



THE ENVIRONMENTAL IMPACT ASSESSMENT OF THE PROPOSED N2 HIGHWAY TO BE BUILT NEAR THE MBIZANA COMMUNITY IN THE O.R. TAMBO DISTRICT MUNICIPALITY IN THE EASTERN CAPE

28 August 2007

1. Introduction

The proposed N2 Wild Coast Highway Toll Road by the South African National Roads Agency Limited (SANRAL) is viewed as infrastructure that will benefit the community on the one hand, while on the other it is viewed as something that will impact negatively on the environment. The road was proposed in 2003 as part of a strategy to improve the road infrastructure of the Eastern Cape which has an extensive network of 55,088km of roads servicing the large rural province, of which only 5,746km are paved. Some 80% of the network are district, minor and access roads intended to service rural areas.¹

The N2 Wild Coast Toll Road Project is proposed to extend over a total distance of approximately 550 km from the Gonubie Interchange near East London in the Eastern Cape, to the Isipingo Interchange south of Durban in KwaZulu-Natal. The proposed toll road will follow a new route through the area known as the Wild Coast, and will connect major centres, including East London, Butterworth, Idutywa, Umtata, Ndwalane, Lusikisiki, Port Edward, Port Shepstone and Durban. This new route will be approximately 85 km shorter than the existing N2 via Mount Frere, Kokstad and Harding.²

Approximately 80% of the proposed route utilises existing roads that need to be upgraded (i.e. sections of the existing N2 and R61 routes). The new sections of the road will be constructed in undeveloped areas. The plan is to extend the N2 freeway from Port Edward in KwaZulu-Natal through Pondoland to Lusikisiki in the Eastern Cape, from where it will join the existing road at Umtata. In addition to the new sections of road, two large suspension bridges and concrete road supports will have to be built to cross the gorges in the area.³

2. Background⁴

In accordance with the Environmental Impact Assessment (EIA) regulations applicable to such developments, an Environmental Scoping Report was completed in March 2002, which identified potentially significant environmental impacts. These impacts were further investigated in the EIA Report completed in September 2002, which recommended appropriate mitigation measures.

¹ Eastern Cape Development Corporation (ECDC) 2003, Infrastructure, <http://www.ecdc.co.za/sectors/visual.asp?pageid=126&imageid=infrastructure>, Internet Accessed, 23 August 2007, p. 1.

² Sourced from Khan, F. 2005, The Proposed N2 Wild Coast Toll Road, An Update, Research Unit, p. 1.

³ Sourced from Khan, F. 2005, The Proposed N2 Wild Coast Toll Road, An Update, Research Unit, p. 2.

⁴ Background sourced from Khan, F. 2005, The Proposed N2 Wild Coast Toll Road, An Update, Research Unit, pp. 2-5.



PONDOLAND

Pondoland was part of the former Transkei and remains severely under-developed. Unemployment is rampant and poverty is widespread - many people are state pensioners or are dependent upon government-sponsored welfare projects.

Pondoland is an area of great natural beauty and natural wealth. This region is largely undeveloped and 'unspoilt'. The grasslands and forested valleys are home to more than 150 endemic plants,⁵ including the Pondo Bushman's Teak Tree that can live for 1 000 years.

The threatened crowned crane is common in this area, as is the rare ground hornbill. In winter, large numbers of dolphins and whales are found off the coast. Colonies of rare Cape vultures nest among the cliffs and waterfalls plummet through gorges into the sea.

2.1 The impact of the proposed toll road

The environmental scoping study report released in 2002 found that the route would have a potential impact on the topography, vegetation, fauna, aquatic systems, soils and agriculture, and archaeological, cultural and palaeontological sites. Mitigation measures have been proposed in the subsequent EIA report.

The proposed road has generated enormous controversy, with public opinion divided between those who maintain that the major impact of the road will be largely positive, and those who feel that it will be overwhelmingly negative.

