GEORGE
TEL: +27 (0) 44 873 4923 **FAX:** +27 (0) 44 874 5953
EMAIL: info@sescc.net **WEBSITE:** www.sescc.net
ADDRESS: Unit 17 Cathedral Square, Cathedral Street, George, 6530
PO BOX: 9087, George, 6530

CAPE TOWN
TEL: +27 (0) 21 554 5195 **FAX:** +27 (0) 86 575 2869
EMAIL: betsy@sescc.net **WEBSITE:** www.sescc.net
ADDRESS: Tableview, Cape Town, 7441
PO BOX: 443, Milnerton, 7435

TERMS OF REFERENCE FOR AQUATIC BIODIVERSITY STATEMENT/ASSESSMENT & WATER USE APPLICATION

THE PROPOSED UPGRADING OF STORMWATER INFRASTRUCTURE, ROSEMOOR, GEORGE, WESTERN CAPE

1. INTRODUCTION

Sharples Environmental Services cc (SES) has been appointed by *Lyners Engineers* on behalf of the *George Municipality* (applicant), to conduct the Environmental Impact Assessment process for the proposed upgrading of stormwater infrastructure of Rosemoor, George, Western Cape.

1.1 Location of the proposal

Figure 1: Locality Map

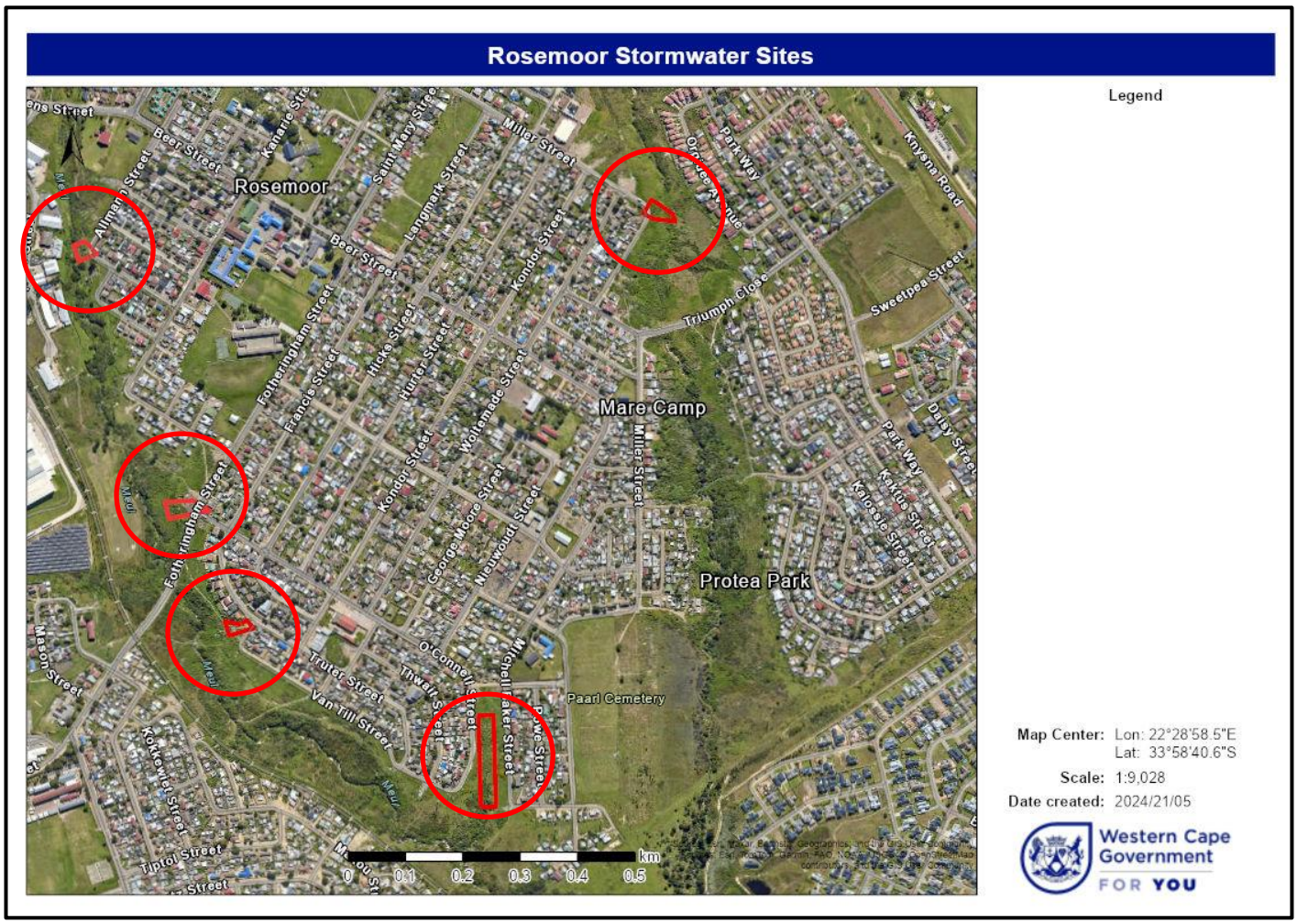

Figure 2: Rosemoor Stormwater Sites.

The red polygons above (highlighted by red circles) show the areas where stormwater infrastructure outlets will be upgraded outside of the road reserve and in close proximity to watercourses. These marked areas must be assessed by the specialist.

