

# ecoleges

## Environmental Consultants

### BACKGROUND INFORMATION DOCUMENT

**Rehabilitation of Provincial Road P127/2 (25.5km) between National Road N4 (Middelburg west) and Provincial Road D914 (Van Wyksvlei), Nkangala District Municipality, Mpumalanga Province (MDEDET Ref No. 17/2/3N-210).**

### PURPOSE OF THIS DOCUMENT

The purpose of this document is to provide background information to the proposed project and to obtain comments and contributions from stakeholders with regards to potential environmental impacts – which includes (but is not limited to): ecological, social, economic, physical, aesthetic, etc.

When an applicant proposes to undertake a listed activity or a section 21 water use, an application must be made for environmental authorization or a water use license, respectively. Both applications must be supported by a report, which has been compiled as a result of an assessment and public participation process. After the competent authority has made a decision on the application for environmental authorisation, an appeal may be made against the decision, or parts thereof.

The Mpumalanga Provincial Government, Department of Public Works, Roads and Transport, has appointed Ecoleges, in its capacity as an independent Environmental Consultant to compile the Basic Assessment (BA) Report and Water Use License Application (WULA), which will be reviewed by the relevant competent authority (the Mpumalanga Department of Economic Development Environment and Tourism and the Department of Water Affairs, respectively).

The aim of the Reports is to ensure that the environmental impacts are taken into consideration, to ensure stakeholder engagement, and to provide decision makers with sufficient information to make an informed decision on the proposed activities.

The Department's decision whether to grant or refuse an Environmental Authorisation (EA) or Water Use License (WUL) will be based on information provided in the reports.

**YOUR COMMENTS WILL FORM PART OF THE BASIC  
ASSESSMENT AND WATER USE LICENSE  
APPLICATION REPORTS**

## APPLICABLE LEGISLATION

Notice is given in terms of Regulations 21(2)(a) and 54(2)(c) of GN No. R. 543, 18 June 2010, made under sections 24(5), 24M and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended.

The Basic Assessment (BA) process is a planning and decision-making tool that is used to identify, predict and evaluate the potential and actual environmental impacts of a proposed development or project. It is conducted in compliance with Chapter 5 of the National Environmental Management Act, 1998 (NEMA) as amended. The EIA regulations, 2010 lists activities for which a BA must be conducted. An application has been submitted to the Mpumalanga Department of Economic Development, Environment and Tourism (MDEDET) to undertake activities identified in Listing Notice 1, GN No. R. 544, published on 18 June 2010 for:

- The rehabilitation of Provincial Road P127/2 (25.5km) between National Road N4 (Middelburg west) and Provincial Road D914 (Van Wyksvlei), Nkangala District Municipality, Mpumalanga Province.

Furthermore, an application for a water use license in terms of the National Water Act, 1998 (Act No. 36 of 1998) will be submitted to the Department of Water Affairs (DWA) for:

- Section 21 (c) and (i) water uses associated with the rehabilitation of culvert C7 on Provincial Road P127/2.

### **LN1 of EIA Regulations, 2010:**

- Activity No. 18 - The infilling or depositing of any material of more than 5 m<sup>3</sup> into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 m<sup>3</sup> from:

- (i) a watercourse;
- (ii) the sea;
- (iii) the seashore;
- (iv) the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea estuary, whichever distance is greater

but excluding where such infilling, depositing, dredging, excavation, removal or moving;

- a. is for maintenance purposes undertaken in accordance with a management plan agreed to by the relevant environmental authority; or
- b. occurs behind the development setback line.

**Kindly note that a Motivation for the application of exclusion clause a. in Listed Activity 18 of GNR 544 was submitted to the Department on 03<sup>rd</sup> December 2012. If the motivation is approved, the BA will be withdrawn and an EMP<sub>r</sub> will be compiled for approval by the Department.**

### **Section 21 water uses of the NWA, 1998:**

- (c) impeding or diverting the flow of water in a watercourse; and
- (i) altering the bed, banks, course or characteristics of a watercourse.

## PURPOSE OF THE PROJECT

The overall objective is to undertake and complete a robust and defensible BA process that will serve to inform the Mpumalanga Department of Economic Development, Environment and Tourism's (MDEDET) and the Department of Water Affairs's (DWA) decision on the environmental acceptability of the proposed project. The proposed project involves the rehabilitation of Provincial Road P127/2 (25.5km) between National Road N4 (Middelburg west) and Provincial Road D914 (Van Wyksvlei), Nkangala District Municipality, Mpumalanga Province.

## LOCATION

Culvert C7 on Provincial Road P127/2 (25.5km) between National Road N4 (Middelburg west) and Provincial Road D914 (Van Wyksvlei), Nkangala District Municipality, Mpumalanga Province at the co-ordinates: 25° 51.352' S and 29° 23.899' E (**Figure 1**).

