

# **COMMENTS AND RESPONSE REPORT**

PROSPECTING RIGHT APPLICATION ON  
PORTION 1 OF THE FARM WORTEL NO 42,  
KHAI MA LOCAL MUNICIPALITY,  
NORTHERN CAPE PROVINCE.

**DEPARTMENT REFERENCE NUMBER:**

NC 30/5/1/1/2/12145 PR

**MAY 2021**



## NOTIFICATION OF APPLICATION TO STAKEHOLDERS AND I&AP'S DURING THE PUBLIC PARTICIPATION PHASE – NC 30/5/1/1/2/12145 PR

*COMMENTING PERIOD: 9 APRIL – 13 MAY 2021*

During the Initial public participation process, the stakeholders and I&AP's were informed of the project by means a notification letter inviting comments on the DBAR and EMPR over a 30-days commenting period ending 13 May 2021. The following table provides a list of the I&AP's and stakeholders that were informed of the project:

| <b>STAKEHOLDERS</b>            |  |                       |                          |
|--------------------------------|--|-----------------------|--------------------------|
| <b>TITLE, NAME AND SURNAME</b> | <b>AFFILIATION/KEY STAKEHOLDER STATUS</b>                                | <b>CONTACTED DATE</b> | <b>RESPONSE RECEIVED</b> |
| Mr W.V.D Mothibi               | Department of Agriculture, Land Reform and Rural Development - Kimberley | 9 April 2021          | No Comments Received     |
| Mr Darren Engelbrecht          | Department of Agriculture, Land Reform and Rural Development - Springbok | 9 April 2021          | No Comments Received     |
| Mr Brian Fisher                | Department of Environment and Nature Conservation - Kimberley            | 9 April 2021          | No Comments Received     |
| Mr Johan Jonk                  | Department of Environment and Nature Conservation - Springbok            | 9 April 2021          | No Comments Received     |

| <b>STAKEHOLDERS</b>            |  |                       |                          |
|--------------------------------|--|-----------------------|--------------------------|
| <b>TITLE, NAME AND SURNAME</b> | <b>AFFILIATION/KEY STAKEHOLDER STATUS</b>                  | <b>CONTACTED DATE</b> | <b>RESPONSE RECEIVED</b> |
| Mr S Mabilo                    | Department of Economic Development and Tourism - Kimberley | 9 April 2021          | No Comments Received     |
| Mr Johann van Schalkwyk        | Department of Economic Development and Tourism - Springbok | 9 April 2021          | No Comments Received     |
| Mr. Kholekile Nogwili          | Department of Roads and Public Works - Kimberley           | 9 April 2021          | No Comments Received     |
| Me Van Hinsbergen              | Department of Roads and Public Works - Springbok           | 9 April 2021          | No Comments Received     |
| Mr A Abrahams                  | Department of Water Affairs - Kimberley                    | 9 April 2021          | No Comments Received     |
| Mr Shaun Cloete                | Department of Water Affairs - Upington                     | 9 April 2021          | No Comments Received     |
| Mr Zolile Albanie              | Department of Labour - Kimberley                           | 9 April 2021          | No Comments Received     |

| <b>STAKEHOLDERS</b>                            |  |                       |                          |
|--|--|-----------------------|--------------------------|
| <b>TITLE, NAME AND SURNAME</b>                 | <b>AFFILIATION/KEY STAKEHOLDER STATUS</b>        | <b>CONTACTED DATE</b> | <b>RESPONSE RECEIVED</b> |
| Me Carmen Engelbrecht                          | Department of Labour - Springbok                 | 9 April 2021          | No Comments Received     |
| Mr Christiaan Fortuin                          | Namakwa District Municipality                    | 9 April 2021          | No Comments Received     |
| Mr Obegang                                     | Khâi-Ma Local Municipality                       | 9 April 2021          | No Comments Received     |
| Councillor Quincy                              | Khâi-Ma Local Municipality - Ward 4              | 9 April 2021          | No Comments Received     |
| Mr Abe Koopman                                 | Succulent Karoo Ecosystem Programme (SKEP)       | 9 April 2021          | No Comments Received     |
| Mr. Danie Jacobs                               | Agri Namakwa and Associated Farmers Associations | 9 April 2021          | No Comments Received     |
| Regional Land Claims Commissions Northern Cape |  | 9 April 2021          | 28 April 2021            |