A screening report was completed on 20 May 2024 and A **"Very High"** environmental sensitivity rating was indicated for the Aquatic Biodiversity theme.

As per the procedures for the assessment and minimum criteria for reporting on identified environmental themes (Aquatic Biodiversity) in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation (March 2020), "*where the information gathered from the site sensitivity verification differs from the screening tool designation of "low" aquatic biodiversity sensitivity, and it is found to be of a "very high" sensitivity, an Aquatic Biodiversity Specialist Assessment must be submitted.* Therefore, specialist input is required in this regard.

Table 1: Sensitivity Features of Stormwater Outlets (DEA Screening Tool).

Sensitivity	Feature(s)
Very High	CBA 1: Aquatic
Very High	SWSA (SW) _Outeniqua
Very High	Wetlands_Eastern Fynbos-Renosterveld Bioregion (Valley-bottom)

2. SPECIALIST INVOLVEMENT

The purpose of this study is to conduct Aquatic Biodiversity Impact Assessment of the sites to ascertain the status of the aquatic features and assess the potential impact of the proposed development on the aquatic environment. The report should not be limited to this brief. Where the specialist sees the necessity for providing other vital information or investigations, this should be included.

The specialist conducting this study must:

- Be independent and have expertise in conducting similar assessments;
- Have a suitable academic qualification in the aquatic field;
- Be registered with the South African Council for Natural Scientific Professionals (SACNASP);
- Be familiar with the assessment criteria commonly used in the EIA Process to assess and evaluate impacts, as well as the newly promulgated Procedures for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes (March 2020);
- Have good knowledge relating to assessment techniques and to relevant legislation, policies and guidelines.
- Perform the work in an objective manner, even if this results in views and findings that are not favourable to the applicant.
- Consider the DEA&DP's Guideline on Involving biodiversity specialists in the EIA process.

2.1 Terms of Reference

The assessment of the proposal will necessitate specialist input which will need to be undertaken with the Terms of Reference listed below and relevant specialist guidelines. In addition to meeting the requirements of the relevant legislation, Aquatic Biodiversity Impact Assessment reports should also meet those of the Guideline for Involving Aquatic Specialists in EIA Processes and the relevant Gazetted Protocols. The aquatic specialist must have no financial or other vested interest in the proposed development and must be professionally registered with the South African Council for Natural Scientific Professionals (SACNASP).

Phase 1 (Contextualisation of study area)

- ✓ Contextualization of the study area in terms of important biophysical characteristics and the latest available aquatic conservation planning information (including but not limited to vegetation, CBAs, Threatened ecosystems, any Red data book information, NFEPA data, broader catchment drainage and protected areas).
- ✓ Desktop delineation and illustration of all watercourses within and surrounding the study area utilising available site-specific data such as aerial photography, contour data and water resource data.
- ✓ A risk/screening assessment of the identified aquatic ecosystems to determine which ones will be impacted upon by the proposed development and therefore require ground truthing and detailed assessment.

It should be noted that following the site verification visit, as per point 1: General Matters of the Protocol for the Specialist Assessment and Minimum Report Content Requirements for Environmental Impacts on Aquatic Biodiversity,

" 1.2. Where the information gathered from the site sensitivity verification differs from the screening tool designation of "very high" aquatic biodiversity sensitivity, and it is found to be of a "low" sensitivity, an Aquatic Biodiversity Compliance Statement must be submitted."

And,

"1.4. If any part of the proposed development footprint falls within an area of "very high" sensitivity, the assessment and reporting requirements prescribed for the "very high" sensitivity apply to the entire footprint, excluding a linear activity for which impacts on aquatic biodiversity are temporary and the land in the opinion of the aquatic biodiversity specialist, based on the mitigation and remedial measures, can be returned to the current state within two years of the completion of the construction phase, in which case a compliance statement applies. In the context of this protocol, development footprint means the area on which the proposed development will take place and includes any area that will be disturbed."

Phase 2 (Delineation and classification)

- ✓ Ground truthing, infield identification, delineation and mapping of any potentially affected aquatic ecosystems in terms of the Department of Water and Sanitation (DWAF 2008) Updated Manual for the Identification and Delineation of Wetlands and Riparian Areas.
- ✓ Field delineation must follow the accepted national protocol and should result in a map that includes the identified boundary and the field data collection points (which should include at least one point outside the wetland or riparian area), and a report that explains how and when the boundary was determined.

- ✓ Classification of the identified aquatic ecosystems in accordance with the 'National Wetland Classification System for Wetlands and other Aquatic Ecosystems in South Africa' (Ollis et al. 2013) and WET-Ecoservices (Kotze et al. 2009).
- ✓ Description of the identified watercourses with photographic evidence.

A baseline description of the site is to be compiled and is to reflect the following aspects

- ✓ The aquatic ecosystem types, the presence of aquatic species, and composition of aquatic species communities, their habitat, distribution and movement patterns.
- ✓ The threat status of the ecosystem and species as identified by the screening tool.
- ✓ An indication of the national and provincial priority status of the aquatic ecosystem, including a description of the criteria for the given status (i.e., if the site includes a wetland or a river freshwater ecosystem priority area or sub catchment, a strategic water source area, a priority estuary, whether or not they are free -flowing rivers, wetland clusters, a critical biodiversity or ecologically sensitivity area).
- ✓ A description of the ecological importance and sensitivity of the aquatic ecosystem including:
    - the description (spatially, if possible) of the ecosystem processes that operate in relation to the aquatic ecosystems on and immediately adjacent to the site (e.g. movement of surface and subsurface water, recharge, discharge, sediment transport, etc.); and (b) the historic ecological condition (reference) as well as present ecological state of rivers (in- stream, riparian and floodplain habitat), wetlands and/or estuaries in terms of possible changes to the channel and flow regime (surface and groundwater).
    - Ecological infrastructure, processes and services within the site and immediate surroundings.
- ✓ Identify alternative development footprints within the preferred site which would be of a "low" sensitivity as identified by the screening tool and verified through the site sensitivity verification and which were not considered appropriate.

