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**EASTERN CAPE**  
ECONOMIC DEVELOPMENT, ENVIRONMENTAL  
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FAX COVER SHEET

FAX NO: (041) 363 1922

DATE: 30/07/2012

ATTENTION: Mr Dumisani Bokveldt  
Terratest

FROM: Nicole Gerber

NO OF PAGES: 5 (Cover Sheet Included)

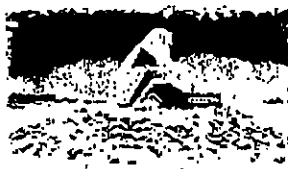
MESSAGE:

REQUEST FOR AMENDED FEIR - PROPOSED REDHOUSE CHELSEA ARTERIAL AND EXTENSION  
OF WALKER DRIVE.

Please find the attached document for your attention.

Nicole Gerber

Environmental Officer: EIM





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Ref: ECm1/LN2/M/10-88

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Attention: Mr Dumisani Bokveldt

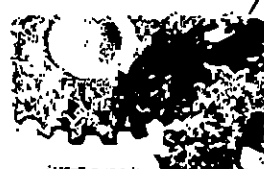
**REQUEST FOR AMENDED FINAL ENVIRONMENTAL IMPACT ASSESSMENT REPORT: PROPOSED CONSTRUCTION OF REDHOUSE CHELSEA ARTERIAL AND EXTENSION OF WALKER DRIVE, PORT ELIZABETH, WITHIN THE NELSON MANDELA BAY MUNICIPAL AREA.**

The Final EIR for the above-mentioned project dated May 2012 and received on 18 May 2012 to undertake listed activities as described in Government Notice R. 545 of 18 June 2010 refers. Refer also to the Department's letter dated 10 February 2012 and the additional information submitted subsequent to the DEDEAT-NMBM Bilateral held on 25 May 2012, dated 14 June 2012 and received in the Department on 15 June 2012.

Please be advised that the Department has reviewed the Final Environmental Impact Report. The Final EIR (FEIR) does not contain sufficient information in order to facilitate a decision on the application. You are hereby required to submit an Amended Final Environmental Impact Assessment Report, which must be made available to all registered I & AP's for public comment prior to the submission of the Amended Final EIR to the Department. Such comments are to be included in the Amended Final EIR as described in Regulation 57 (1) of GN. R 543.

The following to be addressed in the Amended Final EIR:

- 1) A copy of the application for a Water Use Licence submitted to the Department of Water Affairs to be included;
- 2) The alternatives for the alignment of the arterial presented in the FEIR have not been adequately assessed in terms of a comparative assessment matrix which addresses the environmental impacts of each, the criteria, and the significance. This must include Alternative 1 as well. Only Option 4 has been fully assessed in the EIR. It is therefore not possible to compare the impacts for each option;
- 3) The alternatives for the design of the Baakens River and *Cyclopia* crossings have also not been adequately assessed in terms of a comparative assessment matrix which addresses the environmental impacts of each, the criteria, and the significance;
- 4) The impacts on the Baakens River have not been assessed as there is no mention of aquatic fauna and flora present, nor have the impacts on the system



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- been assessed, especially in terms of the two alternatives proposed for the crossing, i.e. bridge vs. culvert. There is no indication in the report of the findings of the vegetation specialist regarding the recommendation in favour of a bridge structure versus the culvert structures;
- 5) The environmental impacts, as well as the social impacts for the relocation of the sewers as described in Annexure 3 must be assessed as well, and specific mitigation measures proposed. This must include an explanation of whether such relocation would be necessary in light of a bridge structure being chosen;
  - 6) The impacts have not been adequately described for the *Cyclopia* crossing and the crossing of the southern (south of the N2) watercourse, especially in terms of the possible impacts on the geohydrology of the area, and the possible impacts any changes might have on the *Cyclopia* populations. These impacts also need to be comparatively assessed in terms of the alternatives for these crossings, i.e. bridge vs. culvert vs. one long bridge. It is clear from Table 7.3 that both the vegetation specialist and the wetland specialist have recommended a bridge structure for the *Cyclopia* crossing. The vegetation specialist has further recommended a bridge structure for the Baakens River crossing as well;
  - 7) It appears that the discussion in the FEIR regarding the options of bridges vs. culverts has been extracted from the engineering report and no assessment of the environmental impacts of each option has been put forward. There is furthermore no discussion of the assessment of the potential impacts should blasting be required. Since the area in question seems very rocky, it seems quite feasible that such blasting might be necessary. This has not been mentioned, nor taken into account regarding the comparative table for impacts of bridges vs. culverts. The hydrological and hydraulic assessment undertaken by the engineers discusses the advantages and disadvantages of each option, but does not elaborate on the environmental aspects, which should be discussed and assessed in the FEIR. The impact of the large amount of fill required for the culvert option has not been addressed, especially in relation to the loss of a 140 m long x 60 m wide swathe of vegetation and the possibilities of the entire structure becoming a biological barrier both to fauna and flora;
  - 8) The interpretation of and summary of the findings of the specialist studies, and their recommendations, has not been provided;
  - 9) It is unclear from the vegetation specialist study as to whether the vegetation unit north of the N2 consists of Rowallan Park Grassy Fynbos only, a mixture of Rowallan Park Grassy Fynbos and Colleen Glen Grassy Fynbos, or Colleen Glen Grassy Fynbos only. The impacts of the loss of the critically endangered Colleen Glen Grassy Fynbos, vulnerable Rowallan Park Grassy Fynbos and rocky outcrops to the north of the N2 has not been adequately addressed in the FEIR in terms of its significance rating and specific mitigation measures to address the loss. This would include looking at issues of biodiversity offsets, as well as declaring high priority conservation areas as Local Nature Reserves or including them in the NM MOSS areas. In Section 6 of the vegetation specialist report, it is indicated that the rocky outcrops to the north of the N2 differ