| STAKEHOLDERS   |   |                |                   |
|--|---|----------------|-------------------|
| TITLE, NAME AND SURNAME  | AFFILIATION/KEY STAKEHOLDER STATUS              | CONTACTED DATE | RESPONSE RECEIVED |
| Proof that there are no land claims was received on 28 April 2021  |   |                |                   |
| Heritage Officer   | South African Heritage Resources Agency (SAHRA) | 9 April 2021   | 09 May 2021       |
| <p>Comments received from SAHRA on the DBAR:</p> <p><i>“Final Comment: The following comments are made as a requirement in terms of section 3(4) of the NEMA Regulations and section 38(8) of the NHRA in the format provided in section 38(4) of the NHRA and must be included in the Final BAR and EMPr:</i></p> <ul style="list-style-type: none"> <li>➤ <i>38(4)a – The SAHRA Archaeology, Palaeontology and Meteorites (APM) Unit has no objections to the proposed development;</i></li> <li>➤ <i>38(4)b – The recommendations of the specialists are supported and must be adhered to. No further additional specific conditions are provided for the development;</i></li> <li>➤ <i>38(4)c(i) – If any evidence of archaeological sites or remains (e.g. remnants of stone-made structures, indigenous ceramics, bones, stone artefacts, ostrich eggshell fragments, charcoal and ash concentrations), fossils or other categories of heritage resources are found during the proposed development, SAHRA APM Unit (Natasha Higgitt/Phillip Hine 021 462 5402) must be alerted as per section 35(3) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section</i></li> <li>➤ <i>51(1)e of the NHRA and item 5 of the Schedule;</i></li> <li>➤ <i>38(4)c(ii) – If unmarked human burials are uncovered, the SAHRA Burial Grounds and Graves (BGG) Unit (Thingahangwi Tshivhase/Mimi Seetelo 012 320 8490), must be alerted immediately as per section 36(6) of the NHRA. Non-compliance with section of the NHRA is an offense in terms of section</i></li> <li>➤ <i>51(1)e of the NHRA and item 5 of the Schedule;</i></li> <li>➤ <i>38(4)d – See section 51(1) of the NHRA;</i></li> <li>➤ <i>38(4)e – The following conditions apply with regards to the appointment of specialists:</i></li> </ul> |   |                |                   |

| STAKEHOLDERS  |                                    |                |                   |
|---|------------------------------------|----------------|-------------------|
| TITLE, NAME AND SURNAME   | AFFILIATION/KEY STAKEHOLDER STATUS | CONTACTED DATE | RESPONSE RECEIVED |
| <p>➤ <i>i) If heritage resources are uncovered during the course of the development, a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the heritage resource. If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required subject to permits issued by SAHRA;</i></p> <p>➤ <i>The Final BAR and EMPr must be submitted to SAHRA for record purposes;</i></p> <p><i>The decision regarding the EA Application must be communicated to SAHRA and uploaded to the SAHRIS Case application.”</i></p> |                                    |                |                   |

| LAWFUL LAND USERS / SURROUNDING LANDOWNERS / INTERESTED AND AFFECTED PARTIES |                                    |                |                      |
|--|------------------------------------|----------------|----------------------|
| TITLE, NAME AND SURNAME  | AFFILIATION/KEY STAKEHOLDER STATUS | CONTACTED DATE | RESPONSE RECEIVED    |
| Mrs Petronella Catharina Van den Heever                                      | Wortel 42 Ptn 1                    | 9 April 2021   | No Comments Received |
| Mr. Pieter van Den Heever  | Wortel 42 Ptn 0 (RE)               | 9 April 2021   | No Comments Received |
| Me S van Rooyen  | Rozyboch 41, Portion 0 & 1         | 9 April 2021   | No Comments Received |

|                                   |                               |              |                      |
|-----------------------------------|-------------------------------|--------------|----------------------|
| Mr Frank Bassighwaighe<br>Agenbag | Haramoep 53 Ptn 1             | 9 April 2021 | No Comments Received |
| Mr Jacobus Smit                   | Black Mountain Mining Pty Ltd | 9 April 2021 | 13 May 2021          |

Comments received from BBM on the DBAR:

*“Thank you for the fruitful and brief discussion regarding the various Prospecting, Mining Permit and Mining application on Portion 1 and RME of the farm Wortel 42.*

**Background:**

*As briefly discussed and explained and as included in communication attached, BMM: Gamsberg have applied for Mining Right and EA was granted in 2013. Conditions (50-60) of the approved EA include Biodiversity Offset Agreement conditions. BMM have therefore entered into a Biodiversity Offset Agreement with DENC which was signed on 16 October 2014. Annexure B1 of his Offset Agreement include a list of farms that was identified by DENC and external specialist and included in Biodiversity Offset Agreement. BMM is therefor*