In the case of the specialist identifying that the sensitivity is low and as per 1.4 above, a Compliance Statement should be undertaken, as follows: **Phase 3: Compliance Statement**

- ✓ The compliance statement must be prepared by a suitably qualified specialist registered with the SACNASP, with expertise in the field of aquatic sciences.
- ✓ The compliance statement must:
    - be applicable to the preferred site and the proposed development footprint;
    - confirm that the site is of "low" sensitivity for aquatic biodiversity; and
    - indicate whether or not the proposed development will have an impact on the aquatic features.
- ✓ The compliance statement must contain, as a minimum, the following information:
    - contact details of the specialist, their SACNASP registration number, their field of expertise and a curriculum vitae;
    - a signed statement of independence by the specialist;
    - a statement on the duration, date and season of the site inspection and the relevance of the season to the outcome of the assessment;
    - a baseline profile description of biodiversity and ecosystems of the site;
    - the methodology used to verify the sensitivities of the aquatic biodiversity features on the site including the equipment and modelling used where relevant;
    - in the case of a linear activity, confirmation from the aquatic biodiversity specialist that, in their opinion, based on the mitigation and remedial measures proposed, the land can be returned to the current state within two years of completion of the construction phase;
    - where required, proposed impact management outcomes or any monitoring requirements for inclusion in the EMPr;
    - a description of the assumptions made as well as any uncertainties or gaps in knowledge or data; and
    - any conditions to which this statement is subjected.
- ✓ A signed copy of the compliance statement must be appended to the Basic Assessment Report or Environmental Impact Assessment Report.

Phase 3 (If an Aquatic Assessment is required)

- ✓ Conduct a Present Ecological State (PES), functional importance assessment and Ecological Importance and Sensitivity (EIS) assessment of the delineated wetland habitats, utilising the latest tools, such as:
  →Level 2 WET-Health tool (Macfarlane et al., 2009/2018) – PES
  → WET-Ecoservices (Kotze et al., 2009/2018) and/or the Wetland EIS assessment tool of Roundtree and Kotze (2013). - Functional assessment
- ✓ Conduct a Present Ecological State (PES) and Present Ecological Importance and Sensitivity (EIS) assessment of the delineated river/riparian habitats, utilising:
  → Qualitative Index of Habitat Integrity (IHI) tool adapted from (Kleynhans, 1996) – PES
  → DWAF (DWS) River EIS tool (Kleynhans, 1999) – EIS
- ✓ Indicate the Recommended Ecological Category (REC) of the potentially impacted aquatic ecosystems.

Phase 4 (Impact Assessment) - Please also refer to Appendix A

- ✓ Identification, prediction and description of potential impacts on aquatic habitat during the construction and operational phases of the project. Impacts are described in terms of their extent, intensity, and duration. The other aspects that must be included in the evaluation are probability, reversibility, irreplaceability, mitigation potential, and confidence in the evaluation.
- ✓ All direct, indirect, and cumulative impacts for each alternative must be rated with and without mitigation to determine the significance of the impacts.

Confirm:

- ✓ Is the proposed development consistent with maintaining the priority aquatic ecosystem in its current state and according to the stated goal.
- ✓ is the proposed development consistent with maintaining the resource quality objectives for the aquatic ecosystems present.
- ✓ how will the proposed development impact on fixed and dynamic ecological processes that operate within or across the site? This must include:
  - impacts on hydrological functioning at a landscape level and across the site which can arise from changes to flood regimes (e.g. suppression of floods, loss of flood attenuation capacity, unseasonal flooding or destruction of floodplain processes);
  - will the proposed development change the sediment regime of the aquatic ecosystem and its sub-catchment (e.g. sand movement, meandering river mouth or estuary, flooding or sedimentation patterns);
  - what will the extent of the modification in relation to the overall aquatic ecosystem be (e.g. at the source, upstream or downstream portion, in the temporary / seasonal / permanent zone of a wetland, in the riparian zone or within the channel of a watercourse, etc.); and
  - to what extent will the risks associated with water uses and related activities change;
- ✓ how will the proposed development impact on the functioning of the aquatic feature? This must include:
  - base flows (e.g., too little or too much water in terms of characteristics and requirements of the system);
  - quantity of water including change in the hydrological regime or hydroperiod of the aquatic ecosystem (e.g., seasonal to temporary or permanent; impact of over-abstraction or instream or off-stream impoundment of a wetland or river);
  - change in the hydrogeomorphic typing of the aquatic ecosystem (e.g., change from an unchanneled valley-bottom wetland to a channelled valley-bottom wetland);
  - quality of water (e.g., due to increased sediment load, contamination by chemical and/or organic effluent, and/or eutrophication);
  - fragmentation (e.g., road or pipeline crossing a wetland) and loss of ecological connectivity (lateral and longitudinal); and
  - the loss or degradation of all or part of any unique or important features associated with or within the aquatic ecosystem (e.g., waterfalls, springs, oxbow lakes, meandering or braided channels, peat soils, etc.);
- ✓ how will the proposed development impact on key ecosystems regulating and supporting services especially: (a) flood attenuation; (b) streamflow regulation; (c) sediment trapping; (d) phosphate assimilation; (e) nitrate assimilation; (f) toxicant assimilation; (g) erosion control; and (h) carbon storage

- ✓ how will the proposed development impact community composition (numbers and density of species) and integrity (condition, viability, predator-prey ratios, dispersal rates, etc.) of the faunal and vegetation communities inhabiting the site?

