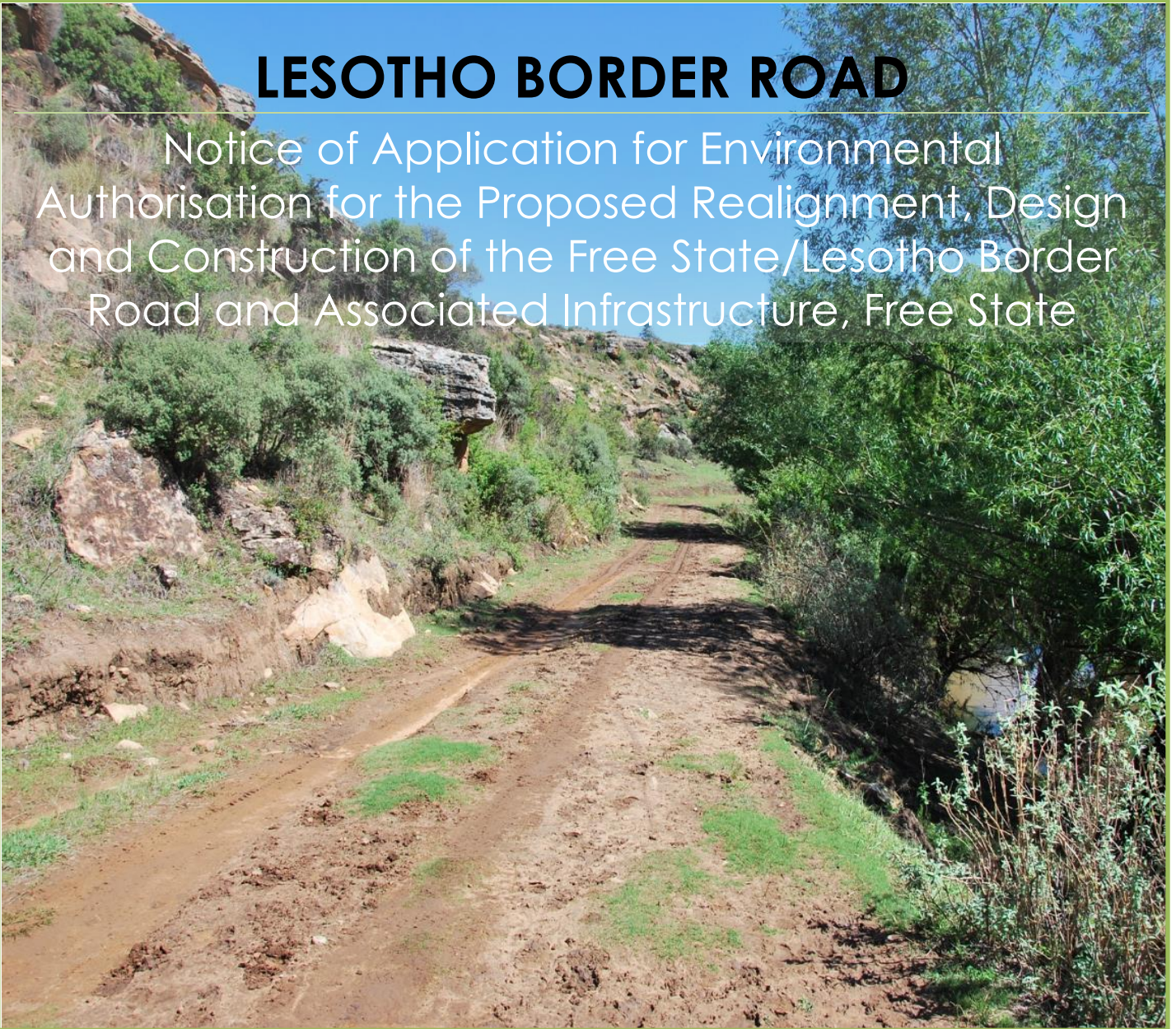


# LESOTHO BORDER ROAD

Notice of Application for Environmental Authorisation for the Proposed Realignment, Design and Construction of the Free State/Lesotho Border Road and Associated Infrastructure, Free State



## BACKGROUND INFORMATION DOCUMENT



public works

Department:  
Public Works  
REPUBLIC OF SOUTH AFRICA





## 1. Purpose of this Document

The **National Department of Public Works** (DPW) as the “**Applicant**”, being the responsible body for the border road, hereby gives notice of the application for Environmental Authorisation for the proposed realignment, design and construction of the Lesotho Border Patrol Road.

