

**EIA REFERENCE:** 16/3/3/1/E1/14/1036/21  
**NEAS REFERENCE:** WCP/EIA/0000934/2021  
**DATE OF ISSUE:** 04 February 2022

The Municipal Manager  
Cape Agulhas Municipality  
P.O. Box 51  
**BREDASDORP**  
7280

**Attention: Mr E Phillips**

E-mail: [ebenp@capeagulhas.gov.za](mailto:ebenp@capeagulhas.gov.za)

Dear Sir

**APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE EXPANSION OF THE STRUISBAAI-NORTH CEMETERY ON ERF NO. 856, STRUISBAAI**

1. With reference to the above application, the Department hereby notifies you of its decision to **grant** Environmental Authorisation, attached herewith, together with the reasons for the decision.
2. In terms of Regulation 4 of the Environmental Impact Assessment Regulations, 2014, (as amended), you are instructed to ensure, within 14 days of the date of the Environmental Authorisation, that all registered Interested and Affected Parties ("I&APs") are provided with access to and reasons for the decision, and that all registered I&APs are notified of their right to appeal.
3. Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014 (as amended), which prescribes the appeal procedure to be followed. This procedure is summarized in the attached Environmental Authorisation.

Yours faithfully

**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

CC: (1) Mr J Rose (Infinity Environmental (Pty) Ltd)

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(4) Mr R Le Roux (Breede-Gouritz Catchment Management Agency)

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## ENVIRONMENTAL AUTHORISATION

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 OF 1998) AND THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014, (AS AMENDED): THE EXPANSION OF THE STRUISBAAI-NORTH CEMETERY ON ERF NO. 856, STRUISBAAI

With reference to your application for the abovementioned, find below the outcome with respect to this application.

## DECISION

By virtue of the powers conferred on it by the National Environmental Management Act, 1998 (Act No. 107 of 1998) ("NEMA") and the Environmental Impact Assessment ("EIA") Regulations, 2014 (as amended), the Competent Authority herewith **grants Environmental Authorisation** to the applicant to undertake the listed activities specified in Section B below with respect to Layout Alternative 2, described in the Basic Assessment Report ("BAR"), dated September 2021.

The applicant for this Environmental Authorisation is required to comply with the conditions set out in Section E below.

### A. DETAILS OF THE APPLICANT FOR THIS ENVIRONMENTAL AUTHORISATION

The Municipal Manager  
Cape Agulhas Municipality  
% Mr E Phillips  
P.O. Box 51  
**BREDASDORP**  
7280

E-mail: [ebenp@capeagulhas.gov.za](mailto:ebenp@capeagulhas.gov.za)

The abovementioned applicant is the holder of this Environmental Authorisation and is hereinafter referred to as "**the holder**".

## B. ACTIVITIES AUTHORISED

Listed Activity	Activity/Project Description
<p>EIA Regulations Listing Notice 1 of 2014: Activity Number 27:</p> <p><i>The clearance of an area of 1 hectare or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for -</i></p> <p><i>(i) the undertaking of a linear activity; or</i></p> <p><i>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</i></p>	<p>The expansion of the cemetery requires the clearing of approximately 1.36 hectares of indigenous vegetation.</p>
<p>EIA Regulations Listing Notice 1 of 2014: Activity Number 44:</p> <p><i>The expansion of cemeteries by 2500 square metres or more.</i></p>	<p>The proposal entails the expansion of an existing cemetery by approximately 1.36 hectares.</p>

The abovementioned is hereinafter referred to as "**the listed activities**".

The holder is herein authorised to undertake the following alternative that includes the listed activities as it relates to the development:

The proposal entails the expansion of an existing cemetery eastwards by approximately 1.36 hectares. The expansion will include a perimeter fence and internal roads with a width of less than 4 metres wide. Access to the site will be via Fifth Avenue.

