

DRAFT BASIC ASSESSMENT REPORT FOR THE PROPOSED PROSPECTING IN SEA CONCESSION AREA 10B BY TRANS ATLANTIC DIAMONDS (PTY) LTD

Trans Atlantic Diamonds (Pty) Ltd
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TRANS ATLANTIC
DIAMONDS

Appendix 16: Comments & Response Table

Anchor Environmental Consultants
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APPENDIX 18 COMMENTS AND RESPONSES TABLE

Comments and response Table for Prospecting 10B			
Name	Date	Comment	Response
Written comments received throughout the scoping phase Process			
Stakeholder 1	06/6/2022	Kindly provide us with the shapefiles of the application area so that we can establish which petroleum exploration rights overlap with the application area in question.	This was sent to the stakeholder.
Stakeholder 2	06/6/2022	<p>Thank you for the email.</p> <p>I note from the BID that “This area covers 10 040 ha and extends from 8km south of the border between the Western and Northern Cape (southern boundary) to 13km south of the Groenrivier Lighthouse (northern boundary) (Figure 1).” I’m not familiar with the West Coast, so unsure if the Western Cape Province is affected by the proposed prospecting activities (it appears to fall completely within the N. Cape). It appears that the Soutrivier Estuary falls within Sea Concession 11A and does not form part of this application.</p> <p>Can you please confirm whether the Department should register as a commenting authority?</p>	The Sea Concession 10B overlaps both Northern and Western Cape, if possible, please include your comments as it would be highly appreciated.
Stakeholder 3	06/6/2022	Please register me Thesme van Zyl ,Mrs Kriek ; Bernette Kriek and Mrs Annali Van der Westhuizen as interested and affected parties on behalf of the Matzikama Municipality.	These stakeholders were included as interested and affected parties.

Stakeholder 4	06/6/2022	Thank you for the notification of the above project. Please can you create a case on SAHRIS and upload the relevant documents, I will then assign myself as case officer and issue a comment in due course. Please let me know if you have any queries.	This was completed as per stakeholder's request.
Stakeholder 5	06/6/2022	Please will you register me as an interested and affected party for the application by TransAtlantic Diamonds in Block 10B.	Noted and registered as an I&AP.
Stakeholder 3	08/6/2022	Hi Cheruscha, hope you are well, could you please indicate the WC DMRE Ref Nr for this application please, and in future perhaps when advertising or e-mailing make mention of the WC DMRE Ref nr. Please, it just makes it easier on my admin. Hope you understand.	I'm well thanks and hope you are too. Thank you for pointing this out. I will make sure to include this in future. The reference number is; NC 30/5/1/2/2/13062PR. Please note that this area extends along the Western Cape and Northern Cape coasts
Stakeholder 6	12/6/2022	Please could you send me the shapefile for Concession 10B from the Trans-Atlantic Diamonds (Pty) Ltd "APPLICATION: PROSPECTING RIGHTS AND ENVIRONMENTAL AUTHORISATION TO PROSPECT IN THE OFFSHORE SEA CONCESSION AREA 10B" asap	Apologies for only responding now. Please find attached the kmz files for concession area 7C and 10B.
Stakeholder 7	22/6/2022	Ref: 13/2/12/21 & 13/2/12/2/3 Madam 1.Your notification of the proposed prospecting right application in Sea Concession 10B dated 3 June 2022 and the Basic Assessment Process to be embarked upon, refer.	Thank you for the informative comments. We will make sure to consider the listed concerns and suggestion in the final BAR.

2.The West Coast District Municipality would like to register as an Interested and Affected Party for the proposal. Information to be sent to:

The Municipal Manager
Mr D Joubert
PO Box 242
Moorreesburg 7310
Email: mm@wcdm.co.za
or, alternatively
WCDM Record
Email: mun@wcdm.co.za

3.The initial comments of the WCDM are as follows:

3.1 The applicability of the Integrated Coastal Management Act (NEM: ICMA) with regard to the proposed prospecting needs to be highlighted in the BAR. The NEM: ICMA provides the framework for integrated management of the coast and aims to preserve, protect, extend and enhance the status of coastal public property (CPP) and secure equitable access to the benefits and opportunities of the coast.