Phase 5 (Mitigation and monitoring)

- ✓ Recommend actions that should be taken to avoid impacts on aquatic habitat, in alignment with the mitigation hierarchy, and any measures necessary to restore disturbed areas or ecological processes.
- ✓ Determination and mapping of any necessary buffer zones with consideration to the Buffer zone guidelines for rivers, wetlands and estuaries (Macfarlane & Bredin, 2016).
- ✓ Rehabilitation guidelines for disturbed areas associated with the proposed project and monitoring.

General

- ✓ Reference all sources of information and/or data used.
- ✓ Indicate limitations and assumptions, particularly in relation to seasonality.
- ✓ Description of the methodology adopted in preparing the report
- ✓ Provide a reasoned opinion as to whether the proposed activity should be authorised
- ✓ The specialist and the report must comply with the following guidelines and legislation:
  - → Appendix 6 of the Amended EIA Regulations, GN No. R. 326 (April 2017).
  - → Procedures for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes (March 2020 & October 2020)
- ✓ The report should be prepared in a suitable font and submitted to *SES* in draft form.
- ✓ The report must contain as a bare minimum:
  - o contact details of the specialist, their SACNASP registration number, their field of expertise and a curriculum vitae;
  - o a signed statement of independence by the specialist;
  - o a statement on the duration, date and season of the site inspection and the relevance of the season to the outcome of the assessment;
  - o the methodology used to undertake the site inspection and the specialist assessment, including equipment and modelling used, where relevant;
  - o a description of the assumptions made, any uncertainties or gaps in knowledge or data;
  - o the location of areas not suitable for development, which are to be avoided during construction and operation, where relevant;
  - o additional environmental impacts expected from the proposed development;
  - o any direct, indirect and cumulative impacts of the proposed development on site; 2.7.9. the degree to which impacts and risks can be mitigated;
  - o the degree to which the impacts and risks can be reversed;
  - o the degree to which the impacts and risks can cause loss of irreplaceable resources;
  - o a suitable construction and operational buffer for the aquatic ecosystem, using the accepted methodologies;
  - o proposed impact management actions and impact management outcomes for inclusion in the Environmental Management Programme (EMPr);
  - o a motivation must be provided if there were development footprints identified as per the site verification visit that were identified as having a "low" aquatic biodiversity sensitivity and that were not considered appropriate;
  - o a substantiated statement, based on the findings of the specialist assessment, regarding the acceptability or not of the proposed development and if the proposed development should receive approval or not; and
  - o any conditions to which this statement is subjected.
- ✓ Ensure it is clear that the mitigation hierarchy has been applied, in order, when recommendations and mitigation is applied.
- ✓ Ensure that there are no conflicting recommendations or conclusions.
- ✓ Ensure the EAP is provided with working files, ie: KML/KMZ/Shapefiles and if a buffer is recommended, please ensure relevant table of coordinates are provided.

2.2 Quotation Details

Please provide a written quote for all Phases, including a break-down of costs and indicate your availability to commence the study.

3. EXPECTED DELIVERABLES

An initial draft report covering the above requirements must be submitted to *SES* **three weeks** after the notice to proceed with above scope of work. The report must be prepared in a suitable font (such as Arial 12) and the format and content must comply with Appendix 6 of the amended EIA Regulations, 2017, as well as the Promulgated Protocols relating to Aquatic Biodiversity (dated March 2020). The final report (which shall include any reasonable amendments in response to the EAP's comments on the initial draft, if necessary) shall be delivered **one week** after the draft report, assuming the EAP shall have provided comments within a week after receiving the initial draft report.

GEORGE
TEL: +27 (0) 44 873 4923 **FAX:** +27 (0) 44 874 5953
EMAIL: info@sescc.net **WEBSITE:** www.sescc.net
ADDRESS: 102 Merriman Street, George 6530
PO BOX: 9087, George , 6530

CAPE TOWN
TEL: +27 (0) 21 554 5195 **FAX:** +27 (0) 86 575 2869
EMAIL: betsy@sescc.net **WEBSITE:** www.sescc.net
ADDRESS: Tableview, Cape Town, 7441
PO BOX: 443, Milnerton, 7435

TERMS OF REFERENCE FOR TERRESTRIAL BIODIVERSITY SPECIALIST ASSESSMENT

THE PROPOSED UPGRADING OF STORMWATER INFRASTRUCTURE, ROSEMOOR, GEORGE, WESTERN CAPE

1. INTRODUCTION

Sharples Environmental Services cc (SES) has been appointed by *Lyners Engineers* on behalf of the *George Municipality* (applicant), to conduct the Environmental Impact Assessment process for the proposed upgrading of stormwater infrastructure of Rosemoor, George, Western Cape.