*As discussed, I include a brief summary of various applications as discussed for your confirmation:*

1. 10771MP

*Mining Permit Application on REM and Ptn 1 of Wortel 42. BMM have submit comments on this application as attached. The main concerns raised are included in correspondence attached. As discussed telephonically this application was with-drawn. Can you perhaps share with us the reason for this withdrawal?*

2. 10799 MP

*Re-submission, replacing 10771 MP application and EA was granted on 18 Febr 2021 allowing 5ha Mining on Ptn 1 of Wortel notwithstanding BMM comments?*

3. 12408PR

*Prospecting Right Application on both REM and Ptn 1 of farm Wortel 42. The Prospecting Right on REM was approved by the DMR but Prospecting Right on Ptn 1 of Wortel was not approved due to fact that an existing Propsetting application for the same resources was applied for.*

4. 10489 MP

*Mining Permit application farm Koenabib*

5. 12145 PR

*Application for prospecting right on ptn 1 of the farm Wortel 42 - The DBAR under review for which comments are due 13 May 2021. As discussed BMM will submit comments soonest (if possible tomorrow) but not later than Monday 18 May 2021 (asking?)“*

Response to BBM sent on 14 May 2021:

*“Greenmined herewith acknowledge receipt of your email dated 13 May 2021. Below please see our response.*

**Background:**

As briefly discussed and explained and as included in communication attached, BMM: Gamsberg have applied for Mining Right and EA was granted in 2013. Conditions (50-60) of the approved EA include Biodiversity Offset Agreement conditions. BMM have therefore entered into a Biodiversity Offset Agreement with DENC which was signed on 16 October 2014. Annexure B1 of his Offset Agreement include a list of farms that was identified by DENC and external specialist and included in Biodiversity Offset Agreement. BMM is therefor

*Can you please provide us with a copy of Annexure B1 that lists the farms that were investigated as part of the biodiversity offset study?*

As discussed, I include a brief summary of various applications as discussed for your confirmation:

1. 10771MP

Mining Permit Application on REM and Ptn 1 of Wortel 42. BMM have submit comments on this application as attached. The main concerns raised are included in correspondence attached. As discussed telephonically this application was with-drawn. Can you perhaps share with us the reason for this withdrawal?

- *Please note that this application was only over Portion 1 of the farm Wortel No 42.*
- *The application was withdrawn when it came to the applicant’s attention that there was already a pending application for sillimanite over Portion 1 of the farm Wortel No 42, submitted in the name of Jan Jacob de Clercq van Zyl.*

2. 10799 MP

Re-submission, replacing 10771 MP application and EA was granted on 18 Febr 2021 allowing 5ha Mining on Ptn 1 of Wortel notwithstanding BMM comments?

- *The comments submitted by BMM, on the 10771 MP application, were incorporated into the final BAR that was submitted for decision making to the DMRE.*

3. 12145 PR

Application for prospecting right on ptn 1 of the farm Wortel 42 - The DBAR under review for which comments are due 13 May 2021. As discussed BMM will submit comments soonest (if possible tomorrow) but not later than Monday 18 May 2021 (asking?)

- *We look forward to receiving your comments on this application by no later than 18 May 2021.*



Mr Smit responded as followed on 14 May 2021:

*“Just an update on the review and comments of the DBAR by myself as Biodiversity Manager on behalf of Black Mountain Mining. As discussed yesterday and communicated via E-mail, I will submit my comments on the DBAR on Monday and will conduct a proper review on the document.*

*I will also submit an objection against the application due to Biodiversity related reasons based on the Biodiversity sensitivity of the farm and the inclusion of Portion 1 of the farm Wortel 42 as a Priority Property in Annexure B1 to the Biodiversity Offset Agreement signed between BMM and DENC as per condition of the Environmental Authorization for the BMM Gamsberg Zinc Mine. I am finalising the reasons for the objection and will submit this once reviewed internally and at the latest on Monday.”*

Mr Smit submitted the following objection on 18 May 2021:

*“1. Black Mountain Mining (Pty) Limited (‘BMM’) hereby objects against the inclusion of portion 1 of the farm Wortel No 42 in this prospecting application due to the following reasons:*