## C. SITE DESCRIPTION AND LOCATION

The listed activities will be undertaken on Erf No. 856, Struisbaai, at the following co-ordinates:

Latitude (S)	Longitude (E)
34° 46' 47.53"	20° 2' 17.26"

The SG21 digit code is: C01100080000085600000

Refer to Annexure 1: Locality Map and Annexure 2: Site Plan.

The above is hereinafter referred to as "**the site**".

## D. DETAILS OF THE ENVIRONMENTAL ASSESSMENT PRACTITIONER

Infinity Environmental (Pty) Ltd  
% Mr J Rose  
Suite 17, Private Bag X11  
**MOWBRAY**  
7705

Cell: 084 0555678  
E-mail: [jeremy@infinityenv.co.za](mailto:jeremy@infinityenv.co.za)

## E. CONDITIONS OF AUTHORISATION

### Scope of authorisation

1. The holder is authorised to undertake the listed activities specified in Section B above in accordance with, and restricted to, Layout Alternative 2 described in the BAR dated September 2021 at the site as described in Section C above.
2. The holder must commence with the listed activities on site within a period of **five (5) years** from the date of issue of this Environmental Authorisation.
3. The development of the infrastructure herewith authorised must be concluded within **10 years** from the date of commencement of the listed activities.
4. The holder shall be responsible for ensuring compliance with the conditions by any person acting on his/her behalf, including an agent, sub-contractor, employee or any person rendering a service to the holder.
5. Any changes to, or deviations from the scope of the alternative described in Section B above must be accepted or approved, in writing, by the Competent Authority before such changes or deviations may be implemented. In assessing whether to grant such acceptance/approval or not, the Competent Authority may request information, in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

### Written notice to the Competent Authority

6. Seven calendar days' notice, in writing, must be given to the Competent Authority before commencement of construction activities. The notice must:
  - 6.1 make clear reference to the site details and EIA Reference number given above; and
  - 6.2 include proof of compliance with the following conditions described herein:

Conditions: 7, 8, 11 and 18.

### Notification and administration of appeal

7. The holder must in writing, within 14 (fourteen) calendar days of the date of this decision–
  - 7.1 notify all registered Interested and Affected Parties ("I&APs") of –
    - 7.1.1 the outcome of the application;
    - 7.1.2 the reasons for the decision as included in Annexure 3;
    - 7.1.3 the date of the decision; and
    - 7.1.4 the date when the decision was issued;
  - 7.2 draw the attention of all registered I&APs to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, 2014 (as amended) detailed in Section G below;
  - 7.3 draw the attention of all registered I&APs to the manner in which they may access the decision; and

- 7.4 provide the registered I&APs with:
- 7.4.1 the name of the holder (entity) of this Environmental Authorisation;
  - 7.4.2 name of the responsible person for this Environmental Authorisation;
  - 7.4.3 postal address of the holder;
  - 7.4.4 telephonic and fax details of the holder;
  - 7.4.5 e-mail address, if any, of the holder; and
  - 7.4.6 contact details (postal and/or physical address, contact number, facsimile and e-mail address) of the decision-maker and all registered I&APs in the event that an appeal is lodged in terms of the 2014 National Appeals Regulations (as amended).
8. The listed activities, including site preparation, must not commence within 20 (twenty) calendar days from the date the applicant notifies the registered I&APs of this decision. In the event that an appeal is lodged with the Appeal Authority, the effect of this Environmental Authorisation is suspended until the appeal is decided i.e. the listed activity, including site preparation, must not commence until the appeal is decided.

### **Management of activity**

9. The draft Environmental Management Programme ("EMPr") submitted as part of the application for Environmental Authorisation is hereby approved and must be implemented.
10. The EMPr must be included in all contract documentation for all phases of implementation.