1.1 Location of the proposal

Figure 1: Locality Map

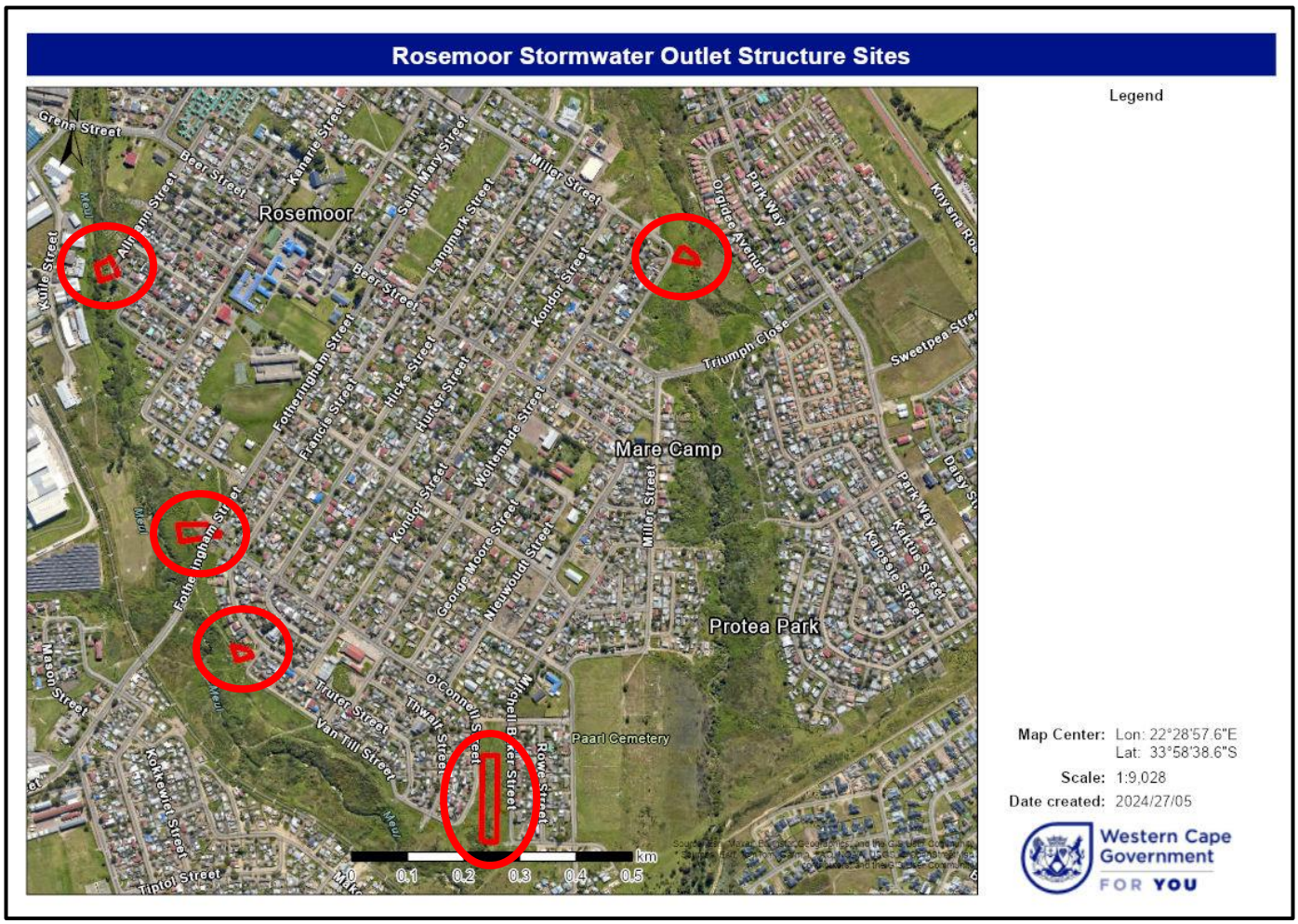

Figure 2: Rosemoor Stormwater Outlet Structure Sites

The red polygons above (highlighted by red circles) show the areas where stormwater infrastructure outlets will be upgraded outside of the road reserve and in close proximity to watercourses. These marked areas must be assessed by the specialist.

Two screening tool reports were completed on the 20th of May and the 4th of June 2024, and a **"Very High"** environmental sensitivity rating was indicated for the Terrestrial Biodiversity theme. Therefore, specialist input is required in this regard.

Table 1: Sensitivity Features (DEA Screening Tool)

Sensitivity	Feature(s)
Very High	ESA 2: Restore from other land use
Very High	CBA 2: Terrestrial
Very High	SWSA (SW) _Outeniqua
Very High	SANParks (Buffer)_Garden Route National Park
Very High	CR_Garden Route Granite Fynbos

As per the procedures for the assessment and minimum criteria for reporting on identified environmental themes (Terrestrial Biodiversity) in terms of Sections 24(5)(a) and (h) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation (March 2020), "*An applicant intending to undertake an activity identified in the scope of this protocol, on a site identified on the screening tool as being of "very high sensitivity" for terrestrial biodiversity, must submit a Terrestrial Biodiversity Specialist Assessment*". Therefore, specialist input is required in this regard.

