

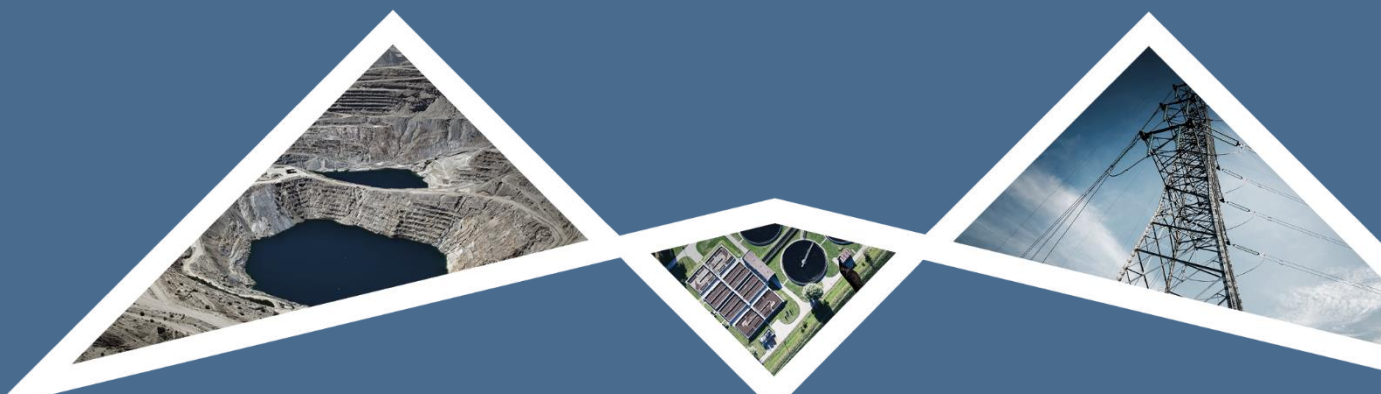


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COMMENTS AND RESPONSES REPORT

BLACK MOUNTAIN MINING- KOA SOUTH PROSPECTING RIGHT
PROJECT





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1 INTRODUCTION

Environmental Impact Management Services (Pty) Ltd (EIMS), an independent environmental consulting firm, has been appointed by Black Mountain Mining (Pty) Ltd, (the applicant), to assist in preparing and submitting, in support of an Environmental Authorisation application, a Basic Assessment Report (BAR), Environmental Management Programme (EMPR), as well as an Integrated Interested and Affected Party Consultation (I&AP) for a prospecting right application.

The applicant, Black Mountain Mining (Pty) Ltd, is applying for a prospecting right application in order to ascertain if economically viable mineral deposits exist within the application area for the following: Ferrous & base metals (Copper, Iron, Lead, Zinc, Manganese, Nickel, Molybdenum) and all associated metals and minerals, precious metals (Gold, Silver) and all associated metals and minerals. Both non-invasive and invasive prospecting techniques will be utilized. The target geological formation is the Areachap Group.

The application will follow a phased approach, and project is divided into several sequential phases. The different phases and timeframes of the prospecting envisaged are, by their nature, dependent on the results obtained during the preceding phases of prospecting. The project will include the use of Non-Invasive and Invasive prospecting techniques. It is anticipated that invasive activities will only be utilized after the second year of prospecting.

Non-Invasive Prospecting Techniques:

- The project will include the following non-invasive activities:
- Desktop Study/Literature review
- Regional Airborne Geophysical Survey
- Ground Geophysical Surveys and Geological Field Mapping
- Compilation, Interpretation and Modelling of Data
- Detailed Ground Geophysical Survey on individual positively mineralized targets to define possible extent
- Analytical Desktop Pre-Feasibility Study

Invasive Prospecting Techniques:

- Invasive techniques that will be utilized during prospecting include the following:
- Exploration Boreholes
- Boreholes to confirm continuity of mineralization & potential deposit size
- Resource Definition Drilling

The project area is located approximately 77,3 km South-West of Prieska and 166 km North-West of De Aar, Pixley Ka Seme District in the Northern Cape Province. Koa South covers an area of approximately 9234,1442 hectares.

EIMS will follow the procedures defined in the Environmental Impact Assessment (EIA) Regulations (GRN982 of 2014, as amended) for undertaking an Basic Assessment Process. In accordance with Chapter 6 of the EIA Regulations this Comments and Response Report (CRR) has been compiled as an Appendix to the EA application.

2 OBJECTIVE OF PUBLIC PARTICIPATION

South Africa, being one of the countries with the most progressive constitutions, enshrined the public's right to be involved in decisions that may affect them in its Constitution. Section 57(1) of the new Constitution that provides:



“The National Assembly may (b) make rules and orders concerning its business, with due regard to representative and participatory democracy, accountability, transparency and public involvement.”

