

# Environmental Impact Assessment (Basic Assessment) for Maintenance and Management Interventions in Surface Stormwater System, City of Cape Town

(DEA Ref: 16/3/1/3/1/A7/4/2031/12)

## BACKGROUND INFORMATION DOCUMENT



DEA&DP Reference: 16/3/1/3/1/A7/4/2031/12 Exemption Reference: 16/3/1/4/A7/4/2013/12

### WHAT DOES THIS DOCUMENT TELL YOU?

It is intended that this Background Information Document (BID) will provide you with information about the application for authorisation and EIA process being undertaken for the maintenance and management interventions undertaken by the City of Cape Town (CCT) in its surface stormwater system. The City's stormwater surface system comprises both built / engineered and "natural" components.

This BID document will help you to:

- Better understand the project in order to be able to provide comment;
- Determine if you are an Interested and/or Affected Party (I&AP) in the project; and
- Understand the environmental authorisation process so that you are able to participate effectively.

### PROJECT BACKGROUND/OVERVIEW

#### STORMWATER MANAGEMENT PROGRAMME

The City of Cape Town is responsible for undertaking the routine management and maintenance of Cape Town's numerous rivers, canals, vleis, wetlands, estuaries and constructed stormwater systems to ensure public safety, manage flood risk, promote habitat and biotic diversity and prevent or minimise infrastructure damage. The CCT undertakes these activities on a routine, repetitive basis throughout its jurisdictional area. All of these interventions are intended to keep the City's stormwater system functioning at an optimal level whilst maintaining and in some cases even improving ecosystem health through rehabilitation of degraded systems.

Some of these interventions trigger the EIA Regulations (2010) in so far as they are regarded as being "listed activities" and hence require authorisation by the Department of Environmental Affairs and Development Planning (DEA&DP). The DEA&DP has advised CCT that due to changes in national legislation, the existing authorisation, obtained in 2000 under the Environment Conservation Act (Act No. 73 of 1989), needs to be re-applied for in terms of the current National Environmental Management Act (Act No. 107 of 1998), and its associated 2010 EIA Regulations. The City's stormwater management and maintenance interventions are discussed further below with selected examples being illustrated in the adjacent photographs.

### PROPOSED MANAGEMENT INTERVENTIONS

The City's routine stormwater management interventions typically include the following:

1. Vegetation management (manual and mechanical removal of aquatic and terrestrial vegetation)
2. Erosion control (widening channels, gabions, rock pile weirs, articulated concrete blocks)
3. Sediment removal (manual and mechanical removal)
4. Enclosure of channels (conversion of open engineered channels to piped systems)
5. Litter and debris removal (manual and mechanical)
6. Attenuation (through maintenance of weirs, ponds and flood defences)
7. Minor stormwater infrastructure (construction and maintenance e.g. headwalls & outlets)
8. Recreational access (footpaths, boardwalks, pedestrian bridges and crossings)
9. Dam maintenance (scour valve repairs etc)
10. Breaching of estuaries (artificial mechanical breaching to open up estuary mouths)



Clearing vegetation from a unlined canal by hand (District 6 Athlone)



Long-boom excavator used for removing sediment (District 1 Blaauwberg)



Cross gabions such as this prevent erosion of the river bed (District 8 South Peninsula)



Gabion headwall (District 1 Blaauwberg)



Manual cleaning of a litter trap (District 8, South Peninsular)



Rehabilitated watercourse in Constantia (District 8, South Peninsula)

### WHAT AND WHO IS INVOLVED?

The application for authorisation forms the main component of this project. The following will be undertaken:

- Environmental Authorisation: A Basic Assessment will be undertaken together with a Public Participation Process (PPP). This will culminate in a Basic Assessment Report (BAR) together with an Environmental Management Plan (EMP).
- Standard Operating Procedures will be developed for City personnel to guide the activities undertaken within each of the City's 8 Stormwater Districts.
- Training: City officials will be trained on the use of documentation developed.

GIBB is the Environmental Assessment Practitioner (EAP) for the project, assisted by Coastec (Botany) and the Freshwater Consulting Group (Aquatic Ecology).

The proponent of the project is the City of Cape Town's Roads and Stormwater Department (Catchment, Stormwater and River Management Branch).

### THE NEED FOR A BASIC ASSESSMENT

The EIA Regulations published in Government Notice R543 of 18 June 2010 in terms of Section 24 (5) of the National Environmental Management Act (Act No. 107 of 1998), lists certain activities as requiring environmental authorisation before they can proceed. These are set out in Government Notices R544 and R546 (activities that trigger Basic Assessments), and R545 (activities triggering Scoping and Environmental Impact Assessment processes or full EIAs).