The purpose of this document is to provide:

- ✚ Background information about the proposed project,
- ✚ A description of the required environmental authorisation processes, and
- ✚ A description of the required public participation processes.

## 2. Proposed Development and Phases

A Scoping and Environmental Impact Assessment process is required for the development of a road (proposed route of the border road is 520 km in length) with a reserve wider than 30 metres (proposed reserve is between 22 and 33 metres wide) along the border between the Free State Province and Lesotho. The route traverses approximately 262 farm portions. The road will be accessed through 19 access roads affecting approximately 30 farm portions. The project consists of two phases.

Phase one of the project include:

- ✚ Conducting technical engineering, environmental, planning and land use, cadastral and land tenure assessments of the road and its access roads to determine the needs and requirements for the alignment, repair and reconstruction of the road and for acquiring rights to the land needed for the road.
- ✚ Conducting road planning and preliminary design work to determine the optimal route and road development alternatives to the level required to obtain environmental authorisation and site clearance, including acquiring rights to the land needed for the road.

Phase two of the project will include the detailed road design and construction of the border road.

## 3. Project Location

### Province:

The road is situated in the Free State Province.

### Municipalities:

The municipalities, towns, border posts and properties affected by the Lesotho / Free State border road alignment include the following:

#### District Municipalities:

- Thabo Mofutsanyana District Municipality
- Xhariep District Municipality

#### Local Municipalities:

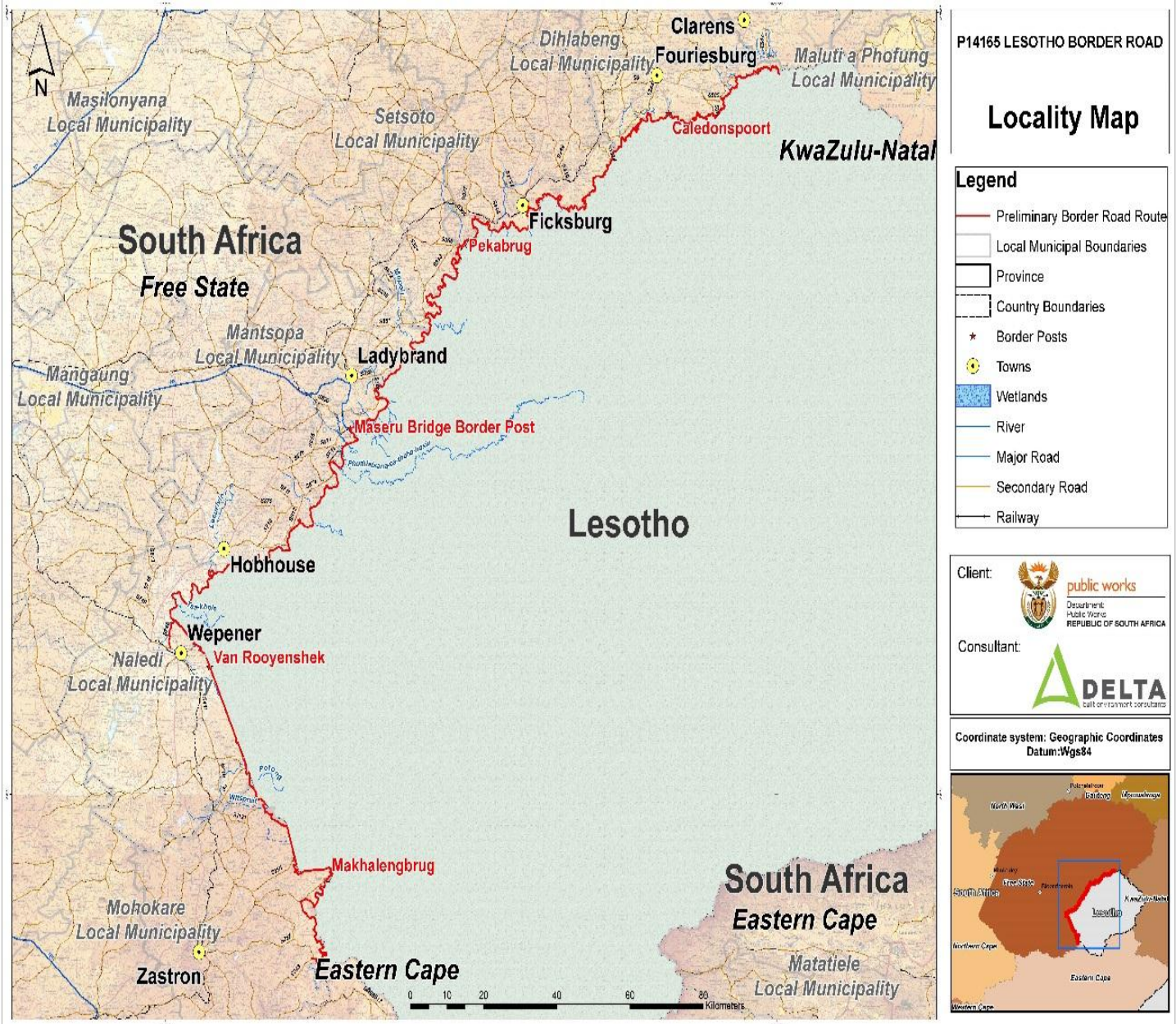
- Dihlabeng Local Municipality
- Setsotso Local Municipality
- Mantsopa Local Municipality
- Naledi Local Municipality
- Mokohare Local Municipality