### **Monitoring**

11. The holder must appoint a suitably experienced environmental control officer ("ECO"), or site agent where appropriate, before commencement of any land clearing or construction activities to ensure compliance with the EMPr, and the conditions contained herein.
12. The ECO must conduct fortnightly compliance monitoring inspections during the construction phase. Monthly Environmental Compliance Reports must be compiled, and monthly Environmental Compliance Reports must be submitted to the Competent Authority for the duration of the construction phase. The final Environmental Compliance Report must be submitted to the Competent Authority within six months after construction has been completed.
13. A copy of the Environmental Authorisation, EMPr, audit reports and compliance monitoring reports must be kept at the site of the authorised activities, and must be made available to anyone on request, including on a publicly accessible website.
14. Access to the site referred to in Section C must be granted, and the environmental reports mentioned above must be produced, to any authorised official representing the Competent Authority who requests to see it for the purposes of assessing and/or monitoring compliance with the conditions contained herein.

### **Auditing**

15. In terms of Regulation 34 of the NEMA EIA Regulations, 2014 (as amended), the holder must conduct environmental audits to determine compliance with the conditions of the Environmental Authorisation, the amended EMPr and submit Environmental Audit Reports to the Competent Authority. The Environmental Audit Report must be prepared by an independent person (which is

not the ECO or EAP for this application) and must contain all the information required in Appendix 7 of the NEMA EIA Regulations, 2014 (as amended).

An Environmental Audit Report must be submitted to the Competent Authority once a **year** during the construction phase. The final Environmental Audit Report must be submitted to the Competent Authority within three months after construction is completed.

The holder must, within 7 days of the submission of each of the above-mentioned reports to the Competent Authority, notify all potential and registered I&APs of the submission and make the report available to anyone on request and on a publicly accessible website (if applicable).

### **Specific Conditions**

16. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the Provincial Heritage Resources Authority of the Western Cape, Heritage Western Cape. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from Heritage Western Cape.

Heritage remains include: meteorites, archaeological and/or paleontological remains (including fossil shells and trace fossils); coins; indigenous and/or colonial ceramics; any articles of value or antiquity; marine shell heaps; stone artefacts and bone remains; structures and other built features with heritage significance; rock art and rock engravings; and/or graves or unmarked human burials including grave goods and/or associated burial material.

17. A qualified archaeologist and/or palaeontologist must be contracted where necessary (at the expense of the holder) to remove any heritage remains. Heritage remains can only be disturbed by a suitably qualified heritage specialist working under a directive from the relevant heritage resources authority.
18. The construction site must be clearly demarcated prior to the commencement of construction activities and all areas outside of the demarcated construction site must be regarded as "no-go" areas.
19. Monitoring boreholes must be installed (two downgradient and one upgradient of the site) and quarterly monitoring of water quality must be undertaken. Monitoring results must be submitted to CapeNature and the Department of Water and Sanitation for record keeping purposes.
20. Erosion control and alien clearing must take place concurrently with the construction activities and must be monitored during the operational phase of the development. This aspect of the development must be reported on in the ECO and audit reports to be submitted.

### **F. GENERAL MATTERS**

1. Notwithstanding this Environmental Authorisation, the holder must comply with any other statutory requirements that may be applicable when undertaking the listed activities.
2. Non-compliance with a condition of this Environmental Authorisation or amended EMPr may render the holder liable to criminal prosecution.
3. If the holder does not commence with the listed activities within the period referred to in Condition 2, this Environmental Authorisation shall lapse for that activities, and a new application for Environmental Authorisation must be submitted to the Competent Authority. If the holder wishes to

extend the validity period of the Environmental Authorisation, an application for amendment in this regard must be made to the Competent Authority prior to the expiry date of the Environmental Authorisation.

4. The holder must submit an application for amendment of the Environmental Authorisation to the Competent Authority where any detail with respect to the Environmental Authorisation must be amended, added, substituted, corrected, removed or updated. If a new holder is proposed, an application for Amendment in terms of Part 1 of the EIA Regulations, 2014 (as amended) must be submitted.

Please note that an amendment is not required if there is a change in the contact details of the holder. In this case, the Competent Authority must only be notified of such changes.

5. The manner and frequency for updating the EMPr is as follows:  
Amendments to the EMPr, must be done in accordance with Regulations 35 to 37 of the EIA Regulations, 2014 (as amended) or any relevant legislation that may be applicable at the time.