2.2 The envisaged benefits of the road

The Government and the toll road developers, the South African National Roads Agency Limited (SANRAL), have stated that the toll road will bring much-needed development and tourism to the area. They point out that large sections of the existing roads are in a very poor state and that a modern, well-maintained highway is essential for road safety and the promotion of future economic development. The former Minister of Environmental Affairs and Tourism, Valli Moosa stated that the road and ecotourism make good partners and that everyone in the region would benefit from both.

Those in favour of the road, such as local councillor, NomaMfengu Dweba, maintain that the road will alleviate poverty and provide employment as well as offer opportunities to local entrepreneurs to sell their products.

2.3 Environmental concerns

The Wildlife and Environment Society of South Africa (WESSA) and the Botanical Society of South Africa are strongly opposed to the proposed development. WESSA initiated its 'Save the Wild Coast' campaign and has actively campaigned to stop the road.

The following environmental concerns have been highlighted by WESSA and the Botanical Society, as well as other organisations and local residents:

⁵ Endemic plants are those which naturally occur in a particular area and nowhere else.



- The planned four-lane toll road will cut straight through an area of diverse and unusual flora that ranks alongside the Cape floral kingdom in its importance. Environmentalists are concerned that this unique botanical biodiversity will be damaged by the road.
- The road will also cut through the proposed Wild Coast National Park.
- Localised populations of rare endemic plant species will be impacted. The area where the proposed toll road will be situated, is the only true coastal wilderness left along the Indian Ocean coastline in South Africa. This area is a vital part of the Pondoland Centre of Plant Endemism, one of the world's 'hot spots'⁶ of biodiversity, as it hosts nearly 200 endemic or near-endemic plant species. As signatory to the Convention on Biodiversity, South Africa has a legal obligation to implement and abide by the principles of the Convention and should therefore recognise the biological value of this 'hot spot'.
- The road will destroy pristine areas and wilderness. This may discourage visits by tourists who visit Pondoland for its beauty and tranquillity – this will further impact negatively on the economy of many small towns that have come to depend on tourism.
- The road will negatively impact on ecotourism ventures, further endangering an already fragile local economy. The World Wide Fund for Nature (WWF), which is working closely with the European Union on an eco-tourism venture for poor communities in the area, is very concerned that the toll road may jeopardise this project.

2.4 Socio-economic concerns

Opponents of the road maintain that the proposed toll road:

- will not address fundamental socio-economic problems such as lack of education and skills training;
- transgresses basic development principles, which would support projects requested by local people;
- will negatively impact on cattle-owners, whose livestock will have their grazing split into two - it is likely that the road will be fenced, with animal crossings only every 15 km;
- will cause further hardship to not only to the poor, but also business owners who will have to pay high toll fees in order to use the new road;
- will benefit the engineers and developers involved, but bypass and isolate small towns in Pondoland;
- will devastate the economy of local towns such as Harding, Bizana, Flagstaff, Umzimkulu and Kokstad and encourage many to move closer to the new road;
- will require Government to pay well over R1 billion towards constructing suspension bridges – money that could instead be used to upgrade the N2 and R61.

2.5 The link between the road and a proposed mine

Mineral Resource Commodities (MRC), an Australian company, plans to mine the rich titanium reserves in the dunes at Xolebeni, just north of Mkambati. Most of those who oppose the toll road, oppose the proposed mine

⁶ A 'hot spot' is an endemic-rich botanic site. The Pondoland Centre of Endemism is one of the smallest and hence most vulnerable of these sites of global conservation significance. It is one of only 235 such sites recognised by the World Conservation Union and the World Wide Fund for Nature (WWF).



for the same reasons, i.e. that mining will destroy the natural environment and impact negatively on the tourism industry.

WESSA and other opponents of the toll road fear that the road is being forced upon the local community in the interests of the proposed mine. They are of the opinion that the mine would be unprofitable without the road, as there is no road system near the proposed mine. However, both the MRC and the Department of Environmental Affairs and Tourism have denied that the road is linked to the mine.

