Act No.107 of 1998), as amended;
- Invite all stakeholders to register between the **22th of March 2019 and 26th of April 2019** as an Interested and Affected Party for the proposed sediment trap.

2. PROJECT DESCRIPTION

The Paarl Golf Club is experiencing continuous sediment transportation onto their property, limiting the storage capacity of their instream irrigation storage dam especially during the winter rainfall months. The Malans Stream transporting the sediment originates on the eastern side of the R301 (Wemmershoek Road) from Paarl to Franschoek flowing underneath the road onto the Boschenmeer Estate (Golf Club property) on the western side of the R301. The Malans Stream flows along the 25th hole and then crosses the fairway as well as a residential road bridge before it discharges into the irrigation storage dam. The irrigation storage dam overflows into Wateruintjiesvlei, which acts as emergency storage water for irrigation. There is an existing pipeline from Wateruintjiesvlei back to the irrigation storage dam to pump water into the irrigation dam when the water level drops to critical levels. The Malans Stream conveys water during the rainy season from the surrounding mountain range to the east of the Estate, through the Estate into the Berg River. The irrigation storage dam

has a sluice system that can be opened during flood events to ensure that the water goes through the irrigation dam into an open channel which consist of smaller retention dams ultimately reaching the Berg River.

Most of sediment transported by the Malans Stream settles at the road bridge on the western side of the 25th hole's green, which is also at the inflow of the instream irrigation storage dam. The sediment subsequently reduces the capacity of the culverts underneath the residential road bridge which can lead to flood damage of the neighbouring properties. Furthermore it reduces the capacity of the instream irrigation storage dam which could result in irrigation constraints for the golf course.

The Paarl Golf Club seeks a solution to limit the sediment accumulation on their property, to reduce the risk of flooding at the residential road bridge as well as to ensure that they do not run out of irrigation storage capacity. The Paarl Golf Club approached Consulting Engineers to advise on the way forward and to reach a solution for their abovementioned difficulties. The Consulting Engineers came up with the possible solution to construct a sediment trap upstream of the residential road bridge and irrigation storage dam. The proposed location of the proposed sediment trap is within the Malans Stream on Erf 26055, as part of Boschenmeer Estate, immediately west of the culvert underneath the R301. The sediment trap intends to create a localised depression below the current watercourse bed level where sediment is intended to be settled. Stormwater velocities would then be slowed down in the basin which encourages the settling of transported materials. Although the exact footprint of the sediment trap is not available at the moment due to specialist studies that must be done further upstream, the footprint of the proposed sediment trap at this moment is approximately 130m².

A Freshwater Specialist, Scientific Aquatic Services, was appointed to compile a Freshwater Resource Assessment to assess the possible impacts of the proposed construction of a sediment trap within the Malans Steam to solve the long-term sediment problem. Approval from the Department of Water & Sanitation has already been received for the proposed short-term solution (removal of sediment) and long-term solution (construction of sediment trap).

Based on the findings of the Freshwater Resource Assessment it is the opinion of the ecologist that the proposed development poses a Low risk to the integrity of the freshwater resources provided that adherence to cogent, well-conceived and ecologically sensitive construction plans are implemented and the mitigation measures provided in the Freshwater Assessment as well as general good construction practice are adhered.

Guillaume Nel Environmental Consultants (GNEC) has been appointed by Paarl Golf Club (NPC) to facilitate the Environmental Impact Assessment (EIA) process for the proposed construction of the sediment trap within the Malans Stream on Erf 26055, Paarl as part of the Boschenmeer Golf Estate. The proposed property, Erf 26055, is 2.62 ha in size, with the entire Boschenmeer Golf Estate approximately 124 ha in size and falls under the jurisdiction of the Drakenstein Municipality. Taking the above-mentioned proposal of the proposed sediment trap into account, the following legislation was considered:

NATIONAL ENVIRONMENTAL MANAGEMENT ACT (Act No. 107 of 1998), AS AMENDED

Environmental Assessment

The National Environmental Management Act (NEMA) (Act No. 107 of 1998) identifies the development of infrastructure in close proximity to freshwater features on site as an activity that may have detrimental effects on the environment with the following listed activities:

Government Notice No. R.327 of 2014 (as amended 07 April 2017):

Activity 12

The development of –

- (i) Dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or
- (ii) Infrastructure or structures with a physical footprint of 100 square metres or more; where such development occurs –
 - (a) within a watercourse;
 - (b) in front of a development setback; or
 - (c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; -

excluding

- (aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;
- (bb) where such development activities are related to the development of a port or harbour, in which case activity 26 of Listing Notice 2 of 2014 applies;
- (cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;
- (dd) where such development occurs within an urban area;
- (ee) where such development occurs within existing roads, road reserves or railway line reserves; or
- (ff) the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.

Activity 19

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;

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;
- (c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;
- (d) occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or
- (e) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.

Definition of an Environmental Impact Assessment (EIA)

An environmental impact assessment is a good planning tool to assist in the identification, evaluation and assessment of potential positive and negative impacts of a proposed development on the environment. It also recommends ways to avoid or reduce negative impacts, and ensure that developments are sustainable without affecting people's lives and the environment adversely.

As mentioned, an EIA is undertaken in terms of the NEMA (Act No 107 of 1998) as amended, and the EIA Regulations.

Water Use Authorisation

The Paarl Golf Club approached the Department of Water and Sanitation during February 2014 regarding the sediment removal from their dams and the possibility to construct a sediment trap within the Malans Stream. Subsequently, the Paarl Golf Club received a General Authorisation (GA) on the 2nd of April 2014 for the proposed maintenance of sediment within the dams as well as the construction of the sediment trap.