## **G. APPEALS**

Appeals must comply with the provisions contained in the National Appeal Regulations 2014 (as amended).

1. An appellant (if the holder of the decision) must, within 20 (twenty) calendar days from the date on which notification of the decision was sent to the holder by the Competent Authority –
  - 1.1. submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 1.2. submit a copy of the appeal to any registered I&APs, any Organ of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
2. An appellant (if NOT the holder of the decision) must, within 20 (twenty) calendar days from the date on which the holder of the decision sent notification of the decision to the registered I&APs–
  - 2.1 submit an appeal in accordance with Regulation 4 of the National Appeal Regulations 2014 (as amended) to the Appeal Administrator; and
  - 2.2 submit a copy of the appeal to the holder of the decision, any registered I&AP, any Organs of State with interest in the matter and the decision-maker i.e. the Competent Authority that issued the decision.
3. The holder of the decision (if not the appellant), the decision-maker that issued the decision, the registered I&AP and the Organs of State must submit their responding statements, if any, to the appeal authority and the appellant within 20 (twenty) calendar days from the date of receipt of the appeal submission.
4. The appeal and the responding statement must be submitted to the address listed below:

By post:                      Western Cape Ministry of Local Government, Environmental Affairs and  
Development Planning  
Private Bag X9186  
CAPE TOWN

8000

By facsimile: (021) 483 4174; or

By hand: Attention: Mr Marius Venter (Tel: 021 483 2659)  
Room 809  
8<sup>th</sup> Floor Utilitas Building, 1 Dorp Street, Cape Town, 8001

**Note:** For purposes of electronic database management, you are also requested to submit electronic copies (Microsoft Word format) of the appeal, responding statement and any supporting documents to the Appeal Authority to the address listed above and/ or via e-mail to [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za)

5. A prescribed appeal form as well as assistance regarding the appeal processes is obtainable from Appeal Authority at: Tel. (021) 483 2659, E-mail [DEADP.Appeals@westerncape.gov.za](mailto:DEADP.Appeals@westerncape.gov.za) or URL <http://www.westerncape.gov.za/eadp>.

## H. DISCLAIMER

The Western Cape Government, the Local Authority, committees or any other public authority or organisation appointed in terms of the conditions of this Environmental Authorisation shall not be responsible for any damages or losses suffered by the holder, developer or his/her successor in any instance where construction or operation subsequent to construction is temporarily or permanently stopped for reasons of non-compliance with the conditions as set out herein or any other subsequent document or legal action emanating from this decision.

Your interest in the future of our environment is appreciated.

Yours faithfully

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**MR. ZAAHIR TOEFY**

**DIRECTOR: DEVELOPMENT MANAGEMENT (REGION 1)**

**DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

DATE OF DECISION: 04 FEBRUARY 2022

CC: (1) Mr J Rose (Infinity Environmental (Pty) Ltd)

(2) Ms S Nel (Cape Agulhas Municipality)

(3) Ms C Rampartab (CapeNature)

(4) Mr R Le Roux (Breedde-Gouritz Catchment Management Agency)

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**ANNEXURE 1: LOCALITY MAP**