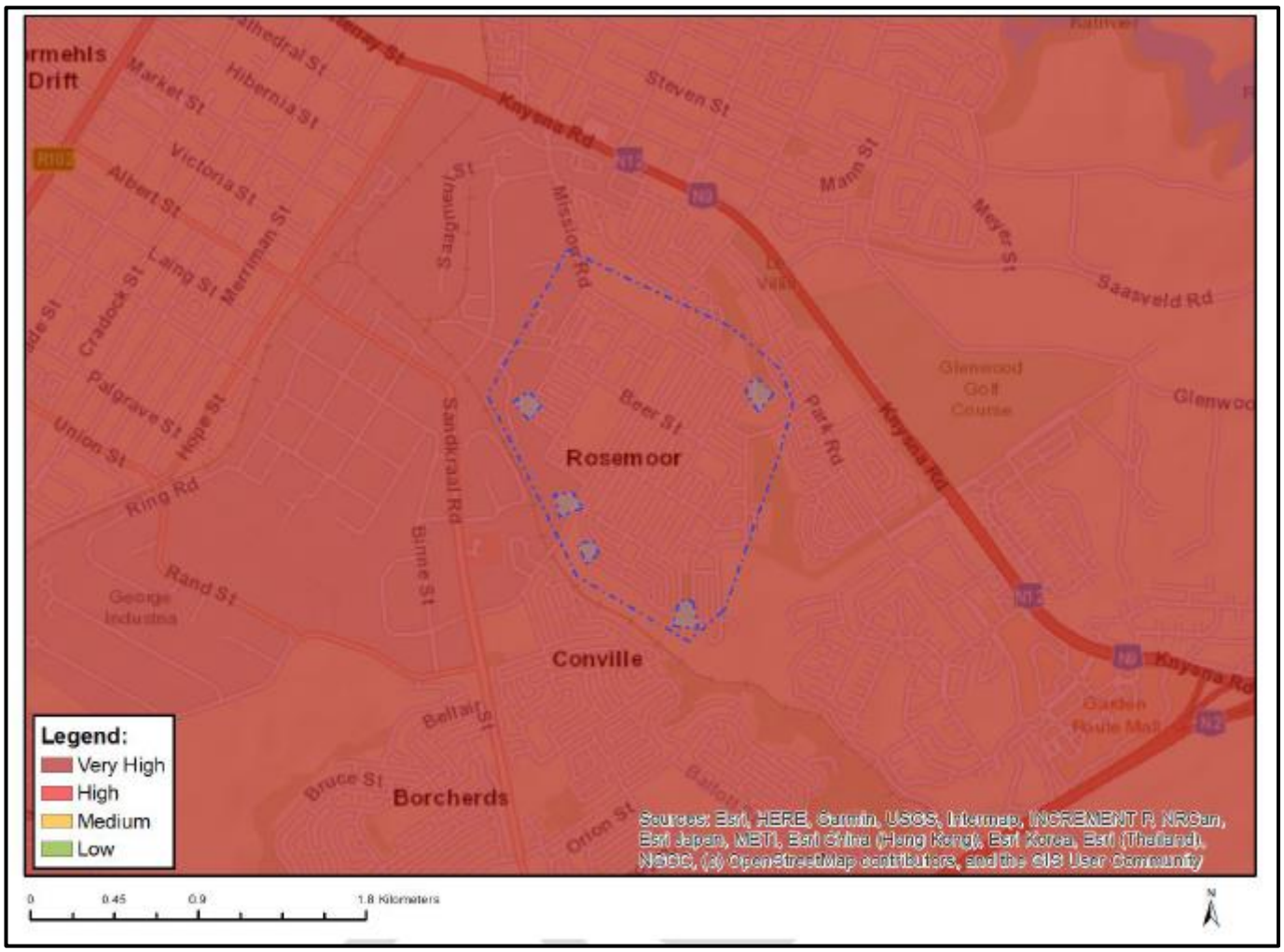

Figure 2: Suggested DEA Screening Tool sensitivity.

2. SPECIALIST INVOLVEMENT

The purpose of this Assessment is to determine the proposed development impact on the Terrestrial Biodiversity.

The specialist conducting this study must:

- Be independent and have expertise in conducting similar assessments;
- Have a suitable academic qualification in the relative field;
- Be registered with the South African Council for Natural Scientific Professionals (SACNASP and having expertise in the field of Terrestrial Biodiversity;
- Be familiar with the assessment criteria commonly used in the EIA Process to assess and evaluate impacts, as well as the newly promulgated Protocols related to the Procedures for the Assessment and Minimum Criteria for Reporting on Identified Environmental Themes (March 2020 & October 2020);
- Have good knowledge relating to assessment techniques and to relevant legislation, policies and guidelines.
- Perform the work in an objective manner, even if this results in views and findings that are not favourable to the applicant.

2.1 Terms of Reference

The assessment of the proposal will necessitate specialist input which will need to be undertaken with the Terms of Reference listed below and relevant specialist guidelines. In addition to meeting the requirements of the relevant legislation, the Terrestrial Biodiversity Specialist Assessment should also meet those of the Guideline for Involving Terrestrial Biodiversity specialists in EIA Processes and the relevant Gazetted Protocols:

https://screening.environment.gov.za/ScreeningDownloads/AssessmentProtocols/Gazetted_Terrestrial_Biodiversity_Assessment_Protocols.pdf.

The specialist must have no financial or other vested interest in the proposed development and must be professionally registered with the SACNASP.

Terrestrial Biodiversity Assessment scope.

