

**Govender,Sanusha**

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**From:** Stow,Russell  
**Sent:** 03 June 2009 07:29 AM  
**To:** raymond.reynolds@sfte.co.za; 'Gademan, Eddy'  
**Cc:** Henstra, Tarryn; Govender,Sanusha  
**Subject:** FW: Submission from a number of I&AP's on the Sani Pass issue  
**Attachments:** SANI PASS - SUBMISSION TO DEAT ON UNHAPPINESS WITH EIA PROCESS.doc

Hi Guys

For your information, please see objection by WESSA to DEAT regarding EIA process.

Regards  
Russell

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**From:** Sani Lodge [mailto:info@sanilodge.co.za]  
**Sent:** 02 June 2009 06:52 PM  
**To:** ctivani@deat.gov.za  
**Cc:** Stow,Russell  
**Subject:** Submission from a number of I&AP's on the Sani Pass issue

Dear Mr. Tivani,

I have compiled the following submission on behalf of a number of I&AP's involved with the proposed upgrade of the Sani Pass Road, project reference (ref: 12/12/20/1184). We are unhappy with the process and wish to register our protest with you, the Principal Environmental Officer for the Upgrade of the Sani Pass EIA. Please confirm receipt of the submission, and advise whether you require a hard copy in addition to the emailed version. Please also advise what course of action will follow the registering of our protest. I have cc'd this email to Mr. Russell Stow of the EIA consultants Arcus Gibb.

Best regards

Russell Suchet

## SUBMISSION TO DEAT ON UNHAPPINESS WITH EIA PROCESS

Dear Sir,

As a range of I&AP's involved with the proposal by Department of Transport (DOT) to upgrade the Sani Pass, we have been actively involved in the EIA process which has been conducted by Mr. Russell Stow of Arcus Gibb. We have had much input into the process, and many of our concerns were acknowledged and dealt with in the Draft Scoping Report. However, as the process has unfolded over the last few months, we have become increasingly unhappy and feel that we need to register a protest with DEAT now prior to any decision on this proposal being taken.

Before explaining the nature of our protest, some background.

1) Not only is the Sani Pass a unique place worthy of protection in its own right and for future generations to enjoy, it is a tourism icon. The experience of traveling up the Sani Pass on a dirt road, through the valleys of the Drakensberg with their unique flora and fauna, crossing an international border and then ascending a stupendous road pass with incredible views to reach the remote plateau country of Lesotho beyond is something which has attracted tourists to the southern Drakensberg in ever increasing numbers. It is the key to the tourist industry in our area, the KwaSani municipal area, as well as to the emerging community tourism ventures in the adjacent areas of the Mokhotlong District of Lesotho. The tremendous growth in tourism in these areas over the last 10 to 15 years has been due to the special "sense of place" which the Sani Pass and the road beyond to Mokhotlong has. We believe the social and economic studies now underway as part of the EIA process will highlight this fact.

2) The Department of Transport is proposing to upgrade the existing road. This is stated as necessary:

- a) because of the terrible condition of the road and
- b) due to environmental factors, primarily the poor drainage off the road and the consequent erosion and siltation of local rivers.

Both of these facts are entirely correct and we have no dispute with these laudable objectives.

However, the DOT proposes to solve the problem by putting in a hard surface all the way up the Pass. In this, we feel they are misguided as such a project will in the construction and in the finished product totally alter the "sense of place" and rob us of our tourism product, in much the same way as stopping the flow of the Zambezi River would rob Victoria Falls of its tourism product..

3) Arcus Gibb produced a Draft Scoping Report which was presented to the public at a meeting in early December. One of the crucial things in the report was the consideration of the future of the Pass in terms of 6 alternatives. We felt this was a very good approach. However, we were unhappy with some of the underlying assumptions that were used for some of the 6 alternatives, and put these concerns in a written response to the draft scoping report.