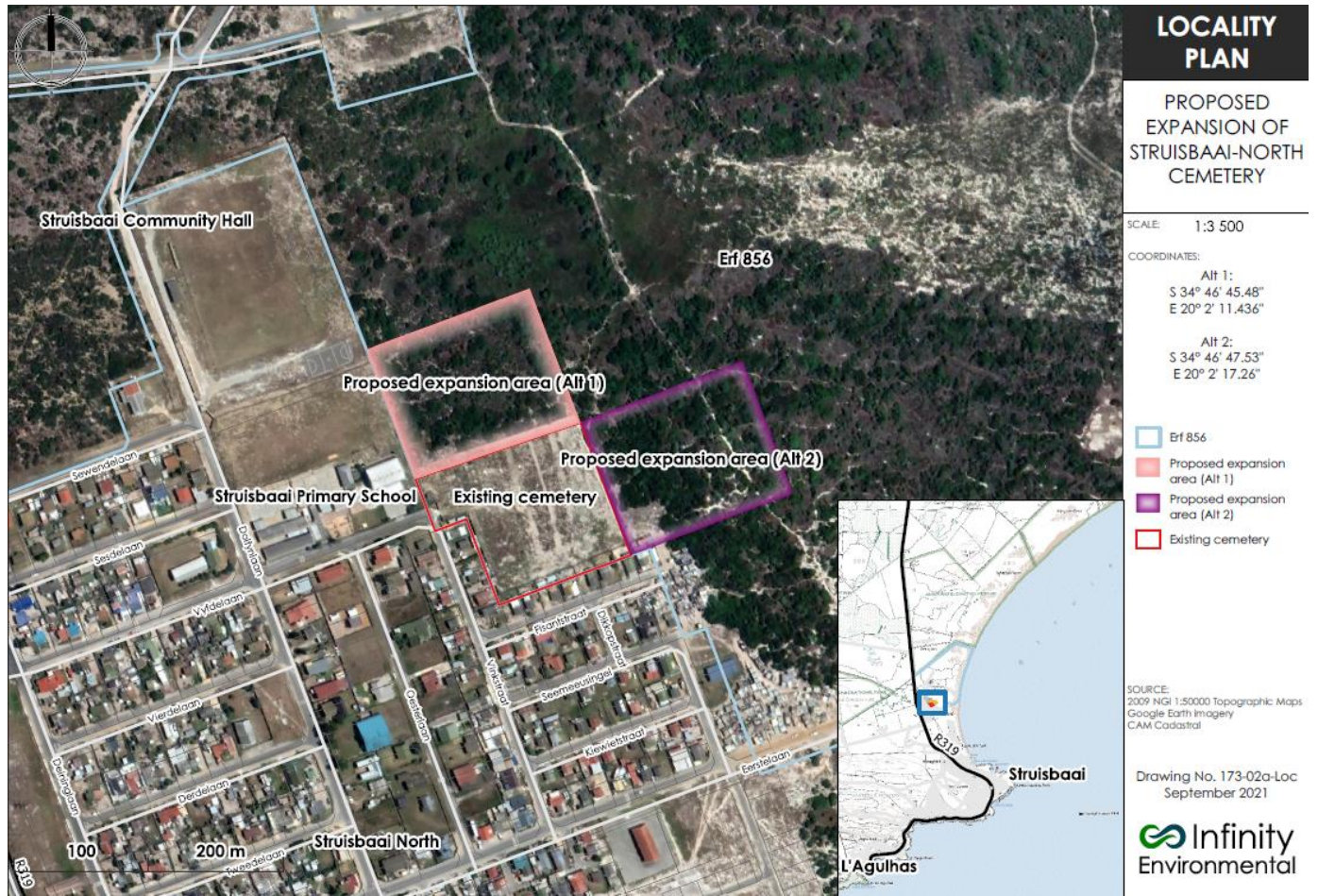


Figure 1: Locality map depicting the location of the proposed development on Erf No. 856, Struisbaai

**ANNEXURE 2: SITE DEVELOPMENT PLAN**



Figure 2: Site plan depicting the proposed expansion of the cemetery on Erf No. 856, Struisbaai.

## ANNEURE 3: REASONS FOR THE DECISION

In reaching its decision, the Competent Authority considered, amongst others, the following:

- a) The information contained in the Application Form received electronically by the Department on 29 June 2021, the final BAR dated September 2021, and the EMPr submitted together with the final BAR;
- b) Relevant information contained in the Departmental information base, including the Guidelines on Public Participation and Alternatives (dated March 2013);
- c) The objectives and requirements of relevant legislation, policies and guidelines, including Section 2 of NEMA;
- d) The comments received from I&APs and responses to these, included in the BAR dated August 2021; and
- e) The balancing of negative and positive impacts and proposed mitigation measures.