Phase 1

The assessment must provide a baseline description of the site which includes, as a minimum, the following aspects:

- ✓ A description of the ecological drivers or processes of the system and how the proposed development will impact these;
- ✓ A description of the ecological infrastructure, functioning, processes and services (e.g. fire, migration, pollination, etc.) that operate within the preferred site;
- ✓ A description of the ecological corridors that the proposed development would impede including migration and movement of flora and fauna;
- ✓ Indicate whether or not the proposed development will have any impact on biodiversity features;
- ✓ An indication and description of any significant terrestrial landscape features, including rare or important flora- faunal associations, presence of strategic water source areas (SWSAs) or freshwater ecosystem priority area (FEPA) sub catchments;
- ✓ A description of terrestrial biodiversity and ecosystems on the preferred site, including:
    - main vegetation types;
    - threatened ecosystems, including listed ecosystems as well as locally important habitat types identified;
    - ecological connectivity, habitat fragmentation, ecological processes and fine - scale habitats; and
    - species, distribution, important habitats (e.g. feeding grounds, nesting sites, etc.) and movement patterns identified;
    - Species of Conservation Concern
- ✓ Make reference to the allocated sensitivity as per the screening tool, state whether or not this sensitivity is accurate and recommend appropriate reclassification if it is not.
- ✓ The assessment must identify any alternative development footprints within the preferred site which would be of a "low" sensitivity as identified by the screening tool and verified through the site sensitivity verification.

Phase 2

Based on the results of a site visit, the following aspects are to be identified, discussed and applied to form the base for assessment:

- ✓ Terrestrial Critical Biodiversity Areas (CBAs), including:
    - the reasons why an area has been identified as a CBA;
    - an indication of whether or not the proposed development is consistent with maintaining the CBA in a natural or near natural state or in achieving the goal of rehabilitation;
    - percentage of site (erven/farm portions) covered by CBA
    - percentage of CBA (specify degraded/transformed and pristine) lost to proposed development layout alternatives (if layout is available).
    - the impact on species composition and structure of vegetation with an indication of the extent of clearing activities in proportion to the remaining extent of the ecosystem type(s);
    - the impact on ecosystem threat status;
    - the impact on explicit subtypes in the vegetation;
    - the impact on overall species and ecosystem diversity of the site; and
    - the impact on any changes to threat status of populations of species of conservation concern in the CBA;
    - Inclusion of any necessary buffer areas, including the identification of zones of sensitivity within the CBA that are priority to maintain ecological integrity.

- ✓ Terrestrial Ecological Support Areas (ESAs), including:
    - Percentage/quantity of site (erven/farm portions) covered by ESA
    - percentage of ESA lost to development (if layout is available)
    - the impact on the ecological processes that operate within or across the site;
    - the extent the proposed development will impact on the functionality of the ESA; and
    - loss of ecological connectivity (on site, and in relation to the broader landscape) due to the degradation and severing of ecological corridors or introducing barriers that impede migration and movement of flora and fauna;
    - Inclusion of any necessary buffer areas, including the identification of zones of sensitivity within the ESA that are priority to maintain ecological integrity.
- ✓ Protected areas as defined by the National Environmental Management: Protected Areas Act, 2004 including-
    - an opinion on whether the proposed development aligns with the objectives or purpose of the protected area and the zoning as per the protected area management plan;
- ✓ Priority areas for protected area expansion, including-
    - the way in which in which the proposed development will compromise or contribute to the expansion of the protected area network;
- ✓ SWSAs including:
    - the impact(s) on the terrestrial habitat of a SWSA; and
    - the impacts of the proposed development on the SWSA water quality and quantity (e.g. describing potential increased runoff)
- ✓ FEPA sub catchments, including-
    - the impacts of the proposed development on habitat condition and species in the FEPA sub catchment;
- ✓ Indigenous forests, including:
    - impact on the ecological integrity of the forest; and
    - percentage of natural or near natural indigenous forest area lost and a statement on the implications in relation to the remaining areas.
- ✓ Vegetation present onsite, including:
    - percentage of vegetation cover on the proposed site (erven/farm portions)
        - percentage of indigenous vegetation cover
        - percentage of alien invasive vegetation cover
    - percentage of vegetation cover to be lost due to development (provision of layouts depending)
        - percentage indigenous vegetation lost
        - percentage of alien invasive vegetation to be cleared
    - visualisation (map/illustration) of alien and indigenous vegetation loci.
- ✓ Identification of core ecosystem areas within the proposed site, as well as a description of the Ecosystem services and process provided.
- ✓ An indication and description of any Species of Conservation Concern
    - If search and rescue is recommended please provide a description of appropriate removal, maintenance and reinstatement methodology.
- ✓ Specify location of the areas not suitable for development, which are to be avoided during construction and operation (where relevant)
- ✓ Determine the need for a Compliance Statement or a Terrestrial Biodiversity Assessment Report, as per point 1: General Information of the Protocol for the Specialist Assessment and Minimum Report Content Requirements for Environmental Impacts on Terrestrial Biodiversity, it is stated:
    - 1.3. However, where the information gathered from the site sensitivity verification differs from the designation of "very high" terrestrial biodiversity sensitivity on the screening tool and it is found to be of a "low" sensitivity, then a Terrestrial Biodiversity Compliance Statement must be submitted.
    - 1.5. If any part of the proposed development footprint falls within an area of "very high" sensitivity, the assessment and reporting requirements prescribed for the "very high" sensitivity

apply to the entire footprint, excluding linear activities for which impacts on terrestrial biodiversity are temporary and the land in the opinion of the terrestrial biodiversity specialist, based on the mitigation and remedial measures, can be returned to the current state within two years of the completion of the construction phase, in which case a compliance statement applies. Development footprint in the context of this protocol means the area on which the proposed development will take place and includes any are that will be disturbed.