This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act No. 107 of 1998 - NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

Public participation can be defined as *“a process leading to a joint effort by stakeholders, technical specialists, the authorities and the proponent who work together to produce better decisions than if they had acted independently”* (Greyling, 1999, p. 20)¹. From this definition, it can be seen that the input of the public is regarded as very important indeed.

The PPP is designed to provide sufficient and accessible information to Interested and Affected Parties (I&APs) in an objective manner to assist them to:

- During the application Process:
 - Contribute relevant local information and knowledge to the environmental assessment;
 - Verify that their issues have been recorded;
 - Comment on the findings of the environmental assessments; and
 - Provide relevant local information and knowledge to the environmental assessment.

The PPP is a requirement of several pieces of South African Legislation and aims to ensure that all relevant I&APs are consulted, involved and their opinions are taken into account and a record included in the reports submitted to Authorities. The process ensures that all stakeholders are provided this opportunity as part of a transparent process which allows for a robust and comprehensive environmental study. The PPP for the necessary authorisation required for the Koa South Prospecting Right Project needs to be managed sensitively and according to best practises in order to ensure and promote:

- Compliance with international best practice options;
- Compliance with national legislation;
- Establishment and management of relationships with key stakeholder groups; and
- Encouragement of involvement and participation in the environmental study and authorisation/approval process.

As such, the purpose of the PPP and stakeholder engagement process is to:

- Introduce the proposed project and process to be followed;
- Explain the environmental authorisation;
- Determine and record issues, concerns, suggestions, and objections to the project;
- Provide opportunity for input and gathering of local knowledge;
- Establish and formalise lines of communication between the I&APs and the project team;
- Identify all significant issues for the project; and

¹ Greyling, T. (1999) Towards Managing Environmental Disputes: Appropriate Public Participation. Prepared for Conference on Environmental Dispute Resolution 10-11 June 1998, Fourways, Gauteng, Manyaka Greyling Meiring (Pty) Ltd, South Africa



- Identify possible mitigation measures or environmental management plans to minimise and/or prevent negative environmental impacts and maximise and/or promote positive environmental impacts associated with the project.

This CRR lists all verbal and written issues raised by I&APs and stakeholders for 30-day initial notification and call to register period from the 23rd March 2020 to date. A breakdown of the PPP is given within the remaining sections of this CRR.

2.1 Legal Compliance

The PPP must comply with all environmental legislation that requires public participation as part of an application for authorisation or approval; namely:

- The National Environmental Management Act (NEMA, Act No. 107 of 1998); and
- The Mineral and Petroleum Resources Act (MPRDA, Act No. 28 of 2002).

Adherence to the requirements of the above-mentioned Acts will allow for an Integrated PPP to be conducted, and in so doing, satisfy the requirement for public participation referenced in the Acts. The details of the PPP are provided below.

3 I&AP IDENTIFICATION

Regulation 41 the 2014 EIA Regulations requires that in cases where the applicant is not the owner or person in control of the land on which the activity is to be undertaken, that the applicant must give notice to the owner or person in control of the land on which the activity is to be undertaken. Landowners were identified and registered as key I&APs, landowner contact details were obtained through Windeed searches and consultation with the developer and adjacent landowners. The Department of Rural Development and Land Reform was also consulted to query on any existing land claimants, and it was confirmed that there are no land claims on the affected properties.

The I&AP database was compiled containing the following categories of stakeholders:

- Host Communities;
- Landowners;
- Lawful Land Occupier;
- Department of Land Affairs;
- Any other person (including adjacent and non-adjacent properties) whose socio-economic conditions may be directly affected by the proposed prospecting operation;
- Local Municipality;
- The relevant Government Departments, agencies and institutions responsible for various aspects of the environment and for infrastructure which may be affected by the proposed project.
- Agricultural Sector;
- Organised Business;
- Other organisations, clubs, communities, and unions; and
- Various NGO's.

The I&AP database is included in Appendix B 1.

4 OPPORTUNITIES FOR PUBLIC PARTICIPATION

This section provides an overview of the opportunities provided to I&APs for participation as part of the consultation process to date.



4.1 Initial Notification of Landowners and I&APs

All I&AP's were notified of the proposed Prospecting Right Application via the following methods:

- 1) Registered letters, emails, faxes or SMS;
- 2) Background Information Document;
- 3) Questionnaires;
- 4) Placement of ten (English and Afrikaans) A1 Correx Site Notices in various locations on and around the perimeter of the site;
- 5) Placement of a newspaper advert in the Noordwester Newspaper on 20th March 2020; and
- 6) Placement of a Notice in the Northern Cape Provincial Government Gazette on 23th March 2020.