- a. BMM received an Environmental Authorization (‘EA’) for the BMM Gamsberg Zinc Mine on the 12<sup>th</sup> of August 2013. Conditions 50 – 60 of the EA requires that BMM ‘shall secure in perpetuity through one or more of the mechanisms provided for in section 20 or 23 of the National Environmental Management Act: Protected Areas Act, Act 57 of 2003, as amended, areas and or properties and or portions of properties which individually or collectively comprise areas of substantially intact habitat that house certain vegetation types.’ . A Biodiversity Offset Agreement was therefore entered into between BMM and the Northern Cape Department of Environment and Nature Conservation (‘DENC’) on the 16<sup>th</sup> of October 2014 for the purpose of adhering to the conditions of the EA;*
- b. In terms of clause 4 of the Biodiversity Offset Agreement, it has been recorded that the Biodiversity Offset contemplated in the Agreement shall, inter alia, consist of the identification and securing by BMM of additional conservation worthy land and the declaration thereof as Protected Areas ito section 23 or 28 of the Protected Areas Act, 57 of 2003.*
- c. Portion 1 of the farm Wortel 42 is included as one of 12 farms with high biodiversity value that was identified by DENC and external environmental specialists in Annexure B1 and B 2 attached to the Biodiversity Offset Agreement for acquisition by BMM. Annexure B 1 farms are considered as high priority farms due to their biodiversity sensitivity.*
- d. BMM has already purchased 4 farms identified in Annexure B1 and B2 which have been declared as the Gamsberg Nature Reserve.*
- e. Portion 1 of the farm Wortel 42 is located adjacent to the Gamsberg Nature Reserve, declared as a Protected Area under the National Environmental Management Protected Area Act, 2003 (Act No. 57 of 2003). The intent to declare the Gamsberg Nature Reserve as a Protected Area was published in the Northern Cape Provincial Gazette on the 26<sup>th</sup> of November 2018.*

- f. BMM is currently engaging Mr. Neels van den Heever and his family as the owners of Portion 1 of the farm Wortel 42 in order to acquire the farm for inclusion in the Gamsberg Nature Reserve.*
- g. In addition, BMM is also in consultation with Ms R de Waal, owner of the REM of the farm Haramoep 53 to secure this farm as the 6<sup>th</sup> biodiversity offset farm. This will ensure that adjacent properties are secured and included in the Gamsberg Nature Reserve and incorporated in Protected Area with the two Rozynbosch farms (REM and Portion 2 of Rozynbosch 41) all linked and connected.*
- h. The presence and abundance of healthy localised habitats that include rare and threatened species in good condition on these farms is a large contributor to ensure regional conservation targets can be met.*
- i. In order for BMM to comply with its obligations under the Biodiversity Offset Agreement, and therefore to be compliant to the Environmental Authorization BMM is in the process of negotiations with the landowners to secure Portion 1 of the farm Wortel 42;*
- 1. With reference to the Mining and Biodiversity Guidelines (Table 27 page 83) of the DBAR and with special reference to CBA and Protected Area buffers, the recommendations according to these guidelines are not met in the DBAR as no specialist flora assessment is included in the DBAR.*
- 2. In addition, no alternatives have been considered in the DBAR;*
- 3. The statement in the DBAR that the proposed development will have no significant negative impact is thus misleading and cannot be evaluated as accurate as no detailed infield assessment on the biodiversity and sensitivity of flora on Portion 1 of Wortel 42 is included in DBAR under review.*
- 4. The significance of the impact rating associated with flora (amongst others) as included in Appendix H: Supporting Impact Assessment Table 8 (Page 9) cannot be considered accurate in the absence of a proper infield assessment of the proposed development footprint and associated residual impacts.*
- 5. From the information included in the flora section of the DBAR, it seems apparent that no specialist ecological studies have been conducted, although it is acknowledged that the area is located within a Critical Biodiversity Area as well as adjacent to a Protected Area. This is a defect as the site is located in a Critical Biodiversity Area and adjacent to a Protected Area and Mining and Biodiversity Guidelines have therefore not been followed in the absence of infield assessment that is not included in the DBAR.*
- 6. A sustainable land use report, comparing the most relevant land use over a period of time between agriculture (grazing), mining and biodiversity conservation is required so that authorities can make an informed decision on the most sustainable land use going forward.*
- 7. BMM therefore objects against the Prospecting Application and requests that its concerns as set out in this letter are given serious consideration.*
- 8. Detailed comments on the DBAR will be submitted to the EAP in due course.”*