Phase 3 – If a Compliance Statement is Required

- ✓ The compliance statement must be prepared by a specialist registered with the SACNASP and having expertise in the field of ecological sciences.
- ✓ The compliance statement must:
  - be applicable to the preferred site and proposed development footprint;
  - confirm that the site is of "low" sensitivity for terrestrial biodiversity; and
  - indicate whether or not the proposed development will have any impact on the biodiversity feature.
- ✓ The compliance statement must contain, as a minimum, the following information:
  - the contact details of the specialist, their SACNASP registration number, their field of expertise and a curriculum vitae;
  - a signed statement of independence by the specialist;
  - a statement on the duration, date and season of the site inspection and the relevance of the season to the outcome of the assessment;
  - a baseline profile description of biodiversity and ecosystems of the site;
  - the methodology used to verify the sensitivities of the terrestrial biodiversity features on the site, including equipment and modelling used, where relevant;
  - in the case of a linear activity, confirmation from the terrestrial biodiversity specialist that, in their opinion, based on the mitigation and remedial measures proposed, the land can be returned to the current state within two years of completion of the construction phase;
  - where required, proposed impact management outcomes or any monitoring requirements for inclusion in the EMPr;
  - a description of the assumptions made and any uncertainties or gaps in knowledge or data; and
  - any conditions to which this statement is subjected.
- ✓ A signed copy of the compliance statement must be appended to the Basic Assessment Report or Environmental Impact Assessment Report.

Phase 3 – If a Terrestrial Biodiversity Assessment Report is required – Please also see Appendix A

The Terrestrial Biodiversity Specialist Assessment Report must discuss the following aspects:

- ✓ A description of the areas not suitable for development, which are to be avoided during construction and operation (where relevant);
- ✓ additional environmental impacts expected from the proposed development;
- ✓ any direct, indirect and cumulative impacts of the proposed development;
- ✓ the degree to which impacts and risks can be mitigated;
- ✓ the degree to which the impacts and risks can be reversed;
- ✓ the degree to which the impacts and risks can cause loss of irreplaceable resources;
- ✓ proposed impact management actions and impact management outcomes proposed by the specialist for inclusion in the Environmental Management Programme (EMPr);
- ✓ how the mitigation hierarchy was applied when determining mitigation measures and recommendations.
- ✓ a motivation must be provided if there were development footprints identified as the site verification visit, that were identified as having a "low" terrestrial biodiversity sensitivity and that were not considered appropriate;
- ✓ a substantiated statement, based on the findings of the specialist assessment, regarding the acceptability, or not, of the proposed development, if it should receive approval or not; and
- ✓ any conditions to which this statement is subjected.
- ✓ Identification of any buffer areas.

General

- ✓ Reference all sources of information and/or data used.
- ✓ Include contact details, relevant experience, CV and SACNASP registration number.
- ✓ A signed statement of independence by the specialist;
- ✓ A statement on the duration, date and season of the site inspection and the relevance of the season to the outcome of the assessment;
- ✓ A description of the methodology used to undertake the site survey, prepare the assessment, verify the sensitivities of the terrestrial biodiversity features on the site, including equipment and modelling used, where relevant.
- ✓ The assessment must be undertaken on the preferred site and within the proposed development footprint.
- ✓ Where required, proposed impact management actions and outcomes or any monitoring requirements for inclusion in the EMPr;
- ✓ A description of the limitations, assumptions made and any uncertainties or gaps in knowledge or data as well as a statement of the timing and intensity of site inspection observations;
- ✓ Any conditions to which the assessment is subjected.
- ✓ The specialist and the assessment must comply with the following guidelines and legislation:
  - ✓ Procedures for the assessment and minimum criteria for reporting on identified environmental themes in terms of Sections 24(5)(A) and (H) and 44 of the National Environmental Management Act, 1998, when applying for Environmental Authorisation
- ✓ The assessment should be prepared in a suitable font and submitted to *SES* in draft form.
- ✓ Ensure it is clear that the mitigation hierarchy has been applied, in order, when recommendations and mitigation is applied.
- ✓ Ensure that there are no conflicting recommendations or conclusions.
- ✓ Ensure the EAP is provided with working files, ie: KML/KMZ/Shapefiles and if a buffer is recommended, please ensure relevant table of coordinates are provided.

2.2 Quotation Details

Please provide a written quote for all Phases, including a break-down of costs and indicate your availability to commence the study.

3. EXPECTED DELIVERABLES

An initial draft assessment covering the above requirements must be submitted to *SES* two weeks after the notice to proceed with above scope of work. The assessment must be prepared in a suitable font (such as Arial 12) and the format and content must comply with Appendix 6 of the amended EIA Regulations, 2017, as well as the Promulgated Protocols relating to Terrestrial Biodiversity (dated March 2020). The final assessment (which shall include any reasonable amendments in response to the EAP's comments on the initial draft, if necessary) shall be delivered **two weeks** after the draft assessment, assuming the EAP shall have provided comments within a week after receiving the initial draft assessment.