#### Towns:

- Fouriesburg
- Ficksburg
- Hobhouse

	<ul style="list-style-type: none"> <li>Wepener</li> </ul>
<b>Border Posts:</b>	<ul style="list-style-type: none"> <li>Caledonspoort Border Post</li> <li>Ficksburg Bridge Border Post</li> <li>Peka Bridge Border Post</li> <li>Maseru Bridge Border Post</li> <li>Van Rooyens Gate Border Post</li> <li>Makhaleng Bridge Border Post</li> </ul>
<b>Properties Affected:</b>	<ul style="list-style-type: none"> <li>Approximately 262 farm portions</li> </ul>

**Map 1: Extent of the Proposed Route of the Free State/Lesotho Border Road**



## 4. Regulatory Requirements

The National Environmental Management Act, 1998 (Act No. 107 of 1998): Environmental Impact Assessment Regulations, 2014, as amended, lists activities which require environmental authorisation before commencement.

The proposed realignment, design and construction of the Free State/Lesotho Border Road trigger several listed activities (see **Box 1** to the right) in Government Notice R.983 (GN R. 983), GN R.984 and GN R.985, which require a Scoping and Environmental Impact Assessment process, including:

- ✚ A Water Use Licence Application for the water uses in terms of Section 21 (a), (b), (c) and (i) of the National Water Act, 1998 (Act No. 36 of 1998).
- ✚ A Mining Permit Application for the possible establishment of borrow pits in terms of Section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).
- ✚ A Heritage Resources Permit Application in terms of Sections 34, 35 and 36 of the National Heritage Resources Act, 1999 (Act No. 25 of 1999).

As part of the environmental impact assessment process, Interested and Affected Parties (I&AP) will be offered the opportunity to register their interest to the project (see **Diagram 1** below) in order to partake in the public participation process in terms of Section 41 of the Environmental Impact Assessment Regulations 2014 (GN R.982).