2.6 The position of the Government

The Government has gone on record as saying that it would not allow any development along the scenic Pondoland coastline before a proper conservation strategy is in place. Such a strategy could well include the proclamation of a national park – a move that could force a change in the route of the proposed toll road. Dr Olver, the former Director-General of the Department of Environmental Affairs and Tourism (DEAT) stated that, "A national road down that coast would be a disaster in the absence of an overall conservation strategy. But it's also a very poor district in desperate need of development".

While acknowledging the fact that approving or rejecting the plan would "not be an easy decision", the DEAT issued a positive Record of Decision in December 2003. Subsequently, numerous appeals were lodged, objecting to the authorisation granted.

3. The Focus of the Final Scoping Report - March 2007

The Mbizana Municipality forms part of the OR Tambo District Municipality in the Eastern Cape and is one of the areas that will be impacted when the N2 Highway moves through the district. The Mbizana Local Municipality is one of seven municipalities that form part of the OR Tambo District Municipality. The OR Tambo District Municipality is situated in the north-eastern part of the Eastern Cape Province. The district incorporates large portions of the former Transkei homeland, covering both inland and coastal areas.⁷ Pondoland has been one of the most inaccessible areas of the country, and the rural areas around Lusikisiki, Flagstaff and Bizana⁸ are among the poorest in the country. A five-year plan by the Provincial Department of Roads and Transport indicated that it had set aside an amount of R5.3 billion for upgrading and maintenance between 2001/02 and 2005/06 of the roads in the Eastern Cape. The targeted roads included the:

- N2 to Kei Mouth (tarring),
- Lusikisiki to Port St Johns (tarring),
- McClear to Mount Fletcher (tarring),
- Sterspruit to Tele Bridge (tarring),
- Idutywa to Willowdale (tarring),
- And Flagstaff to Holly Cross (tarring).⁹

In terms of demographics the Mbizana Local Municipality is classified as a Category B municipality with specific powers and functions outlined in Schedule 4 and 5 of the Constitution. The Municipality is made up of the towns

⁷ Mbizana Municipality, <http://www.mbizana.gov.za/2.Municipality.html>, Accessed 23 August 2007.

⁸ Note that in the literature the term Bizana and Mbizana are used interchangeably.

⁹ Eastern Cape Development Corporation (ECDC) 2003, Infrastructure, <http://www.ecdc.co.za/sectors/visual.asp?pageid=126&imageid=infrastructure>, Internet Accessed, 23 August 2007, p. 2.



of Bizana and the 250 outlying rural settlements. Its population numbers about 245 421 people, with 95% residing in rural areas and the other 5% living in the town of Bizana.¹⁰

This section of the brief is a summary of the findings of the Final Scoping Report of the N2 Wild Coast Toll Road which was finalised in March 2007. The brief will concentrate on the Scoping Report, which is the latest information available on the project from the South African National Roads Agency Limited (SANRAL), one of the project leaders of the development.

The Scoping Report summarises the issues and concerns raised, pending the finalisation of the second Environmental Impact Assessment Report that is still in progress and is to be completed. A previous environmental Record of Decision issued on 3 December 2003, authorised the SANRAL to undertake the proposed Wild Coast Toll Highway, but numerous appeals were subsequently lodged with the Minister of Environmental Affairs and Tourism objecting to the authorisation granted to SANRAL.¹¹ The finding of the Environmental Impact Assessment (EIA), which was completed in 2003, is outlined above in the background section of the brief.¹² In December 2004, the current Minister of Environmental Affairs and Tourism, Marthinus van Schalkwyk, set aside the approval of the proposed Wild Coast Toll Road, on legal grounds. One of the most important of these, was that the environmental impact study was tainted by financial conflicts of interest between members of a major road-building consortium and the consultancy firm, Bohlweki Environmental (Pty) Ltd. As a result of its links to construction and engineering giants Group Five and Stewart Scott International, Bohlweki had not complied with the legal requirement of independence.¹³

In January 2005 SANRAL appointed CCA Environmental Associates (Pty) Ltd and Nomi Muthialu and Associates (Pty) Ltd to submit a new application for environmental authorisation and to undertake the required EIA.