Response to the objection received from BBM on the DBAR:

- 1. To date BBM has not provided Greenmined with a copy of Annexure B1 or B2, and the inclusion of Portion 1 of the farm Wortel No 42 as one of the 12 farms with high biodiversity value, allegedly identified by DENC and external environmental specialists, could not be confirmed. At no point during the application phase has the landowner indicated their intention to secure the property for conservation purposes. In 2019, the landowner signed a document stating that they were contacted regarding the mining related applications on Portion 1 of the farm Wortel No 42. Since then no additional comments/correspondence where received from the landowner informing Greenmined or the Applicant of their intention to commit the property for conservation purposes instead of mining/prospecting.*

2. Mr Gerhard Botha from Nkurenkuru Ecology and Biodiversity (NEB) visited Portion 1 of the farm Wortel No 42 in January 2020 to conduct a botanical study and assessment of the 5 ha area (on the same property) for which a mining permit was approved. The opinion submitted by NEB (as listed in response to Mr Mark Botha's comments and attached as Appendix L) was based on the visit to the farm and the information gathered during the investigation. Even though the entire prospecting footprint was not assessed by an ecologist, the mitigation/management measures proposed by NEB was incorporated into this document and forms part of the EMPR to be implemented during the site establishment-, operational-, and decommissioning phases of the proposed project. It is believed that should the prospecting sites be cleared by an ecologist before commencement of any prospecting, the significance of the potential impact that prospecting could have on protected plants/sensitive areas will be negated.
3. Although no site alternatives were deemed applicable to this application, the BAR does consider two activity alternatives as discussed under Part A(1)(h)(i) *Details of the development footprint alternatives considered.*
4. Refer to the Ecological Opinion compiled by NEB and attached as Appendix L to this report.
5. Refer to Point 4 above.
6. Refer to Point 2 above.
7. As confirmed by NEB, the proposed prospecting of the earmarked areas will impact only 0.001% of the total surface area of Portion 1 of the farm Wortel No 42 for a maximum period of 8 years (should the PR be renewed), upon which the footprint will be returned to agricultural use, and/or biodiversity conservation if applicable. It is therefore proposed that the temporary disturbance of 1 200 m<sup>2</sup> will not significantly impact the current land use (grazing) nor prevent the biodiversity conservation of sensitive areas on the property.

The above listed response to Mr Smit's comments were also sent to him in an email.

|                   |   |              |                      |
|-------------------|---|--------------|----------------------|
| Mr Edmund Agenbag | Oonab Boerdery CC<br>Koenabib 43, Portion 1 & 2 | 9 April 2021 | No Comments Received |
| Mrs Riana de Waal | Haramoep Boerdery CC<br>Haramoep 53 Ptn 0       | 9 April 2021 | No Comments Received |

|                    |  |              |                      |
|--------------------|--|--------------|----------------------|
| Mr Abongile Mdingi | Horomela Hole Transport Services 1228 CC   | 9 April 2021 | No Comments Received |
| Mr Lionel Koster   | Sitatunga Resources (Pty) Ltd              | 9 April 2021 | No Comments Received |
| Mr Mark Botha      | Conservation Strategy, Tactics And Insight | 13 May 2021  |                      |

Comments received from Mr Mark Botha on the DBAR:

*“Further to a DBAR that i was alerted to today, please find below my objection to the proposed Prospecting Application on Wortel by Mr Van Zyl.*

1. *This property has significant biodiversity value, lying in a key ecological corridor connecting the Bushmanland Inselbergs to the Gariiep River. There are good examples of rare and localised succulent habitats in good condition on this property which may be very important to meet regional conservation targets. The statement on P8 of Appendix H that this will have no significant negative impact is thus wrong. And the significance rating table on p9 omits impacts on Protected Area expansion and ecological connectivity. It seems apparent that no specialist ecological studies have been conducted, and no specialists have been to site. This is a flaw as the sit is located in biodiversity priority area. Alternatives are not sufficiently investigated. - although this is required in the regulations. Impact significance does not take into account that Prospecting Rlghts confer enhanced rights on the owner, and can significantly jeopardise any attempts to secure the property for conservation. It is not just the footprint prospecting impact that needs evaluating, but the implications of successful granting of this right.*
2. *The property lies in the heart of a protected area expansion focus area in the NCape PA Expansion Strategy. It is imminently suitable for protected area development, which is a more sustainable landuse in this area. Indeed, securing this property may be the only way for the impacts of other mineral resource exploitation to be effectively mitigated. Wortel is adjacent to two portions of Rozynbosch which are in the process of being declared Nature Reserves under the Protected Areas Act. This is not mentioned in the DBAR that i could find.*
3. *The resource being prospected for - Sillimanite - is a low value material that occurs widely in Bushmanland, and there are certainly other opportunities to find suitable deposits that might be commercially viable in areas with no biodiversity or protected area conflicts.*