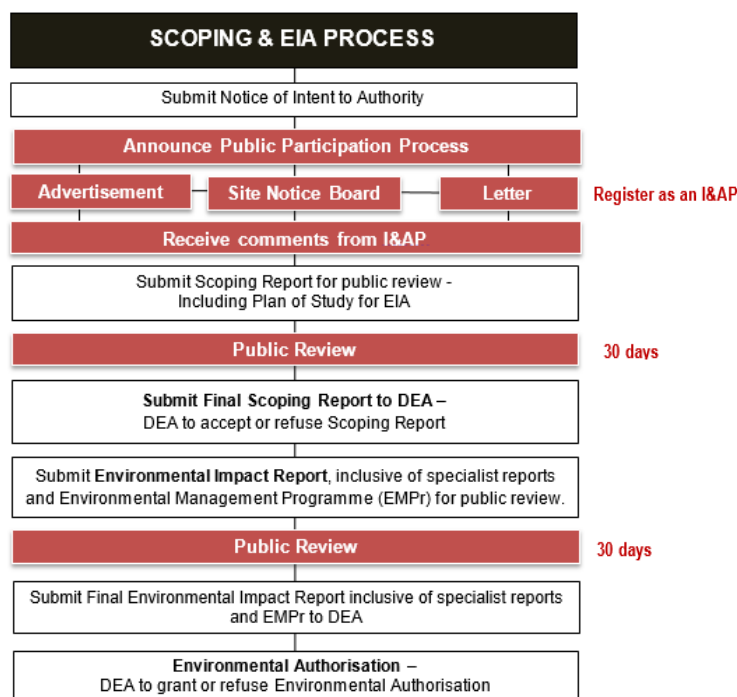


Diagram 1: EIA process and I&AP commenting opportunities

Box 1: Listed activities associated with the proposed project

### LISTING NOTICE 1 (GN R.983):

#### **Activity 19:**

The infilling or depositing of any material of more than 5 cubic metres into, or the excavation, removal or moving of soil, sand rock of more than 5 cubic metres from a watercourse.

#### **Activity 21:**

Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002).

#### **Activity 22:**

The decommissioning of any activity requiring a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); or a mining permit where the throughput of the activity has reduced by 90% or more over a period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure.

### LISTING NOTICE 2 (GN R.984):

#### **Activity 27:**

The development of a road with a reserve wider than 30 metres.

### LISTING NOTICE 3 (GN R. 985):

#### **Activity 10:**

The development of facilities or infrastructure for the storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.

#### **Activity 12:**

The clearance of an area of 300 square metres or more of indigenous vegetation.

#### **Activity 14:**

The development of infrastructure or structures with a physical footprint of 10 square metres or more where such development occurs within 32 metres of a watercourse measured from the edge of a watercourse.

#### **Activity 18:**

The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.



## 5. Specialist Studies

A number of potential environmental impacts and issues have been identified. These include:

### Watercourses



- Two thirds of the project follows the banks of the Caledon River.

### Fauna and Flora



- Impact on fauna and flora species. An example is the protected scorpion species found in the area.

### Agricultural, Soil and Land Capability



- Project might involve conversion of productive agricultural land.
- Possible impact on the economical land use value.
- Soil erosion due to the construction activities.

### Heritage & Paleontological Resources



- Several potentially sensitive heritage features may be affected.

### Borrow Pits



- The construction of the road will require suitable construction material to be sourced from new and/or existing borrow pits.

### Farm Infrastructure



- Potential impacts on farm infrastructure along the road such as, *inter alia*, gates, fence, farmsteads and outbuildings.

### Pollution

- Dust pollution
- Noise pollution

### Traffic and Community Safety



- Potential road alignment within urban / settlement areas.
- Positive and negative socio-economic impacts.
- Access roads during construction may have direct and indirect impacts on the existing road network.

### Positive Impacts



- Impacts from illegal overgrazing will be reduced.
- The risk to the RSA of foot and mouth disease will be reduced.

Independent environmental specialists will be appointed to assess the identified potential and cumulative impacts on the environment. The following specialist studies have already been identified to be undertaken:

- ✚ Archaeological Assessment
- ✚ Paleontological Assessment
- ✚ Invasive Alien Species Control and Eradication
- ✚ Climate, Soils, Agriculture and Land Use Assessment
- ✚ Geotechnical Surveying
- ✚ Biodiversity Assessment

## 6. Public Participation Process

The sharing of information forms the basis of the public participation process in terms of Section 41 of the Environmental Impact Assessment Regulations, 2014 (GN R.982), in order to provide I&APs the opportunity to partake in the Environmental Impact Assessment process.

## 7. Your Rights and Responsibilities as an I&AP

In terms of the public participation process in Section 41 of the EIA Regulations of 2014, your attention is drawn to your rights and responsibilities as a I&AP:

- ✚ To participate in the public participation process, you must register yourself on the project database with the correct contact details (refer to the Registration Form at the back of this document).
- ✚ You must ensure that any comments regarding the proposed project are submitted within the stipulated 30 day timeframes.
- ✚ You are required to disclose any direct business, financial, personal or other indirect interest that you may have regarding the approval or refusal of the application for Environmental Authorisation for the proposed project activity.

