

NORTHERN CAPE RANCHERS CC

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COMMENTS ON NORTHGATE DRAFT EIA AND EMP.

Thank you for affording us the opportunity to comment on the draft EIA.

GENERAL OBSERVATIONS.

- ✍ In the electronic version of the EIA the file name indicates that this is the FINAL report. If the report is final it indicates to I&AP's that there will be no changes to the document to address our concerns
- ✍ There is no executive summary to provide readers with an overall understanding of the development and the content of the document. An executive summary facilitates the review process and should be included in such a document
- ✍ It should be noted that overgrazing, resulting in erosion, is due to poor management and should not be an excuse to develop land as this is an irresponsible use of a natural resource
- ✍ Whereas section 10.1.6 of the Environmental Impact Assessment (EIA) states that "a comment sheet asking stakeholders to respond to particular questions accompanies the report; and further written submissions are encouraged ",no such comment sheet is available with the report

THE EIA

We contend that the draft EIA is fatally flawed on a number of counts;

1. Both the existing (2004) SDF and the draft SDF now open for public comment have been raised repeatedly in the Scoping and EIA processes. Consequently the EIA must address this issue. The proposed development contravenes both the 2004 SDF since it is outside the urban edge and the draft SDF (2008-2013). It patently ignores the issue.
The SDF issue has been brought up by I&AP's but has been ignored by the EAP.
2. The document contains no site layout plan depicting the phase by phase development. The exact location of environmentally key installations eg the filling station is not given. For all we know it lies directly on the main drainage line.
3. The National Electricity Grid is under severe strain. Eskom has placed a moratorium on all development country-wide. Load shedding in Kimberley, already a reality, could be exacerbated by the additional requirements of each of Phases 1 to 8 of the Northgate Development. However many substations and additional lines are constructed – even if Eskom had the finance to do this - the infrastructure alone does not guarantee the availability of electricity.
4. Sewage and the promised upgrade to the Homevale Sewage plant remain a serious constraint to the proposed development. Firstly, Phase 1 is allowed to proceed prior to the upgrade. Additional sewage will be consequently be added to a system which is already operating well beyond its capacity and effectiveness. **The upgrade must take place prior to any development taking place.**
5. Regarding the upgrade itself:
 - ? What is the precise amount to be contributed by the developers?
 - ? What is the precise amount to be contributed by Sol Plaatje Municipality?
 - ? Are either of these amounts available? Can proof be provided?
 - ? What happens if after Phase 1, no funds are available and we are saddled with an even worse hazard for Kamfersdam if compared to the present?
6. How are the developers and contractors to gain adequate and viable access to the proposed development site if Dr Joe van Vrede refuses to sell his pistol club to them? The adjacent property cannot be touched as it is in an insolvent estate which is proving very difficult to wind up. Consequently, this area cannot be bought.

7. The Midlands –Barkly Road which would be the principle access to the site, is already over saturated (Traffic Services Report).
8. Alternative sites have not been evaluated independently by the developers. Previous EIA's commissioned by other developers were alluded to in a very superficial way. In an area as sensitive as this, this is not acceptable.
9. In terms of the distance of the planned development from the pan we wish to emphasize that adequate buffer zones are not proposed. GDACE (Gauteng Environmental Department) have a guideline document for the protection of Red data plants species. Unfortunately no such document exists for the Northern Cape but in the absence of NC documentation we submit that it is responsible to reference the documentation of other provinces. They list the following:

- ✍ In urban areas the buffer zone is set at a minimum of 200m from the edge of the plant population. (Urban area is defined to mean all built up areas in Gauteng, including residential, commercial, retail, institutional, educational, industrial and mixed use developments, where proposed developments are 50 percent abutted by urban development and which can be readily connected to municipal bulk infrastructure services).
- ✍ Seeing that Northgate is outside the urban edge (SDF (2004) - the urban edge has not been reviewed through a SDF process) it is considered rural and therefore the following applies:
In rural areas, a larger buffer zone width is required to protect populations of Red List Plant Species from detrimental edge effects that are active over distances greater than 200 metres, in accordance with their priority grouping, as defined in the section below, as follows –
 - ✍ in respect of an A1 priority grouping, a buffer zone of at least 600 (six hundred) meters from the edge of the Red List Plant Species population must be allowed;
 - ✍ in respect of an A2 priority grouping, a buffer zone of at least 500 (five hundred)meters from the edge of the Red List Plant Species population must be allowed;
 - ✍ in respect of an A3 priority grouping, a buffer zone of at least 400 (four hundred) meters from the edge of the Red List Plant Species population must be allowed;
 - ✍ in respect of a B priority grouping, a buffer zone of at least 300 (three hundred) meters from the edge of the Red List Plant Species population must be allowed.

(A1 endemic to the province; A2 endemic to the province & one other province; A3 endemic to province and 2 or more other provinces; B not endemic to SA.)

The Draft EIA ignores several pertinent issues:

1. The draft EIA, although providing a Social Impact study, does not address the safety and security of the thousands of prospective inhabitants, given that the adjacent property is a registered Game Farm. Culpability issues arising from possible accidents are ignored although raised in the Scoping phase.
2. Red data species, for example the bullfrog, are totally ignored by the EIA.
3. The property being considered is 'due to its close proximity to Roodepan and the city environment greater and greater threat in the form of theft and trespassing is occurring making the viability of domestic husbandry more marginal.'(page 13) By putting such a huge development 40m from the boundary fence, this scourge will be transferred and intensified on Flamingo Farm, a registered game farm, owned by Northern Cape Ranchers CC , who are principally Livestock dealers and additionally, game farmers.