### LISTED ACTIVITIES

Several of the City's routine stormwater management interventions proposed above trigger activities listed in R544 and R546. These therefore require Basic Assessments. None of these "routine" management activities trigger the need for a full Scoping and EIA process (R545). The triggered listed activities are listed below:

**Table 3: Listed activities applied for in terms of the EIA regulations. Text has been abbreviated.**

Activity	Intervention	Condition
544, 11	<b>Construction</b> of canals, channels; weirs, stormwater outlets or infrastructure ( $\geq 50 \text{ m}^2$ )	Within 32 m of watercourse
544,	<b>Construction</b> or earth	Within sea, estuary, littoral

16	moving activities for embankments, stabilising structures, or infrastructure ( $\geq 50 \text{ m}^2$ )	zone, or 100m inland of high water mark (HWM). Exclusions apply.
544, 18	<b>Infilling</b> ( $> 5 \text{ m}^3$ ) with any material, or <b>Dredging, removal or moving</b> (any quantity) any soil, sand, rock etc	In watercourse, sea, seashore, littoral zone, estuary, 100m inland of HWM. Exclusions apply.
544, 39	<b>Expansion</b> of canals, channels, bridges, weirs, bulk stormwater outlet structures, if development footprint is increased.	Within a watercourse, or 32 m from watercourse. Exclusions apply.
544, 40	<b>Expansion</b> of jetties, slipways, buildings ( $> 50 \text{ m}^2$ )	Within a watercourse, or 32 m from watercourse. Exclusions apply.
544, 45	<b>Expansion</b> of facilities, including infrastructure ( $> 50 \text{ m}^2$ ), embankments, stabilising structures.	Within sea, estuary, littoral zone, or 100m inland of HWM. Exclusions apply.
546 12	<b>Clearing</b> $\geq 300\text{m}^2$ where vegetation is $\geq 75\%$ indigenous	Various location conditions including endangered ecosystems, Critical Biodiversity Areas (CBAs), littoral zone or 100 m from HWM.
546, 13	<b>Clearing</b> $\geq 1 \text{ ha}$ where vegetation is $\geq 75\%$ indigenous. Exclusions apply.	Various location conditions including CBAs, ecological support areas, National Protected Area Expansion Strategy Focus areas, in an estuary, outside urban areas (various conditions), in urban areas (various conditions).
546, 14	<b>Clearing</b> $\geq 5 \text{ ha}$ where vegetation is $\geq 75\%$ indigenous. Exclusions apply.	All areas outside urban areas
546, 16	<b>Construction</b> of infrastructure ( $\geq 10 \text{ m}^2$ ) within a watercourse, or 32 m from watercourse	Within any watercourse, estuary, outside urban areas (various conditions, in urban areas (various conditions).
546, 24	<b>Expansion</b> of infrastructure ( $\geq 10 \text{ m}^2$ ) within a watercourse, or 32 m from watercourse	Within any watercourse, estuary, outside urban areas (various conditions, in urban areas (various conditions).

As mentioned above, there are numerous types of interventions which the CCT undertakes in maintaining the built and natural components of its stormwater system, and hence is planning to obtain authorisation for all of those which require it in terms of NEMA. It is noted that Section 14 of the EIA Regulations makes provision for issuing a consolidated authorisation which is desired in this case. This application for consolidated authorisation therefore covers a number of the "listed activities".

## EXEMPTION APPLICATION

In terms of the Section 50 of the EIA Regulations, CCT will be applying for exemption from Section 10(2)(d) of the EIA Regulations, which states that the environmental authorisation issued by DEA&DP should be advertised in a published notice. Notification of the Environmental Authorisation will however be forwarded to all registered I&APs.

## THE BASIC ASSESSMENT PROCESS

The Basic Assessment can be divided into the following distinct phases and tasks:

### 1. Application

- Submit an EIA application to the Department of Environmental Affairs and Development Planning (DEA&DP),
- DEA&DP acknowledge application, provide an application number and allocate a case officer.

### 2. Commence Public Participation Process

- Identify Interested and Affected Parties (I&APs) and relevant authorities
- Call for registration of I&APs through *inter alia*, newspaper adverts, notification letters, BIDs and notice boards.
- 21 day I&AP registration period.

### 3. Draft Basic Assessment Report (BAR)

- Identify potential environmental impacts through investigation and Public Participation Process (PPP).
- Describe and investigate the alternatives that may be considered.
- Undertake assessment of impacts and produce a Draft BAR plus EMP.
- Place Draft BAR in public domain for review (40 days)
- Hold Open House Days to provide opportunity for public to engage the project team.

### 4. Final Basic Assessment Report

- Incorporate all comments into a Final BAR.
- Place Final BAR in public domain for review (21 days)

### 5. Submission of Final Basic Assessment Report

- Submit the BAR, including all final public comments to DEA&DP.

### 6. Authorization

- Environmental Authorization (EA) issued once DEA&DP has made a decision regarding the proposed project. Decision may be positive or negative.

- All registered I&APs are notified of the EA.

## OTHER AUTHORISATIONS

The proposed interventions may well require a Water Use License in terms of the National Water Act (No. 36 of 1998). The CCT has requested clarification from the Department of Water Affairs, and will pursue a license if required.

Some interventions may trigger Section 38 of the National Heritage Resources Act (No. 25 of 1999). Due to the lack of existing baseline heritage information for the area, the CCT will not seek heritage authorisation as part of this consolidated process. Authorisation will however be sought on a site by site basis as required.