Potential environmental issues

Potential environmental issues for the proposed construction of the sediment trap that will be addressed in the assessment include inter alia:

- Flora Impact:

No flora impacts are expected as the entire site has been altered from its natural state. No indigenous vegetation was found at the proposed sediment trap location.

- Fauna Impact:

Various common avifaunal species were noted utilising the Malans Stream, irrigation dam and Wateruintjiesvlei. No direct impacts are expected on fauna during the construction or operational phases of the sediment trap.

- Noise pollution:

There may be some noise impacts during the construction phase but these will only be temporary. No additional noise impacts are expected during the operational phase.

- Heritage impact:

Heritage Western Cape was contacted via email on the 5th of March 2019 to enquire if a Notice of Intent to Develop would be required for the proposed sediment trap. Heritage Western Cape responded on the 5th of March 2019 with the following response *“Please note the proposed Silt Trap does not trigger the provisions of S38 of the NHRA. No NID is required”*.

- Visual impact:

A low visual impact is expected. There may be some visual impacts during the construction phase but these will only be temporary. The proposed sediment trap would be constructed within the Malans Stream and would not be visible from the R301 (Wemmershoek Road) from Paarl to Franschoek, due to the activity taking place behind the Boschenmeer Estate boundary wall. The sediment trap would also not be visible from the houses next to the 25th hole as the sediment trap will be constructed within the watercourse channel.

- Dust Impact:

Dust suppression must be applied to the disturbed areas where construction activities will be active. Dust suppression is of high importance. Alternative measures for dust suppression must be used other than using potable water.

Public Participation

In terms of the NEMA, public participation forms an integral part of the environmental assessment process. The public participation process provides people who may be affected by the proposed development with an opportunity to provide comment and to raise issues of concern about the project or to make suggestions that may result in enhanced benefits for the project.

Comments and issues raised during the public participation process will be captured, evaluated and included in a Comment and Response Report. These issues will be addressed and included in the final Basic Assessment Report, which will be submitted to the Department of Environmental Affairs and Development Planning (DEA&DP).

3. DELIVERABLES

The environmental assessment will culminate in the compilation of a Basic Assessment Report, an Environmental Management Plan and Maintenance Management Plan. These documents will be submitted to the Department of Environmental Affairs and Development Planning (DEA&DP), who are the regulatory authority responsible for the review of these reports within the Western Cape.

The DEA&DP has to reach a decision as to whether, and under what conditions, the project may proceed, based on environmental considerations. An Environmental Authorisation will be issued based on the information provided in the Basic Assessment Report, Environmental Management Plan and Maintenance Management Plan. Interested and Affected Parties who have registered will be notified of the environmental authorisation when granted.

4. TIMEFRAMES

The table below provides an indication of the proposed timeframes for the project.

Activity	Estimated Timeframe
Compilation of Nol	7 February 2019
Submission of Nol	8 February 2019
Compilation of 1 st Draft Basic Assessment Report (BAR)	March 2019
Submission of 1 st Draft BAR to Department of Environmental Affairs & Development Planning (DEA&DP)	20 March 2019
1 st Public Participation Process (30 days)	March 2019– April 2019
Compilation of Application	April 2019
Submission of Application	April 2019
Compilation of 2 nd Draft BAR & Environmental Management Plan (EMP) & Maintenance Management Plan (MMP)	April 2019
2 nd Public Participation Process (30 days)	April 2019 – May 2019
Amend Final BAR & EMP	May 2019
Submit Final BAR to DEA&DP	May 2019
DEA&DP Review of Final BAR & EMP	May 2019 – September 2019
Authorisation	September 2019
Notify all Interested and Affected Parties	September 2019

5. INVITATION TO PARTICIPATE

Guillaume Nel Environmental Consultants (GNEC) has been appointed as an independent environmental consultancy by Paarl Golf Club (NPC) to facilitate the Environmental Impact Assessment (EIA) and public participation process for the requirements of NEMA for the proposed construction of the sediment trap within the Malans Stream on Erf 26055, Paarl as part of the Boschenmeer Golf Estate. A hardcopy of the first Draft Basic Assessment Report will be available at the Paarl public library (1 Market Street, Paarl) and an electronic copy will also be available on GNEC's website (www.gnec.co.za) from 22 of March 2019.

We would like to invite and encourage all stakeholders to complete and return the enclosed registration sheet and submit any written comments to:

GNEC

Attention: Divan Opperman
P.O. Box 2632, Paarl, 7620
Tel: 021 870 1874
Fax: 021 870 1873
E-mail: divan@gnec.co.za

GNEC Ref No: 20512

DEA&DP Ref No: 16/3/3/6/7/1/B3/28/1033/19

Please submit the registration sheet to GNEC by no later than Friday, 26 April 2019.

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**REGISTRATION AND COMMENT SHEET
 20 March 2019**

DEA&DP REFERENCE No: 16/3/3/6/7/1/B3/28/1033/19

GNEC REF: 20512

Title _____ **Name and Surname** _____
Company Name/Interest _____
Postal-or-Residential Address _____
Area _____ **Postal Code** _____
Tel: _____ **Cell Phone** _____
Fax: _____
E-Mail Address _____

Please indicate your preferred method of communication (Please indicate with an X)					
Fax		E-Mail		Post	

Comments (You are welcome to attach more sheets if necessary (Your comments will be considered in the Basic Assessment process))

Please provide details of any other person/company whom you would like us to add to our mailing list

Title _____ **Name and Surname** _____
Company Name _____
Tel: _____ **Fax No:** _____
E-Mail _____

Please complete and return to GNEC by no later than **Friday 26 April 2019.**
Attention Divan Opperman
 P.O. Box 2632, Paarl, 7620
 Tel: 021 870 1874, Fax: 021 870 1873
 E-mail: divan@gnec.co.za
Thank you for your participation