

Fernkloof Nature Reserve Advisory Board (FAB):

Recommendation to Overstrand Municipality and FAB Submission of Objection to SRK Consulting with respect to the Proposed New CBD Bypass Road in Hermanus based on the SRK Amended Final Impact Assessment Report – April 2020. (DEA&DP Ref. Number: 16/3/1/2/E2/15/2124/14)

The Fernkloof Nature Reserve (FNR) Advisory Board members are appointed by the Overstrand Municipality and the Western Cape Nature Conservation Board in terms of the Western Cape Nature and Environmental Ordinance (1974). Section 8(1) of the Ordinance states “As soon as a local nature reserve has been established, the local authority concerned shall appoint an advisory board for the purpose of advising and making recommendations to it in connection with the management, control and development of such reserve.” It also provides for the Provincial Government (CapeNature) to appoint members to this Board.

The FNR is a Local Authority Nature Reserve declared in terms of the abovementioned Ordinance and the National Environmental Management: Protected Areas Act (NEMPAA) and is therefore listed on the national register of formally Protected Areas in South Africa.

The FAB again considered the above and latest proposal at its meeting on 3 August 2020 and has unanimously concurred, and hereby again registers its strongest objection to both the proposed bypass alternatives presented and in particular the northern alternative.

FAB has done this cognizant of the Objectives of the various National Environmental Management Acts as well as the Draft Overstrand Municipal Environmental Management Overlay Zonation (EMOZ) document which has been subjected to an intensive Public Participation process.

The EMOZ proposes five different Zones. One being a Protected Area Buffer EMOZ. The purpose of this Overlay Zone is: **To protect the integrity of National, Provincial and Municipal Nature Reserves [in the Overstrand Municipal area] from negative external pressures/impacts while reducing pressure on core areas and to assist in preserving their value to the eco-cultural tourism economy of the Overstrand through alignment of appropriate land use and regulation by:**

- Minimising negative impacts on the integrity of National, Provincial and Municipal Nature Reserves in the Overstrand; and
- Limiting and/or prohibiting inappropriate land uses in the **buffer zones** of such Nature Reserves.

Furthermore, the proposed bypass will necessitate the deproclamation of part of the FNR, which is protected under NEMPAA, in order for the road to be built on a portion of FNR land.

The reasons for our objection are as follows:

Need and Desirability

No convincing reasons regarding need and desirability are given, as:

- It has been shown that the majority of the traffic entering Hermanus is not through-flow traffic;
- Already the placement of the Whale Coast Mall (WCM) has reduced traffic in the centre of town and further shopping areas are in planning for the WCM area, while a secondary direct route from the western suburbs is also planned to relieve peak traffic on the R43;
- At peak holiday periods, incoming traffic from the Cape Town to destinations east of Hermanus will prefer to use the route through Caledon and Stanford, as this route is only slightly longer but much quicker, with less traffic and a pleasant route to drive; and

- Solving the estimated future traffic problems of the CBD with a highly controversial bypass road which will have a definite and irreversible negative impact on the social and environmental aspects of community life in Hermanus, is neither sustainable nor desirable. If in the future it becomes evident that the amount of personal vehicular use in the town has increased, will another broader bypass be the go-to option? We require smarter, visionary, and innovative ideas now to meet this future challenge in a sustainable way. The assumed need to travel to the Hermanus CBD with one's own vehicle is the issue that must be addressed.

Alternatives

- Neither of the alternatives offered through the EIA process are supported as the impacts on the FNR and the relevant community land use aspects within a buffer area of the FNR are unacceptable to a large segment of the Hermanus community as has been demonstrated by the significant number of objections received.
- The alternative that has the real potential to address future traffic problems in Hermanus is to start investigating, planning, and investing in a safe, desirable, and efficient future public transport system. This alternative has alarmingly been summarily disregarded by the local and provincial authorities. If planned and implemented effectively, this has the potential to have a significant positive effect in reducing vehicle numbers in the CBD. Planning should be aimed at a public transport system to reduce personal vehicular traffic used *inter alia* for commuting to schools, to places of employment, or for recreational/tourist purposes. There are numerous urban public transport systems throughout the world (some even free of charge) where lessons can be learnt. Public transport systems on main routes should not necessarily be profit based, but their value could be seen as an investment in stimulating the economy of a town/city. On smaller routes privately-owned transport could fill in for getting commuters from the main routes to specific destinations. An independent and in-depth specialist report from a leading public transport specialist on the Hermanus situation would have been valuable input to this EIA.