4) We were under the assumption that a final scoping report would be produced before the Environmental Impact phase of the process took place and that our input would thus be incorporated in the final scoping report and that this would then inform the Environmental Impact phase. This however is not the case. The Final Scoping Report has not yet been produced, yet various specialist studies are underway currently, and Arcus Gibb informed us that they had approval to go ahead with these before the final scoping report has been completed, basically in the interests of saving time. We have no argument with this in principle. However, what concerns us greatly is that the various specialist studies **are now being undertaken based on incorrect assumptions in the draft scoping report.**

5) The critical assumption which we are challenging is that an upgraded dirt road (as is part of alternatives 2, 3 and 4) will mean the road is only accessible to 4x4 vehicles. Our contention is that the best solution for everyone is alternative 3, an upgraded dirt surface with improved drainage. In our view, this will allow for greater access up the Pass as sedan vehicles and light commercial vehicles will be able to use the road (much the same level of access as for alternative 5), whilst not fundamentally altering the special “sense of place” which gives the Sani Pass its tourism value, and in addition addressing the drainage concerns. It will also have the spinoff of providing long term sustainable employment if a dedicated maintenance team is set up to work on the pass daily (as we have proposed).

6) We have pursued this issue with Russell Stow of Arcus Gibb, **who informs us that DOT refuse to accept that an upgraded dirt road will be accessible to 2x4 vehicles. This seems to us a desperate attempt to stop consideration of a viable and sensible alternative which can be completed at a fraction of the cost of the hard surface and achieve the same results.** Here is the response from Mr Stow, cut and paste from his email:

- DOT responded indicating that, should the Pass remain an upgraded gravel road (potentially accessible by all vehicles under limited conditions), the DOT will still only allow 4x4 access to the upper section (from border post up) as the liabilities and risks to the DOT are unacceptably high, particularly with respect to accidents on the Pass. (The DOT has already been sued by a tourist who was hurt in an accident on the Pass.)

We find this response from DOT to be wholly inaccurate as follows:

- a) The road was upgraded by the Basotho roads department in 1998, and for a period of about 2 years, it was accessible and used by many motorists in most types of vehicles including small sedans such as Fiat Uno and VW Golf as well as 2x4 bakkies. Not one accident took place in that period, the authorities at no time tried to prevent motorists without 4x4 from using the road and the “sense of place” was not altered. The road deteriorated again due to lack of any maintenance whatsoever.
- b) We believe that the risks of an upgraded dirt road are in fact LESS than a hard surface as motorists drive much slower on dirt surfaces. In extreme conditions such as the top section of Sani Pass, speed is a potential killer and thus keeping speeds low is critical. In addition, a dirt surface is far safer in icy conditions as occur in some periods during winter than a hard surface.
- c) The incident referred to where DOT was sued by a tourist in fact took place on the first section of the Sani Pass road, the section currently referred to as Phase 1 and not on the pass itself at all (Phase 2 as under consideration). This is highly misleading information.
- d) Higher road passes which are dirt roads are used daily by 2x4 vehicles all over Lesotho without a major accident rate. The Basotho authorities seem quite happy with the current situation.
- e) Will the DOT now consider closing roads such as Naude’s Nek or Swartberg Pass for the same reasons? We doubt it.
- f) The Sani Pass has always been used by 2x4 vehicles as:
  - i) The Basotho authorities have never stopped any vehicle from traveling **down** the Pass and;
  - ii) b) Vehicles which look like 4x4’s but are in fact 2x4 vehicles do get through the SA border if the officials are busy and not checking.

g) The road from Sani Top to Mokhotlong is a good quality dirt road which ascends even higher than Sani Pass, and the Basotho authorities do an excellent job in keeping the road in good condition. This road is regularly used by 2x4 vehicles. The same applies to many roads in Lesotho, whilst those tarred at altitude (eg. The road from Oxbow to Mokhotlong) tend to break up badly and get full of potholes! The record of the DOT in maintaining the Sani Pass in the past gives us no confidence whatsoever in their ability to maintain a hard surface.

We thus feel that the DOT are simply determined to block any other alternatives to their preferred alternative, and that this is abusing the process. We wish to register a strong protest to this, and feel that all the specialist studies now being undertaken are compromised as they cannot consider the various alternatives accurately.