The Final Scoping Report raised several issues especially in terms of the public participation process and the concerns raised by the communities. Between 13 April and 9 June 2006 the members of the Mbizana Municipality took part in the public participation process and noted some of the concerns that stemmed from the proposed Toll Road to be built near Mbizana in the Eastern Cape.

The issues raised in the public participation are the following:

- Will the community be forced to pay once the toll plazas have been erected? The community was told that there would be concessions for frequent users. Will these concessions be affordable to the households? A news report has indicated that a toll charge might be as high as R80¹⁴, how will people be able to afford this?
- The community was concerned about the effect of the toll road on their cattle and grazing land and they were assured that there would be over-passes provided for the people and underpasses for the cattle.
- How will the impact of the road be mitigated in terms of having peoples removed from their homes and having to move away from Mbizana? The community were assured that SANRAL would provide similar

¹⁰ Mbizana Municipality, <http://www.mbizana.gov.za/2.Municipality.html>, Accessed 23 August 2007.

¹¹ CCA Environmental (Pty) Ltd, 2007, Proposed N2 Wild Coast Toll Highway: Final Scoping Report - Executive Summary, Internet, http://www.nra.co.za/n2wildcoast/Chapters/FSR_Exec%20Summary_20Mar07.pdf, Accessed 23 August 2007.

¹² The Minister, on the 9th of December 2004 upheld the appeals and set aside the authorisation on the grounds that the appointed environmental consultant did not meet the requirement for independence as indicated in the EIA Regulations (Government Notice R 1183 of 5 September 1997, as amended).

¹³ Sourced from Khan, F. 2005, The Proposed N2 Wild Coast Toll Road, An Update, Research Unit.

¹⁴ Comments, 'Wild Coast needs better roads, not toll highway, The Sunday Independent, 27 May 2007, Internet Accessed, 23 August 2007. SWC <http://www.swc.org.za>.



structures or even better ones for people who were affected in terms of land and their homes at market related values.

- The communities also raised concerns related to the disturbance of their graves, if the proposed Toll Road is to move through the area and how this will be dealt with.
- Will the community benefit from the proposed Toll Road in terms of sustainable businesses?
- Finally, the community wanted to know if the proposed Toll Road was going to create skills and bring sustainable jobs to the area.

4. Conclusion

The Wild Coast Toll Road will divert the N2 between East London to Durban close to the coast and Port St Johns. It is believed that it will greatly improve access to Pondoland, creating opportunities for agriculture and tourism. Proponents of the Toll Road indicate that Improved rural access roads close to the Wild Coast will boost tourism. Better rural access roads throughout the district will also provide access to markets, schools and clinics.

In September 2005, the Government approved a new Wild Coast National Park in Pondoland. While the plan has been welcomed in principle by conservation bodies, the Minister's failure to disclose the size and boundary lines of the park has raised suspicion that the deal might be a 'sweetener' for the proposed toll road to go ahead.

There appears to be consensus among both the proponents and critics of the proposed toll road that:

- The Pondoland region is one of great natural wealth, beauty and tranquillity.
- The Pondoland region suffers from acute socio-economic problems.
- The existing N2 and R61 roads are inadequate, with some sections being in a very poor, and sometimes even dangerous state.

The divergence in opinion occurs in the proposal to address these problems through the construction of a toll road. Opponents of the toll road acknowledge that severe socio-economic problems exist in the region, and that development and a good road system are needed. However, they say that this should be guided by the needs of locals – thus any new development should be sited in areas identified as a priority by the local inhabitants. Critics of the road further propose that the existing R61 or N2 be upgraded instead of constructing a toll road as this will not only ensure the economic survival of the towns along those routes, but will also protect the natural environment upon which sustainable development and the tourism industry depend.