The EMP

There are a number of issues and questioned raised by the EMP.

1. Who appoints the Environment Control Officer? Who pays him/her? To whom is he/she accountable?
2. Where is the development plan which indicates 'all sensitive areas and corridors' (Page 4, EMP)
3. What happens should it be found during an Environmental Audit (as prescribed) that there has been non-compliance with the recommendations of the EIA, EMP or the conditions of the ROD? If a fine is imposed, many developers would gladly pay this and carry on in their own fashion. It hardly negates the problem or ensures compliance on the part of the developer and/or contractor.
4. Page 9 states that 'Homevale to be upgraded prior to *occupancy* of phases two to eight', not even prior to *construction*. Given the status quo of the sewage entering Kamfersdam, this is preposterous!
5. Page 27 gives as a target '4) Sewage water must not negatively impact on the water level of Kamfersdam.' Given the stated priority regarding building and upgrading the sewage plant, this can never be achieved.
6. Page 18 In discussing the Botanical impacts the following is given as a target: '3) Fence off rare species as indicated on the map.' What map?
7. Page 21. In discussing the Avifauna impacts following is given as a target: 'Regularly monitor bird species.' Should the numbers deteriorate or the birds become stressed and leave what will happen? Will they continue to 'monitor'? Will the development be stopped and like God, the developers be able to put everything back to its pristine, undisturbed state?
8. In terms of Fauna:
The EWT (endangered Wildlife Trust) recommend at least a 500m buffer zone from breeding RDB birds but more readily recommend a buffer zone of 1km as they feel this distance offers the birds more protection and is more likely to mitigate the impacts of development. *If this buffer zone is recommended for other species such as the African White Backed Vulture why is a buffer zone of this magnitude not recommended for the threatened flamingos?*
9. Who is to appoint, pay and monitor the security guards – page 22?

10. Besides being given the height of the security fence and the budgeted amount, we are given no specifications of this sound-proof, human and animal proof construction. Is it to be brick and mortar? How wide? Where does it begin? Where does it end?
The view so prominently touted in advertising this development will surely be cut off by any vaguely adequate structure. *Irresponsible advertising* is therefore another charge which can be laid at the door of the developer.
11. Security cameras are said to be erected and monitored to provide 24-hour surveillance to cover the Booth residence and the Flamingo breeding island. It sounds wonderful but logistically the statement is highly suspect. Where is the control room? Who is to monitor the situation? Who is to bear the cost? In perpetuity? Who is to provide the maintenance? What happens if there is a breach of security? Who will react? What are the consequences?
12. Is there to be a backup generator to supply electricity to these wonderful security features should there be load shedding or as often happens in the area, a power failure? This would certainly be of particular importance for the effective functioning of the electrical fence and for the yellow security lights as well.
13. Page 31 states'1) A test blast must be used to determine ground vibration travel, noise travel and disturbance factor and reaction of the flamingoes on the island'. Firstly they are not necessarily all sitting on the island waiting for the test to pass – they are in creches, scattered all over the pan or flying in the area. Secondly the impact of this test blast could be severe and that would be the end of an international scientific feat. If the impact is not known, the exercise should be avoided especially in a unique situation such as this.
14. Flamingo Viewing Platforms are promised. When is this to come to fruition? Is there a contract in place? Can the developer be held accountable?
15. The same points apply to the contributions to the Environmental Trust.
16. With respect to the RDB plants we understand that the Ecological Management Plan must –
 - ? Ensure the persistence of the Red List Plant Species population;
 - ? Include a monitoring programme that monitors the size, stage structure and vigour of the Red List Plant Species population as well as threats to the population;
 - ? Facilitate/augment natural ecological processes such as fire and herbivory;

- ? Provide for the habitat and life history needs of important pollinators;
- ? Minimise artificial edge effects (e.g. water runoff from developed areas and application of chemicals);
- ? Include an ongoing monitoring and eradication programme for non-indigenous species with specific emphasis on invasive and weedy species;
- ? Result in a report back to the Department on an annual basis.

No such details are provided in the EMP

CONCLUSION

The EMP foresees no Pre-Construction problems. We see a plethora of problems, many of which have not been adequately addressed.

While we appreciate the fact that Kimberley and its people need investment, it seems patently obvious that this is not the correct site for that development. Alternative sites must be adequately evaluated.

The area should be a conservancy as delineated by the draft SDF, commissioned by the Sol Plaatje Municipality and completed by KOPLAN Consultants CC. I refer you to Mr Paul Kotze (TRP (SA) B.Art et Scien (Planning) MBA.)- cell:0828941232 or paul@koplan.co.za in connection with

- ? the legal obligations related to implementing the SDF,
- ? the relevance of the SDF to the EIA process. This is corroborated by MCA Spatial Planning and Design in Cape Town.
- ? the declaration of the proposed site as part of the Kamfers Dam Conservancy and a section for tourism and the hospitality industry.

It is acknowledged by the developer and the EAP that the impact related to the flamingos has national as well as international significance. The developer states that he believes that sufficient mitigating measures have been included to ensure the permanence of the flamingo breeding programme. ***Why then was this EIA application not lodged with the National Department since, according to NEMA, the Minister must be identified as the competent authority when the activity has implications for national environmental policy or international environmental commitments or will affect more than one province or traverse international boundaries?***

Yours sincerely

H AJ Booth
(CEO Northern Cape Ranchers CC) and

A B Booth
(Member Northern Cape Ranchers CC)