## 8. How to Become Involved

Kindly respond (by fax, e-mail or written letter) to our invitation which will be advertised (i.e. fixed notice board, written notice, advertisement in newspaper):

- ✚ by returning the attached form at the back of this document to the relevant identified contact persons;
- ✚ by attending arranged open day meetings to be held during the course of the project and be informed of the proposed dates and places for the public open day meetings to be held, if you are registered as an interested and / or affected party.
- ✚ By reviewing and commenting / provide input and feedback on the draft Scoping and EIA Reports within the stipulated 30 day review period (refer to the **Diagram 1 - EIA process and I&AP commenting opportunities**).
- ✚ Your input into this process forms a key element with regard to the decision of the application for Environmental Authorisation. By completing and submitting the accompanying form, you automatically register yourself as an I&AP for this project and are ensured that your comments, concerns or queries raised regarding the project will be noted and brought to the attention of the Department. You will be provided with the necessary information on time.

To register as an I&APs, please submit your name, contact information and interest in the project to Roelien du Plessis, care of (c/o) Gerhard Schoeman at the contact details provided below within 30 days of receiving this correspondence.

**Roelien du Plessis** (Environmental Assessment Practitioner) c/o **Gerhard Schoeman** (Delta Built Environment Consultants)

P.O. Box 35703, Lynnwood, Pretoria, 0180

Tel: 012 368 1850

Fax: 012 348 4738

Email: [border.road@deltabec.com](mailto:border.road@deltabec.com)

**NOTICE OF THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED RE-ALIGNMENT, DESIGN AND CONSTRUCTION OF THE LESOTHO BORDER ROAD IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014**

Ref: LESOTHO BORDER ROAD - PROPOSED RE-ALIGNMENT, DESIGN AND CONSTRUCTION OF THE LESOTHO BORDER ROAD

If you would like to register as an interested and affected party, please complete the form below and return it within 30 days of receipt of this document to:

**Ms Roelien du Plessis c/o Mr Gerhard Schoeman**

LIFE4ALL Environmental Consultancy

P.O. Box 35703, Lynnwood, Pretoria, 0180

Tel: 012 368 1850

Fax: 012 348 4738

Email: border.road@deltabec.com

Title: \_\_\_\_\_ Initials: \_\_\_\_\_ First Name: \_\_\_\_\_

Surname: \_\_\_\_\_

Interest/nature of involvement, e.g. property owner: \_\_\_\_\_

Organisation: \_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone work: \_\_\_\_\_ Telephone home: \_\_\_\_\_

Cellular Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Physical address (street) / property description (name and number):

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

Postal address:

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

What is your main area of interest with regard to the proposed activities?

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

Please register any possible comments, interests and/or concerns in this process:

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



LIFE4ALL Environmental Consultancy  
P. O. BOX 39600  
Moreleta Park,  
Pretoria,  
0044



Delta Built Environment Consultants  
Po Box 35703  
Menlo Park  
0102

Ref: PROPOSED RE-ALIGNMENT, DESIGN AND CONSTRUCTION OF THE LESOTHO BORDER ROAD –

Dear Sir / Madam

**NOTICE OF THE APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED RE-ALIGNMENT, DESIGN AND CONSTRUCTION OF THE LESOTHO BORDER ROAD IN TERMS OF THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS OF 2014**

As an Interested and Affected Party, I, \_\_\_\_\_ (full name),  
owner / tenant of \_\_\_\_\_ property,  
\_\_\_\_\_ (name of property),

agree with the following (kindly mark the applicable option/s):

- I have **received information** regarding the application for Environmental Authorisation for the project on the property mentioned above.
- I do not have any objections regarding the proposed project and I therefore wish to express my **consent or no-objection** for the proposed project.
- I **do not agree** with the proposed project and I therefore wish to express my **objection** to the proposed application for environmental authorisation.
- I want to **register as an I&AP** and to be kept informed of the process and of local open day sessions (please use attached form to fill in your contact details).
- I want to attend an information session of the proposed project at Delta BEC's head office in Pretoria, Gauteng Province

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_



environmental consultancy

Cell: 084 5844 707 ■ Fax: (012) 993 4836

life4all@telkomsa.net ■ PO Box 39600 Moreleta Park, 0044