*Please acknowledge receipt of this objection, and include my particulars below on an updated I&AP list.*

*Please note that the Botanical Society is no longer active on the ground in this area - so i have copied the Conservation Manager - Mr Rupert Koopman - who may also wish to comment on this application. Further, Mr D'Reull De Beer - Wilderness Foundation Africa - may also be an important I&AP on this application. He is based in Springbok and works across the Namaqua District, and should have been contacted. In any event, please add their names to any future applications in the region that impact on published biodiversity priority areas and protected area expansion focus areas."*

Response to the comments received from Mr Mark Botha:

Upon receipt of the comments/objection submitted by Mr Mark Botha, Nkurenkuru Ecology and Biodiversity (NEB) was contacted for an opinion regarding the ecological issues raised by Mr Botha that may arise as a result of the proposed PR application. Below please find a summary of the opinion submitted by NEB (see Appendix L for a full copy of the Ecological Response Letter):

"The high biodiversity value of the area/property, especially in terms of ecological connectivity (corridors for movement between the Bushmanland Inselbergs and the Gariiep River).

- Indeed, the entire region contains a relative high biodiversity value, especially in terms of range restricted and rare floral populations, being located within the Gariiep Centre of Plant Endemism. Uncontrolled and extensive development within this area will most certainly have an impact on these populations as well as the connectivity of the landscape.
- However, prospecting of Sillimanite within the area, as proposed within the prospecting rights application (30/5/1/1/2/12145 PR) will have a relatively small impact footprint. Prospecting will entail exploration drilling and small-scale sampling of the historic sillimanite dumps located within the property.
- Exploration drilling:  
Exploration drilling will only be done at three sites (Figure 5), and with the proposed footprint of each site being estimated at 400 m<sup>2</sup>, at total combined footprint of approximately 1 200 m<sup>2</sup> will be impacted/disturbed. Thus, only 0.001% of the total surface area of Portion 1 of the Farm Wortel 42 will be impacted by exploration drilling. This, does not take into account disturbances associated with access roads and other minor activities associated with the drilling process. However, these associated activities will not significantly contribute to the total disturbance footprint. Fairly numerous dirt farm roads traverse the property, with some of these existing roads passing relatively closely to the proposed drilling sites and as such access to these sites from the existing dirt farm roads will be of short distance. Furthermore, Site 3 and 5 are located adjacent and within old sillimanite quarries and due to the sites' proximity to already disturbed areas, the extent and significance of impacts associated with drilling at these sites will be greatly reduced.

➤ Sampling of the historic sillimanite dumps:

These old sillimanite dumps (three dump sites) signifies already impacted areas, with existing access roads leading right up to most of these sites. As such impact on and disturbance of natural indigenous vegetation, as a result of this activity, will be highly unlikely.

➤ Impacts on potentially range restricted and rare flora and fauna populations:

As mentioned, there is indeed a high potential for the presence of such conservation important species within the natural outcrops and ridges, especially in terms of succulents and geophytes. However, these species/populations are rarely equally spread across its range/habitat, but tend to be clustered in areas as a result of the methods of seed dispersal. Taking this into account, it is highly possible to adjust the access routes drilling areas in order to avoid such conservation important plant species/populations. In order to ensure that these routes and drill sites are located within least sensitive areas, avoiding conservation important plant individuals/populations, I would recommend that a Botanical Walk-through of the proposed locations are done (by a suitable qualified Botanist) during the planning phase and before any prospecting activities are initiated within the property. The results obtained during this walk-through survey should then be used for the finalisation of the drilling site as well as the access routes and for the compilation of the necessary biodiversity permits to be submitted to the relevant authorities. Furthermore, it is also advised that an ECO is appointed to monitor the drilling activities, ensuring that no activities occur outside of the approved development footprints, and especially to monitor the area for erosion as this may potentially spread into the fringing natural areas. A site-specific erosion management and rehabilitation plan should be in place.