Yours Truly,

Russell Suchet ([info@sanilodge.co.za](mailto:info@sanilodge.co.za)) tel (033)7020330 : on behalf of the following I&AP's:

Southern Drakensberg Community Tourism Organisation – Chairman Kobus van den Berg  
Mokhotlong Tourism Association – Chairman Ntate Thabiso Nkune  
Sani Branch (and KZN Region) of The Wildlife and Environment Society of South Africa – Chairman  
Sani Branch Bill Small  
Major Adventures – Owners Charles and Gardi Major  
Sani Pass Tours – Owner Murray Cairns  
Kindgom in the Sky Adventures – Owner Rudi Botha  
Drakensberg Adventures and Sani Lodge Backpackers – Owners Russell and Simone Suchet  
Southern Secrets – Owners Philip and Christine Grant  
Birding Tour Guide Stuart McLean  
Molumong Lodge near Mokhotlong – Owner Derek Alberts  
(Contact details of these individuals should be part of the EIA process as all are registered I&AP's, but can be provided separately too if possible)

## Govender, Sanusha

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**From:** on behalf of Stow, Russell  
**Subject:** FW: sani pass upgrade phase 2

-----Original Message-----

Sent: 04 September 2009 20:21

Subject: sani pass upgrade phase 2

Hi, I am the owner of Sani Top Chalet and so have a vested interest in the proposed developments. I have been to meetings and filled in questionnaires from time to time as requested but have never been actively involved in the for/against issue as it shouldn't really need to be debated .

Yesterday there were some gentlemen from the road design team at Sani Top who told me that there could be some doubts as to the continuation of this project due to the tour operators continued opposition to the upgrade.

No one wants to see hard working SA entrepreneurs out of business because of progress but we cannot continue to drive this road as it is. It might be a 4x4 experience but this is becoming a joke and with the summer ahead, there will be no road by April. To spend money, repair it to an acceptable level, and not secure it will be throwing good money after bad, as it will all be gone in 3 years, it has all been done before.

What will become of all of us should not be the issue; what's best for the environment and assisting in the development of Lesotho for future generations is the debate here. Don't let greedy tour operators and old sentimentalists cloud your decisions we will all survive whatever happens there are plenty of opportunities out there.

**FIX THE ROAD!**

Regards Jonathan Aldous

Submitted By: jonathan aldous

jonathan@futurenet.co.za

**Govender, Sanusha**

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**Subject:** SDCTO

Hi Russell/all,

I think another important aspect to add/record in an objection is :

-- There are several other "untarred" dirt-surfaced passes in South Africa not being "upgraded" to blacktop, thus DoT's so expressed position on Sani Pass is entirely without any foundation; and  
-- The fact that DoT has "already made up their mind" implies that they have no interest in what the BEST solution is, makes the EIA process a TOTAL FARCE and **waste of tax-payers' money**, and undeniably shows no respect for the rights of neither environment nor the people; and  
-- alternative route(s) of lesser gradient and technical challenge, traditionally established still in use e.g. between families between Mokhotlong & mQuatsheni, in support of local LED objectives for tourism/other growth, for a commercial thoroughfare, if ANY proof of such a purported socio-economic need even exists, have been made available and MUST be considered by DoT.

I have sent one such proposal (a GoogleEarth coordinates map) to Arcus Gibb (Russell Stowe), but there are several others that will do.

Most sincerely in Tourism

Kobus vd Berg

Chairman : SDCTO



***Southern Drakensberg  
Tourism***

***The preferred Drakensberg  
Destination***

Email: [chairman@drakensberg.org](mailto:chairman@drakensberg.org)

Web: [www.drakensberg.org](http://www.drakensberg.org)

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**Govender,Sanusha**

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**From:** Stow,Russell  
**Sent:** 06 May 2009 08:21 AM  
**To:** info@sanilodge.co.za  
**Cc:** Govender,Sanusha; Henstra, Tarryn; Davids,Rashieda; Fechter,Gisela  
**Subject:** RE: Comment from IAP - Sani Pass

Dear Russell and Simone

Thank you for your continued interest and enthusiasm in the project and for your time to discuss these issues 2 days ago. I have responded below each query in your original email.

Should you have any further queries please do not hesitate to contact me.

Regards  
 Russell

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**From:** Sani Lodge [mailto:info@sanilodge.co.za]

**Sent:** 05 May 2009 11:40 AM  
**To:** Govender,Sanusha  
**Subject:** attn Russell Stow

Hi Russell,

Following our telephone conversation yesterday, we wish to seek clarification on the following points:

1) What has happened to the final scoping report?

The Final Scoping Report is in the last stages of being corrected / amended to include comments and suggestions received during its draft review. The major time component of the final reports compilation has been the collection, recording and responding to the comments received. We have about 40pages of issues, comments and responses which need to be verified and checked and as I'm sure you can appreciate, this takes time. I hope, once the report has been through its required internal reviews, to submit it to the Department of Environmental Affairs and Tourism (DEAT) within the next 2 weeks. You will be informed of its submission and availability for review by all and any interested and affected parties (IAPs). We will immediately send you an electronic copy.