The Competent Authority conducted a site visit on 04 February 2022.

All information presented to the Competent Authority was taken into account during the consideration of the application for Environmental Authorisation. A summary of the issues that were considered to be the most significant for the decision is set out below.

### 1. Public Participation

The public participation process included:

- identification of and engagement with I&APs;
- giving written notice to the owners and occupiers of land adjacent to the site where the listed activities are to be undertaken, the municipality and ward councillor, and the various Organs of State having jurisdiction in respect of any aspect of the listed activities, during January 2020 and 17 August 2021;
- the placing of a newspaper advertisement in the 'Southern Post' on 24 January 2020;
- fixing a site notice at the site where the listed activities are to be undertaken;
- making the Background Information Document available to I&APs for public review from 28 January 2020 and the in-process draft BAR from 17 August 2021.

The concerns raised by I&APs were responded to, and adequately addressed during the public participation process. Specific management and mitigation measures have been considered in this Environmental Authorisation, and in the EMPr, in order to adequately address the concerns raised.

### 2. Alternatives

#### 2.1 Layout Alternatives:

##### Layout Alternative 1:

This alternative entails the expansion of an existing cemetery northwards by approximately 1.36 hectares. The expansion includes a perimeter fence and internal roads with a width of less than 4m wide. Access to the site will be via Fifth Avenue.

This alternative is not preferred because it will encroach into the recommended 30m buffer around the smaller depression wetland, which is located approximately 20m from the north-

eastern corner of the site. The vegetation within this proposed area is nearly pristine and in good condition, with low invasive species densities and high indigenous plant diversity compared to Layout Alternative 2.

Layout Alternative 2 (Herewith authorised):

This alternative entails the expansion of an existing cemetery eastwards by approximately 1.36 hectares. The expansion will include a perimeter fence and internal roads with a width of less than 4 metres wide. Access to the site will be via the existing access point in Fifth Avenue.

This alternative is preferred since the habitat fragmentation and loss of connectivity are of low significance compared to Layout Alternative 1. This alternative will not encroach on the recommended 30m buffer around the smaller depression wetland, which is located 95 metres from the northern boundary of the site.

## 2.2 "No-Go" Alternative

The "no-go" option was considered. However, it is not preferred since the site will retain its current land use, as underused open space. The existing cemetery that is nearing its capacity would not be expanded, which would result in a severe shortage of burial space.

## 3. **Impact Assessment and Mitigation measures**

### 3.1 Activity Need and Desirability

Burial of the deceased is an important social rite and/ or religious custom in South African society. Traditional burial remains the preferred method of disposing of human remains over alternatives such as cremation. The Cape Agulhas Municipality intends to expand the Struisbaai-North cemetery on vacant land adjacent to the existing cemetery to accommodate the future need for burial sites as the current cemetery that has been in use for more than 60 years is reaching capacity. Due to the existing cemetery's local social and cultural significance, as well as the lack of expansion opportunity of the other two cemeteries in Struisbaai, it is proposed to expand the Struisbaai-North cemetery. The proposed extension area is vacant and on municipally owned land within the urban edge.

### 3.2 Biodiversity and Biophysical Impacts

The vegetation present on the site is Overberg Dune Strandveld, which is classified as a least threatened ecosystem in terms of Section 52 of the National Environmental Biodiversity Act 2004 (Act No. 10 of 2004). A population of a single plant Species of Conservation Concern, *Agathosma collina*, is present on the site. This species is a shrub, and cannot be translocated, but is regionally common in this habitat and its loss would not be significant. Two faunal Species of Conservation Concern may occur on the site.

The findings of the Terrestrial Biodiversity Impact Assessment dated February 2020 and updated in June 2021, conducted by Nick Helme of Nick Helme Botanical Surveys, confirmed that the development footprint of Layout Alternative 2 is preferred as the vegetation is more degraded than that of Layout Alternative 1 and the botanical impact would therefore be lower. The preferred site (Layout Alternative 2) is also not identified as a Critical Biodiversity Area, but is identified as an Ecological Support Area. The potential impacts on the vegetation that may result from the proposed development will be further mitigated by the implementation of the mitigation measures set out in the EMPr (Condition 9), which includes the recommendations of the specialist.