## PUBLIC PARTICIPATION PROCESS AND HOW TO REGISTER AS AN I&AP

It is important that relevant I&APs are identified and involved in the Public Participation Process from the outset of the proposed project. The inputs received from I&APs form an integral part of the EIA process and will also assist the decision-making authority, DEA&DP, with their decision-making.

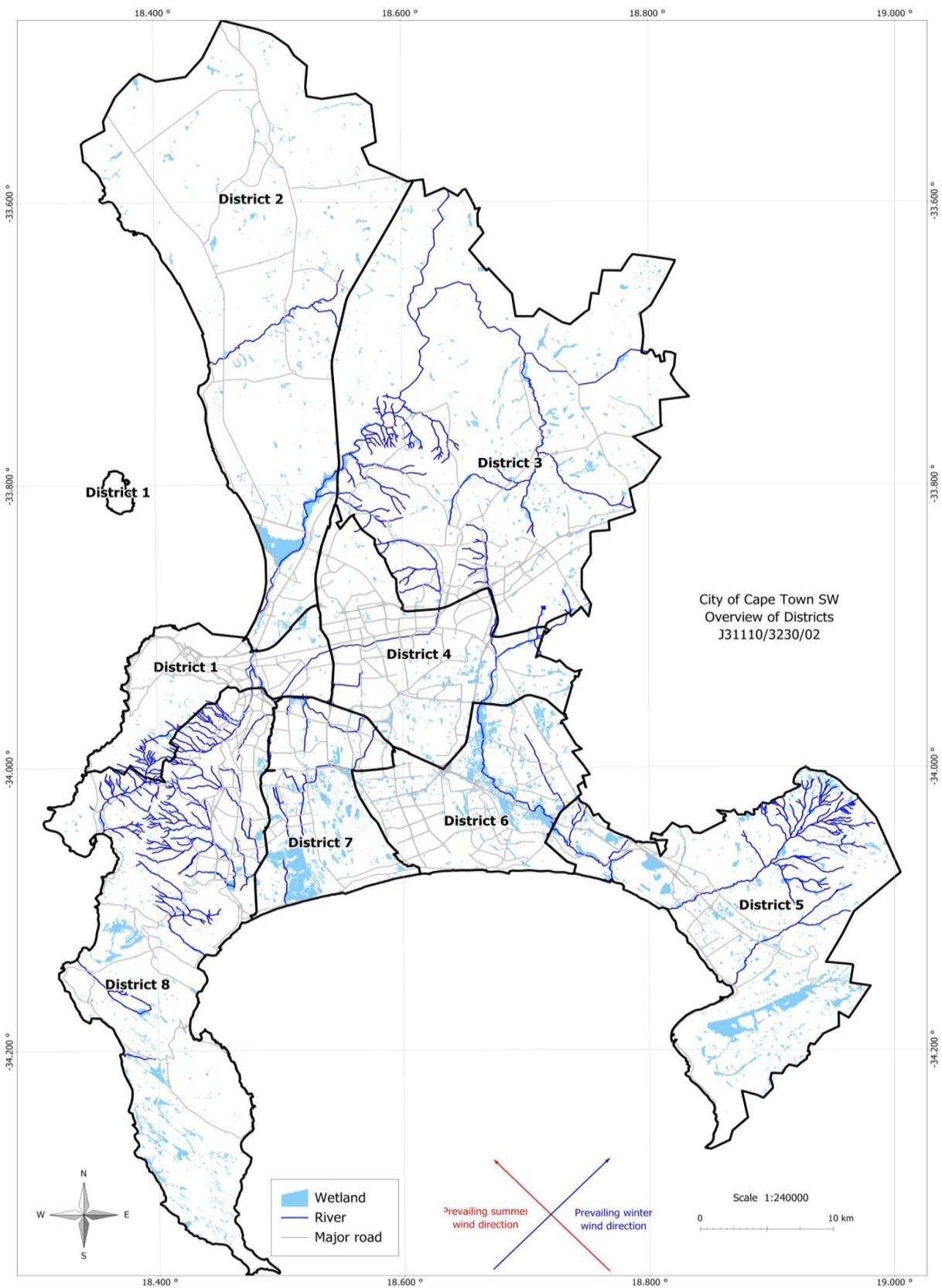
If you consider yourself to be an I&AP for this proposed application, we urge you to register your interest officially.

Should you wish to register, please contact the Public Participation Office (details below) via phone, fax or email (preferred). Please submit your name, contact information (address, telephone number, e-mail address, postal address). A "Registration and Comment" form is supplied at the back of this notice for your convenience and can be used to express your views regarding this project. Please feel free to add comments on a separate page should the space provided on this notice be insufficient. The names of all registered I&APs, together with the comments received, will be incorporated into the Basic Assessment Report and will be submitted to the DEA&DP.

For further information, the person below can be contacted during office hours.

### Contact:

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**Figure 4.** The jurisdictional area of the City of Cape Town