5. Issues for Consideration

Why is a Toll Road being considered to pass through one of the poorest areas in the country? As has been indicated, Pondoland requires extensive infrastructural upgrading, which appears to have been budgeted for to improve its tourism potential, but the proposed Toll Highway appears to go against this?

A report posted by a concern group in April 2007 called Sustaining the Wild Coast (SWC) has indicated that the Toll Road will require high volumes of traffic for it to remain economically viable. On average 20 000 vehicles need to pass through a toll road per day for it to remain economically viable, but in the Eastern Cape between



Mthatha and South Broom there are only 1 000 vehicles per day and 3 600 between Butterworth and Mahatma. How will this Toll Road remain sustainable?¹⁵

Why is a Toll Road being built after the Department of Roads and Transport indicated in its five year plan that it intended to upgrade the N2 and other roads at an estimated R5.3 billion? Is this amount still being used for the upgrading and maintenance of the road or is it incorporated into the proposed Toll Road?

Sources

CCA Environmental. 2005: Background Information Document, Proposed N2 Wild Coast Toll Highway. August.

Khan, F. 2005, The Proposed N2 Wild Coast Toll Road, An Update, Research Unit.

Groenewald, Y. 2003: Paradise lost? *Mail & Guardian*, 11-17 July.

Kumbaca, N. 2003: O R Tambo women want N2 toll road. *Daily Dispatch*, 31 July.

Mcdonald, D. 2003: What we think. *Veld and Flora*, September.

Yeld, J. 2003: Park may change road plan. *Cape Argus*, 11 September.

Background Information: N2 Wild Coast Toll Road
www.n2wcc.co.za

Toll Road Project benefits questioned, 21 February 2003
www.planets-voice.org

A road runs through it, 27 May 2003
www.mg.co.za

Tug of war rages over mine, 7 July 2003
www.minesandcommunities.org

Wildlife and Environment Society of South Africa and the Botanical Society of South Africa: Position Statement on Proposed N2 Toll Road in Pondoland
www.wildlifesociety.org.za

Bell rings for round two of toll battle, 10 August 2005
www.iol.co.za

Green light for new Wild Coast park, 1 September 2005

¹⁵ SWC Comments on the N2 Toll Road Draft Scoping Report, <http://www.swc.org.za/swc-comments-on-n2-toll-road-draft-scoping-report.htm>, Internet Accessed 23 August 2007, p. 6.



www.iol.co.za

CCA Environmental (Pty) Ltd, 2007, Proposed N2 Wild Coast Toll High Way: Final Scoping Report - Executive Summary, Internet, http://www.nra.co.za/n2wildcoast/Chapters/FSR_Exec%20Summary_20Mar07.pdf, Accessed 23 August 2007.

Comments, 'Wild Coast needs better roads, not toll highway, The Sunday Independent, 27 May 2007, Internet Accessed, 23 August 2007. Sustaining the Wild Coast <http://www.swc.org.za>.

Eastern Cape Development Corporation (ECDC) 2003, Infrastructure, <http://www.ecdc.co.za/sectors/visual.asp?pageid=126&imageid=infrastructure>, Internet Accessed, 23 August 2007.

Mbizana Municipality, 2007, <http://www.mbizana.gov.za/2.Municipality.html>, Internet Accessed 23 August 2007.

Mbizana Municipality, 2007, <http://www.mbizana.gov.za/3.Demographics.html>, Internet Accessed 23 August 2007.

Mbizana IDP <http://mbizana.gov.za/users/admin/images/docs/IDP.pdf>, Internet Accessed 23 August 2007.

Nomi Muthialu and Associates (Pty) Ltd 2007, Proposed N2 Wild Coast Toll Highway Environmental Impact Assessment, Draft Scoping Report Comment Period 13 April – 9 June 2006, Xolobeni Community – Mbizana Municipality, Internet Accessed 23 August 2007.

SWC Comments on the N2 Toll Road Draft Scoping Report, <http://www.swc.org.za/swc-comments-on-n2-toll-raod-draft-scoping-report.htm>, Internet Accessed 23 August 2007.