In terms of sensitive faunal populations, it is also unlikely that the proposed three drilling sites will have a significant impact on local faunal species/populations. Due to the restricted footprints of these areas, habitat destruction within the area will be negligibly small. Noise and human/vehicle movement are probably the most significant impacts on faunal species. Species disturbed during the operational phase will merely move away for the duration of the operational phase, and will likely move back post-operational phase. The duration of the operational phase will be very short and as such this disturbance will be temporary and of short duration. It is recommended that one-site is drilled at a time, and drilling at a site should be completed within the shortest available period before moving on to the next site. The drill and large equipment should remain at the site until the drilling activity has been completed for that site, and only then may the machinery and equipment be moved to the next drilling site. Trucks and other large construction vehicles that will have to enter and exit the property on a daily basis for the duration of the operational phase, should only enter the property once a day, remaining at the drilling site until drilling activities have been completed for the day, and may only then leave the site/property. No driving after sunset and before sunrise are allowed. These recommendations are provided in order to minimise human movement and subsequently minimise the potential disturbance of faunal species.

➤ Impacts on ecological connectivity and potentially important migration corridors:

Currently, there are very little development within the region with large tracts of natural, undisturbed still available, especially between the Bushmanland Inselbergs to the Gariiep River. Major disturbances include a few small quarries, Black Mountain Mine, and the town of Aggeneys. Currently there exists good connectivity between habitats and ecosystems within the region as well as within the property. Due to the small extent of the proposed activity, spread across an expansive area, ecological connectivity is not expected to be influenced by the proposed prospecting activities, as it currently

stands. Furthermore, in terms of important ecological corridors, it is known that larger drainage features typically form prominent migration corridors between important habitats, and as this development will not impact or fracture such habitats, it is highly unlikely that important migrations routes will be fractured or disturbed as a result of this development.

➤ Impacts on NPAES Focus Areas:

Focus areas for land-based protected area expansion are large, intact, and unfragmented areas of high importance for biodiversity representation and ecological persistence, suitable for the creation or expansion of large protected areas. Focus Areas present the best opportunities for meeting the ecosystem-specific protected area targets set in the NPAES and were designed with a strong emphasis on climate change resilience and requirements for protecting freshwater ecosystems. These areas should not be seen as future boundaries of protected areas, as in many cases only a portion of a particular focus area would be required to meet the protected area targets set in the NPAES.

Due to the arid and remote nature of this focus area (Kamiesberg Bushmanland Augrabies Focus Area), little disturbance has occurred to these patches up to date with most of these areas still in natural conditions. Again, as already mentioned, the proposed three sites to be drilled will only cover a combined extent of 1 200 m<sup>2</sup>, with one site located adjacent to, and another within an already disturbed area (old quarries). Furthermore, according to the NPAES spatial data, the property (Portion 1 of the Farm Wortel 42) is located right on the periphery of two focus area patches (Figure 5 below) with portions of the property excluded from these focus area patches. According to Figure 5 below, Exploration Drilling Sites 4 and 5 as well as the locations of the existing, old dump sites 1 and 2, are all located outside of the boundaries of the focus area. Subsequently, only Exploration Drilling Site 3 and Dump Site 3 are located within a focus area. The fact that these sites will only result in the disturbance/loss of a small portion of land falling within a focus area and the fact that the sites are all located at the periphery of the patch of focus area with ample natural undeveloped land remaining within the rest of the focus area, it is highly unlikely that this development will impact national conservation targets.

From the above remarks (and solely based on the current project proposal) NEB concluded that the proposed activity, with the necessary mitigation measures in place, will likely not have a significant impact on biodiversity, ecosystem functioning and service provision as well on national conservation targets.