2) How can the Environmental Impact phase go ahead before the Final scoping report has been approved by the department?

It was agreed with the DEAT during the early stages of the Scoping Phase that the Impact Phase and primarily the specialist studies, be allowed to be initiated as the Primary Issues and Concerns and the resulting need for specialist studies (e.g. social and economic) were very apparent. The DEAT have been involved in/and aware of all stages of the Scoping Phase (including review of the Draft Scoping report) and it is expected that the assessing officers would have raised concerns if they had had problems with the process to date. There is a risk that the DEAT, on review of the Final Scoping Report, may request additional studies and or /modifications to the Impact Phase. In an effort to not extend/draw out this process indefinitely and with confidence that the primary issues requiring specialist investigation have been identified, this risk is acceptable.

3) Going ahead with the specialist studies based on the draft scoping report compromises this work as some of the assumptions in the draft scoping report are flawed. This surely could put the whole process at risk Although some of the assumptions of the Draft Scoping Report have been identified as being incorrect or inaccurate (and have since been reviewed and corrected/amended), the whole process is not at risk as the primary issues related to the project have been identified and well discussed between all the parties concerned. The specialists have also been made aware of the issues raised through the entire process and the review of the Draft Scoping Report and have met and workshopped revised approaches and scopes of works where necessary. There is a potential risk that components of the specialist studies may need to be revised, modified or re-investigated should the DEAT review raise further queries or issues which it feels have

not be adequately addressed.

4) Why are the specialist studies on such tight time scales? It seems unrealistic to expect comprehensive and accurate reports to be produced in such short time scales.

The entire project is on a tight deadline as efforts are being made to cap time, energy and funding on the project which is already well behind schedule. All parties are aware of, and are frustrated by, the delays which have hindered all the projects in the area. As such, milestones or targets have been set to assist with ensuring the project is completed timeously. The specialist studies are also subject to timeframes which the specialists have considered agreed to and are trying to stick to. If the specialists felt the timeframes would jeopardize the validity of their studies, or reduce their confidence in their results, then they would inform us so that the tasks and timeframes could be reviewed and revised in joint agreement with the client and the DEAT.

5) We have heard nothing whatsoever of the economic survey. I have had report of one contact being made only in the district. Either this study will not be very wide ranging or accurate, or they have a MASSIVE amount of work to do in a very short space of time!!

I spoke to the economic specialist this morning and was informed that they have in fact been communicating 1-on-1 with various stakeholders in the area (as is their preferred methodology) and have already completed their survey in Lesotho. Mr. Kobus van den Berg has assisted with identifying key IAPs which ADEC will include in their list. ADEC noted that they still needed to talk to you before they complete their survey/study. ADEC have also noted their concerns, which we are discussing with the project team, with regards to the study timeframes and have been told to ensure that timeframes to not jeopardize the validity of the study. All Specialists have been instructed to ensure that they complete the necessary tasks in a manner that would render their studies accurate and scientifically sound.

Please provide clarity on these matters

Regards

Russell and Simone Suchet  
WESSA - Sani Branch

**Govender,Sanusha**

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**From:** mats [mats@sarumhardwood.co.uk]  
**Sent:** 21 April 2009 12:35 PM  
**To:** sgovender@gibb.co.za  
**Subject:** Sani Pass

I am subscriber to " African Wildlife " and have been since I returned to the U K in 1985. I have a few photographs of the " long and winding road " no reference to the Beetles song implied there, and some of my best visits were to the Drakensberg and the Sani Pass / Lesotho area and God help us if it is tarred . Next will be cafe's and Picnic sites everywhere , with Litter left all over the place.

Having read the article about the proposed tarring of the pass, THIS IS SOMETHING THAT MUST NOT HAPPEN !!!!!!!!!!!!!!! Leave Nature alone. I fully agree with WESSA'S stance that a sensitively managed upgrade of the dirt track would be the way forward, but a fully tarred surface is a NO NO . The Wildlife and Fauna will just disappear.

I hope through the magazine we will be kept up dated with this and that no one completely loses the plot and goes ahead with this hare-brained scheme.

Thanking you in anticipation

**Mark Dodson**

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