Impact on FNR Buffer Area

The proposed bypass will significantly conflict with the purpose and objectives of the proposed Overstrand Municipal Protected Area Buffer EMOZ indicated above.

The bypass will impact both the FNR and its buffer area for about 3km along the reserve boundary – altering the resultant buffer area, in terms of its negative impact on the reserve, **from a low impact compatible buffer land use area** (low density residential, community cemetery, schooling, religious centres as well as recreation centres [sport and craft]) to a **medium to high impact buffer area** (wide transport route carrying continuous medium to high volumes of traffic).

Impacts on FNR and Surrounding Community Area

These will be:

- A loss of part of a protected area.
- A significant negative impact on a significant portion of the reserve's rare ecotone area vegetation and habitat – between mountain and lowland fynbos;
- A significant impact on the rare species reliant on that ecotone area.
- High visual disturbance landscape impacts caused by the envisaged routes (e.g. road cuttings scars on the mountain, visual traffic disturbance during the day as well as urban streetlights and moving vehicle lights at night).
- A high impact on more of the reserve than just the footprint of the road. The southern face of the mountain adjacent to the bypass will be vulnerable and subjected to increased impacts caused by higher and sustained traffic volumes on the reserve boundary coupled with prevailing south east winds, for example:
 - A higher fire risk and frequency of unnatural fires (from *inter alia* cigarette butts thrown out of cars) will be prevalent and when these occur, they will rapidly sweep up the mountain and be difficult to bring under control. This will directly result in a decrease in the reserve's biodiversity on this southern mountain face over time;
 - litter thrown from vehicles will inevitably be blown into the reserve and have to be cleared up by an under-resourced reserve staff component;

- air pollution and noise given off from the vehicles will increase significantly and will constantly affect the southern mountain slope of the reserve. This is highly likely to have a negative effect on the biodiversity of this area over time; and
- litter and food thrown from vehicles will attract baboons to this area.
- A portion of the wetland on the Hermanus Golf Course will be negatively impacted. The setting aside and conservation of this wetland was originally a condition by DEA&DP when they granted Environmental Authorisation to develop the golf course. Is it now correct for them to allow the destruction of a portion of this wetland because the applicant is another Department of the Western Cape Government?
- A very high negative impact on tourists and the Hermanus community using this portion of the reserve, for example:
 - The present easy access to the reserve's hiking trails from Mountain Drive will be lost;
 - Hikers' experience above the bypass will be negatively impacted by the close-by visible medium to high traffic volumes as well as its additional noise and air pollution;
 - The community area below the reserve where there are pre-schools, schools, community halls, religious institutions, sports fields and a craft and food market, currently all enjoy a uniquely peaceful, relatively safe and a pleasing rural landscape setting which will be destroyed.
 - The relaxed ambience of this area will be totally destroyed by the bypass and the area will be far more dangerous from a pedestrian perspective, requiring expensive mitigation measures.

A Biodiversity Offset

Should the Bypass be allowed to continue, a Biodiversity Offset area is proposed to offset the residual impact of the Hermanus CBD Bypass on sensitive vegetation in FNR and wetland features. This offset area is a 162ha area of Onrus River riparian habitat both on municipal and private land, which is highly impacted by dense stands of mature invasive alien vegetation.

This offset is rejected as:

- There is not a fixed and agreed Biodiversity Offset plan of sufficient detail available for public scrutiny;
- The land is not all municipal land so future land tenure and conservation of the private land cannot be assured;
- This land will not be a 'similar' replacement for the FNR ecotone area and wetlands that will be destroyed by the Bypass;
- This land will require sufficient financial resources over at least a 20-year period for the invasive plants to be effectively removed and controlled and for restoration and rehabilitation works to be completed. This will cost many millions of Rand. Which authority will be expected to budget for this and implement the work? Can such funding be guaranteed?