## PROJECT DESCRIPTION

The rehabilitation of Provincial Road P127/2 will involve widening, including a climbing lane with a length of approximately 830m, repair to damaged sections of road and the replacement, repair or extension of existing culverts along the route. The shoulder break point along the proposed climbing lane will not increase by more than 2.54m, and the surfaced area of the Provincial Road will be widened within the existing 3m gravel shoulder of the roadway. There are two bridges on the road, but they are wide enough to accommodate the proposed works. Only three other watercourses are located along the route at culverts; C7, C23 and C46. Repair work to C23 and C46 will entail like-on-like. However, an Environmental Authorisation and Water Use License are required for the rehabilitation of C7. The concrete culvert will be replaced by a larger culvert. The footprint will remain the same, only the height will increase. A conservative estimate of the amount of material or soil that will be filled into or removed from the watercourse during repair work to the foundation of the culvert is 20m<sup>3</sup>.

Alternative methods of construction are being investigated. One temporary bypass, approximately 100m long and 6m wide, was originally proposed to divert traffic around C7. The temporary bypass would not be wider than 8m, but it would exceed 50m<sup>2</sup> in size and involve filling more than 5m<sup>3</sup> of material into a watercourse. Consequently, an alternative method of accommodating traffic is proposed. Culvert C7 can be constructed in ½ widths so that one lane of traffic is accommodated on the existing road. The second lane of traffic can be accommodated on the farmer's gravel road and an existing low level bridge. The link roads to and from the farmer's road would be further than 32m from the watercourse and would not exceed 4m in width. The existing farmer's gravel road would not be expanded by more than 10 sqm or widened by more than 4m.

## DESCRIPTION OF TASKS

- An advertisement will be placed in the Middelburg Observer, a local newspaper, on the 18<sup>th</sup> January, 2013.
- Stakeholders, including adjacent landowners, neighbours within a 100 m radius, and the relevant authorities will be notified of the proposed project in writing;

- Notice boards advertising the applications will be placed at the site on the 15<sup>th</sup> January 2013.
- **A Public meeting will be held at 10h00 on Friday 01<sup>st</sup> February 2013 at Culvert C7.**

## **ANTICIPATED ISSUES**

Environmental issues that may be addressed in the Report could include the following:

- Erosion
- Sedimentation
- Traffic accommodation and safety

### ***YOUR COMMENTS PLEASE!***

Your comments on the proposed projects, the public participation process, and issues needing investigation, will assist the technical studies and the authorities in their consideration of the relevant environmental and social aspects.

You are invited to register as an Interested and Affected Party (I&AP) and to assist us in:

- identifying possible impacts of the proposed developments on the environment,
- making suggestions for mitigation and/or alternatives, and
- considering the “need” and “desirability”.

### **Mitigations**

Mitigation measures will be developed for the anticipated issues. Stakeholders are however welcome to comment on these issues and provide additional observations.

### **Alternatives**

Consideration of Alternatives is one of the most critical elements of the BA process. Its role is to provide a framework for sound decision-making based on the principle of sustainable development.

Alternatives should be identified as early as possible in the project cycle.

Ecoleges not only welcomes stakeholders’ input/suggestions, but also urges the public to submit possible alternatives.

It is important to note that an alternative is defined as a different means of meeting the general purpose and requirements of the activity, which may include alternatives to-

- (a) the property on which or location where it is proposed to undertake the activity;
- (b) the type of activity to be undertaken;
- (c) the design or layout of the activity;
- (d) the technology to be used in the activity;
- (e) the operational aspects of the activity; and
- (f) the option of not implementing the activity.

When submitting alternatives, the recommended alternative must be:

- Practicable,
- **Feasible**,
- Relevant,
- **Reasonable** and
- Viable.

**Need and Desirability**

'Need and desirability' is determined by considering the broader societal/community needs and interests. The general meaning of need and desirability refers to time and place, respectively, i.e. is this the right time and is it the right place for locating the proposed activity.

In order to ensure that you are registered as an interested and/or affected party, Please complete the enclosed REGISTRATION AND COMMENT SHEET and forward it to the address, fax or email provided below, on or before **18<sup>th</sup> February 2013**.

**Postal Address:**

P.O Box 9005  
Nelspruit  
1200

**Fax:** 086 697 9316

**E-mail:** [shaun@ecoleges.co.za](mailto:shaun@ecoleges.co.za)

**OR** For any enquiries or further information

Visit us at:

**Physical address:**

12 Suikerriet Street  
Central Park Business Centre  
Unit 59.2  
Nelspruit  
1200

**Cell:** 083 981 1031

## REGISTRATION AND COMMENT SHEET

Rehabilitation of Provincial Road P127/2, Nkangala District Municipality,  
Mpumalanga Province (MDEDET Ref No. 17/2/3N-210).

ECOLEGES REFERENCE: 2012\_005P

Title \_\_\_\_\_ Name \_\_\_\_\_

Surname \_\_\_\_\_

Company Name / Interest Group \_\_\_\_\_

Postal or Residential Address \_\_\_\_\_

Town/City \_\_\_\_\_

Postal Code \_\_\_\_\_

Tel (     ) \_\_\_\_\_

Cell \_\_\_\_\_

Fax (     ) \_\_\_\_\_

E-mail address \_\_\_\_\_

In accordance with EIA Regulations, 2010– Regulation 56 (1) - A registered interested and affected party is entitled to comment, in writing, on all written submissions including draft reports made to the competent authority... provided that - (c) the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application. Please supply such information in the space provided below

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please indicate with an **X** whether you would like to be kept informed of the BA process

YES, I would like to be kept informed

**YES**