Please also refer to Appendix B for proof of notification sent to I&APs and for proof of correspondence with I&APs.

Description of the Information Provided to the Community, Landowners and I&AP's

Notification documents sent to all pre-identified I&AP's included the following information:

- The site plan;
- List of activities to be authorised;
- Scale and extent of activities to be authorised;
- Typical impacts of activities to be authorised;
- The duration of the activity;
- Sufficient detail of the intended operation to enable them to assess what impact the activities will have on them or on the use of their land);
- The purpose of the proposed project;
- The prospecting methods to be used;
- Details of the affected properties (including parent farm and portion);
- Details of the MPRDA and NEMA Regulations that must be adhered to;
- The minerals being prospected for;
- The information contained in the BAR and EMPR;
- Date by which comment, concerns and objections must be forwarded through to EIMS; and
- Contact details of the Environmental Assessment Practitioner (EAP).

In addition, a questionnaire was included in the registered letters, emails and facsimiles sent and requested the following information from I&AP's:



- To provide information on how they consider that the proposed activities will impact on them or their socio-economic conditions;
- To provide written responses stating their suggestions to mitigate the anticipated impacts of each activity;
- To provide information on current land uses and their location within the area under consideration;
- To provide information on the location of environmental features on site, to make written proposals as to how and to what standard the impacts on site can be remedied.
- To mitigate the potential impacts on their socio-economic conditions to make proposals as to how the potential impacts on their infrastructure can be managed, avoided or remedied;
- Details of the landowner and information on lawful occupiers;
- Details of any communities existing within the area;
- Details of any Tribal Authorities within the area;
- Details of any other I&AP's that need to be notified;
- Details on any land developments proposed;
- Details of any perceived impacts to the environment that should be considered in the BAR; and
- Any specific comments concerns or objections to the proposed prospecting operation.

4.2 Notification of Interested and Affected Parties of Reports and Other Studies

Notification regarding the availability of the Basic Assessment Report (BAR) has been provided to registered I&APs in the following manner:

- Notification letters (in English and Afrikaans), faxes, registered mail and/or emails were distributed to all pre-identified key I&APs as well as I&APs registered during the initial notification period; and
- Notification documents included details on the duration of the BAR and associated appendices review period, as well as where the report will be available for public review.
- The BAR was also placed on the EIMS website (www.eims.co.za) and available for download.

The BAR and associated appendices will be made available for public review and comment from the 28th July 2020 to the 28th August 2020. All comments received from I&APs will be submitted together with the BAR to the Competent Authorities for decision-making.

4.3 Summary of Opportunities for Public Participation

One notification advertisement was placed in one local newspaper, Die Noordwester (English and Afrikaans), and a notice was placed in the Northern Cape Provincial Government Gazette (see Appendix B 3). Notifications were also sent to the landowners and adjacent landowners via email, fax, registered mail (see Appendix B 2) Physical notices were also placed on site and delivered to the properties (access permitting).



Table 1: Opportunities Provided for Public Participation

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	DATE
Initial Public Notification (announcement of project and call to register)	Newspaper advertisements	Noordwester Newspaper	20 th March 2020
	Placement of site notices.	10 A1 site notices (English and Afrikaans) within and around the study area (10 placement locations). Poster placement at the public places within Prieska and Vosburg	23 rd and 24 th March 2020
	Notification of landowners, occupiers, and other key I&APs.	Affected landowners and key I&APs were notified via email, fax, and/or post.	20 th March 2020
BAR and associated appendices	Notification of landowners, occupiers, and other key I&APs.	Affected landowners, legal occupiers, and key I&APs were notified via email, SMS, fax, and/or post.	28 July 2020

5 NOTIFYING INTERESTED AND AFFECTED PARTIES OF THE DECISION

Interested and Affected Parties will be notified via fax, registered mail and/or email of the decision once available including the appeal process should they wish to appeal the decision.

6 RECORD OF ISSUES RAISED

The comments presented in Appendix B 4 are those that have been received and addressed from 20th March 2020 to date and will be updated post the public review period of the BAR.

6.1 How Issues Raised Were Addressed

Issues raised were addressed in a transparent manner and included in the compilation of the BAR for the Koa South Prospecting Project, in the following manner:

- Issues raised were used to provide further suggestions and recommendations with regard to potential management options for impacts.

6.2 Summary of Issues That Were Raised

All comments and/or queries received are included in this report and presented in Appendix B 4 for submission to the competent authority, the Department of Mineral Resources (DMR).

7 CONCLUSION

The comments and issues raised through the public participation will be considered and used to inform the compilation of the BAR. This report will be updated and submitted to the DMR (the competent authority), following the 30-day public review period of the BAR and associated appendices.