Two wetlands were identified within 500 metres from the site. A large depression wetland is located to the south of the site, approximately 450 metres from the proposed expansion area. The wetland was assessed as having a present ecological state of C (moderate modified) and a moderate

ecological importance and sensitivity. A smaller depression wetland is located to the north of the preferred site, approximately 95 metres from the proposed expansion area. This wetland was assessed as having a present ecological state of B (largely natural) low ecological importance and sensitivity. A 30m buffer was determined based on the Department of Water and Sanitation Guidelines to be implemented. According to the Aquatic Impact Assessment Report compiled by Luhlaza Advisory and Consulting, the preferred site will be outside of the buffer area and the potential impacts on these wetlands have been assessed and confirmed to be mitigated to acceptable levels.

The potential impacts on the wetlands that may result from the proposed development will be further mitigated by the implementation of the mitigation measures set out in the EMPr (Condition 9), which includes the recommendations of the specialist.

### 3.3 Geohydrologic Impacts

The site is overlain by dune sands of the Strandveld Formation of the Bredasdorp Group. A minor intergranular aquifer is present in these unconsolidated sands and is expected to occur between 8 and 12 metres below ground level. According to the Geohydrological and Geotechnical Assessment Reports compiled by Luhlaza Advisory and Consulting, test pits up to 2.5 metres deep dug during the investigations did not encounter groundwater. Due to the soil permeability in this area, a 2,5m buffer depth below the graves is required. Considering the depth of the groundwater level, a buffer depth of 6m and more is available, which is considered to be appropriate. Monitoring boreholes will be drilled to a depth of 15m, from where potential ground water pollution will be monitored. The risk is considered to be low, especially in light of the lack of downstream groundwater users in this area. The Council for Geoscience rating methodology was applied and indicates the site as suitable for use as a cemetery. Through the implementation of the EMPr (Condition 9), the potential geohydrological impacts will be mitigated to acceptable levels.

The development will result in both negative and positive impacts.

#### **Negative Impacts:**

- The development will result in the loss of natural vegetation during site preparation and construction activities. However, disturbance will be restricted to the development footprint, which is limited in its extent.
- Impacts on groundwater quality may occur, but will be managed in terms of the EMPr approved in terms of Condition 9.
- The development will result in construction related impacts such as dust, noise and visual intrusion during the clearance of vegetation.

#### **Positive impacts:**

- All areas outside the demarcated development footprint will be regarded as no-go areas during the land clearing activities.
- The expansion of the existing cemetery will enable conventional burials to continue, in line with current practice.
- Temporary employment opportunities will be created during the construction phase.

## 4. National Environmental Management Act Principles

The NEMA Principles (set out in Section 2 of the NEMA, which apply to the actions of all Organs of State, serve as guidelines by reference to which any Organ of State must exercise any function when taking any decision, and which must guide the interpretation, administration and implementation of any other law concerned with the protection or management of the environment), *inter alia*, provides for:

- the effects of decisions on all aspects of the environment to be taken into account;
- the consideration, assessment and evaluation of the social, economic and environmental impacts of activities (disadvantages and benefits), and for decisions to be appropriate in the light of such consideration and assessment;
- the co-ordination and harmonisation of policies, legislation and actions relating to the environment;
- the resolving of actual or potential conflicts of interest between organs of state through conflict resolution procedures; and
- the selection of the best practicable environmental option.

## 5. Conclusion

In view of the above, the NEMA principles, compliance with the conditions stipulated in this Environmental Authorisation, and compliance with the EMPr to be approved, the Competent Authority is satisfied that the proposed listed activities will not conflict with the general objectives of integrated environmental management stipulated in Chapter 5 of the NEMA and that any potentially detrimental environmental impacts resulting from the listed activity can be mitigated to acceptable levels.

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