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**CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS**

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- floristically from those to the south of the N2, but a comparative table is not provided in order to demonstrate this point;
- 10) Also, the assessment presented in the FEIR has not taken into account that only one portion of the southern rocky outcrop on the site of the Bay West Shopping Mall will be retained and the subsequent significance of the loss of the rocky outcrop which the Redhouse Chelsea Arterial is proposed to intersect has not been taken into account. As discussed in Appendix 6, there was indeed an agreement reached that the possible loss of this portion of rocky outcrop would be acceptable to DEDEAT, provided that the two larger portions be conserved within the Bay West site. This has however subsequently changed with the MEC's ruling to uphold the appeal by the Bay West developers, and thus that Environmental Authorisation has been amended to only conserve the one portion of the rocky outcrop. This would thus probably alter the significance of the loss of this particular portion of the rocky outcrop;
  - 11) An alternative for the alignment which lies between Option 4 and Option 4B has not been presented in the EIR. This needs to be assessed and compared to the other alternatives as described in point 2 above; an alignment that just misses the rocky outcrop as shown on the layout maps could possibly be feasible and the most suitable environmentally;
  - 12) In the Final Layout Plan for the Bay West site, Revision 8, there is a portion of land to the east labelled as 1.2. There is no exit point proposed off the arterial which will provide access to this portion from the rest of the Bay West site, as well as access to the Utopia Estate. Would this portion of the Bay West site then only be accessible from the Utopia Estate side? As discussed on site, there will only be an entrance to the Bay West mall and no entrance towards the Utopia Estate site; DEDEAT requires an explanation as to why this has not been proposed, and this in turn might also have an impact as to the viability of moving the alignment slightly eastwards. This entrance towards the Utopia Estate site is however shown as a road on the locality plan in Appendix F of Appendix 3 of the FEIR, as well as in Figure 7 of Appendix A. It is noted that Appendix 3 is dated December 2010, which is prior to the Amendment of the Bay West Authorisation. You are required to investigate whether this road would be viable and incorporate this point in the assessment of the alternatives, and subsequent comparative matrix;
  - 13) Furthermore, DEDEAT requires that the SANRAL requirements for the interchanges, as discussed in the EIR when referring to reasons why a certain alternative alignment has been abandoned, are presented in the Amended EIR, as well as the possibilities for approval of the "relaxation" of the minimum distances required by the NMBM, should the intermediate alignment between Option 4 and 4B, prove to be feasible;
  - 14) The Public Participation comments seem to be from the Scoping Phase of the application as they are dated in 2010. You are required to clarify this and confirm that the Final EIR also went out for public comment as required in Regulation 56 (3) and 56 (6). As only one public comment was included in Appendix D of the EIR (dated 16 August 2010), you are required to indicate if


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**CHIEF DIRECTORATE: ENVIRONMENTAL AFFAIRS**

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there were any further public comments received on the Draft EIR and the Final EIR;

- 15) It is unclear from the EIR whether the developers of the Utopia Estate have made any comments or had any input as to the alignment alternatives. Such must be clarified and any discussions or comments from the Utopia Estate developers must be included in the Amended EIR. Furthermore, the option as described in points 9 and 10 above must specifically be presented to the Utopia developers, and comment must be elicited regarding the implications of this alternative alignment on the Utopia development;
- 16) A comparison must also be made between the impacts of the loss of the rocky outcrop, and the loss of any vegetation in the Utopia Estate conservation areas as shown in option 4B and the possible intermediate alignment (between 4 and 4B) with reference to the need to move the entrance point for Utopia Estate.

The applicant's attention must be drawn to the fact that the activity may not commence prior to an environmental authorisation being granted by DEDEA.

  
**DAYALAN GOVENDER**  
**DEPUTY DIRECTOR: ENVIRONMENTAL AFFAIRS**  
**CACADU REGION**  
**DATE:** 30/07/2012