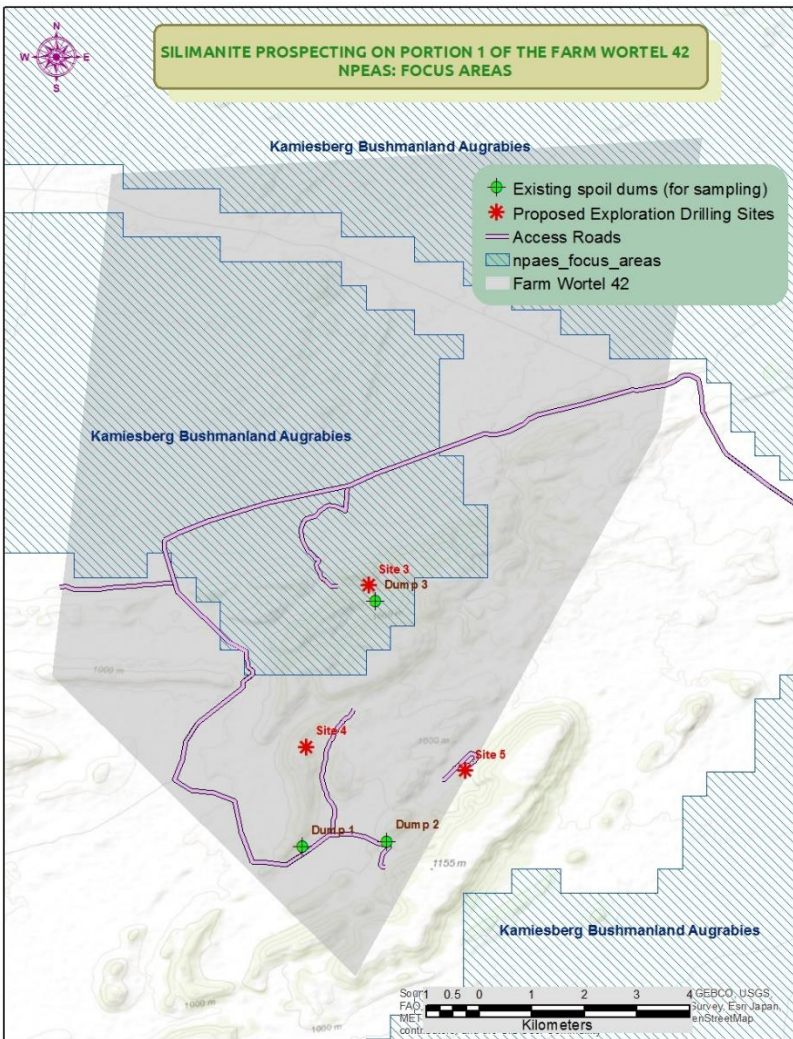


Figure 1: Location map indicating the locations of the exploration drilling sites as well as the dump sites, within the Wortel property as well as their positions relative to the boundaries of the NPAES Focus Areas.



Additional to the ecological opinion submitted by NEB, Greenmined would like to respond as follows to Mr Botha's comments:

Mr Gerhard Botha from NEB visited Portion 1 of the farm Wortel No 42 in January 2020 to conduct a botanical study and assessment of the 5 ha area (on the same property) for which a mining permit was approved. The opinion submitted by NEB (as listed above and attached as Appendix L) was based on the visit to the farm and the information gathered during the investigation. Even though the entire prospecting footprint was not assessed by an ecologist, the mitigation/management measures proposed by NEB was incorporated into this document and forms part of the EMPR to be implemented during the site establishment-, operational-, and decommissioning phases of the proposed project. It is believed that should the prospecting sites be cleared by an ecologist before commencement of any prospecting, the significance of the potential impact that prospecting could have on protected plants/sensitive areas will be very low to negligible.

At no point during the application phase has the landowner indicated their intention to secure the property for conservation purposes. In 2019, the landowner signed a document stating that they were contacted regarding the mining related applications on Portion 1 of the farm Wortel No 42. Since then no additional comments/correspondence were received from the landowner informing Greenmined or the Applicant of their intention to commit the property for conservation purposes instead of mining/prospecting.

The position of the Gamsberg Nature Reserve was added to this report under Part A(1)(h)(iv)(a) *Type of environment affected by the proposed activity – Flora*.

Even though it is the authors opinion that sillimanite is of low value, the mineral is state owned and is governed by the Department of Mineral Resources and Energy. The decision whether to grant or reject any prospecting/mining of the said mineral therefore remains the department's. Securing the entire property for conservation purposes without allowance for the potential prospecting/mining of the minerals will result in the sterilisation of the mineral resource which is not allowed in terms of the MPRDA, 2002. However, should the prospecting footprint be successfully rehabilitated, upon closure of each site, the area can be returned to its current land use and could be considered for future incorporation as part of an off-set area should the property be acquired by BBM.

The above listed responses to Mr Botha's comments were also sent to him in an email.

## SUMMARY OF INITIAL PARTICIPATION PROCESS

1. The I&AP's and stakeholders were informed of the proposed project (NC 30/5/1/1/2/12145 PR) through:

- telephonic discussions,
- direct communication with notification letters,
- placement of on-site notices (25 March 2021), and
- placement of advert in the Gemsbok on 2 April 2021

See attached Appendix G as proof of the correspondence with the I&AP's and stakeholders during the public participation process.