3.2 The proposed prospecting site is located within 5 km of the HWM of the sea and thus situated in the CPP in terms of ICMA. The impact of prospecting and mining on the CPP must be addressed in the BAR & EMPr.

3.3 Access to Coastal Public Property and the impact on tourism must be addressed in the EMPr. Access to the Matzikama coastline and

		<p>beaches has already been heavily affected by prospecting and mining.</p> <p>3.4 The sound levels from acoustic equipment will impact marine and migratory species i.e. whales, dolphins, west coast rock lobster, invertebrates, fish and birds and must be addressed.</p> <p>3.5 The relevant discharge and dumping permits with regard to discharge of sediment into the marine environment need to be obtained in terms of ICMA.</p> <p>3.6The proposal must be appropriately communicated and advertised to provide local fishing communities and community organisations the opportunity to comment on the proposal's impact on both commercial and recreational fisheries in the area.</p> <p>4. In view of the large number of prospecting and mining applications currently underway off the west coast it is recommended that a Strategic Environmental Assessment for the entire South African West Coast be conducted prior to the acceptance of further prospecting and mining applications in order to address these concerns in a strategic manner.</p>	
Stakeholder 8	22/6/2022	<p>Your e-mail enquiry dated 03rd June 2022 bares reference.</p> <p>For the right to prospect for diamonds in South Africa, you must contact the Department of</p>	

		Minerals, please contact them on: (012)406-8000 for further assistance.	
Stakeholder 9	23/06/2022	<p>RE: Trans Atlantic Diamonds (Pty) Ltd APPLICATION: PROSPECTING RIGHTS</p> <p>AND ENVIRONMENTAL AUTHORISATION TO PROSPECT IN THE OFFSHORE SEA CONCESSION AREA 10B.</p> <p>SANParks is hereby registering as Interested and Affected Party for the above project.</p> <p>SANParks takes note of the proposed project, as described below.</p> <p>Trans Atlantic Diamonds Pty Ltd (The Applicant) has applied for the right to prospect for diamonds and other gemstones and precious metals and ferrous and base metals such as rare earths in Sea Concession Area 10B. This area covers 10 040 ha and extends from 8km south of the border between the Western and Northern Cape (southern boundary) to 13km south of the Groenrivier Lighthouse (northern boundary) (Figure 1). The boundary closest to the shore starts approximately 1km west of the high-water mark and extends 5km westwards from this point to a water depth of 70 m (Figure 2).</p> <p>SANParks also takes note that only prospecting activities are applied for in the current application and will consist of:</p> <p>Geophysical/ Acoustic Surveys: Acoustic equipment is used to send out sound towards the seabed. The sound energy is reflected</p>	Thank you for the informative comments. We will make sure to consider the listed concerns and suggestion in the final BAR.

from the seabed and travels back to the receiver.

Van Veen Grab sampling: Sampling will be done at 20–50 sites, disturb a total surface area of 5 square meters (m²) and a total volume of 1.5 cubic meters (m³).

Core sampling: Core samples will be collected at 100–200 sites. The core samples will disturb a total surface area of 1.57 m² and collect a total volume of 4.71 m³.

Drilling: Target areas will be sampled using a drill with a surface area of 5m². In total, 1 500 samples will be collected and will cover a surface area of 7 500 m².

A total surface area of 7 507 m² (0.75 ha) will be disturbed during all phases.



Figure 2. The boundary closest to the shore starts approximately 1km west of the high-water mark, some distance south of the Namaqua National Park MPA and extends 5km westwards from this point to a water depth of 70 m.

SANParks comment and concerns on possible impact:

It is not clear what method will be used for the geophysical surveys, the activity is labelled acoustic, but under impacts seismic surveys are mentioned, this need to be clear, impacts are significantly different.

Prospecting activities have less damage to the sea floor compared to the extraction/mining phase which will have significant impact, what activities will extraction entail?

Is there a specific location of where in the block the activities will take place, or will it be spread across the entire footprint?

The activities will take place near the Namaqua MPA with sensitive ecosystems and habitats. Please ensure to map the MPA and provide distances to the MPA.

The footprint may overlap with the fishing area of the Hondeklipbaai community. What are the impacts and compensation for loss of fishing to the community area of fishing?

Specific impacts concerned about:

direct impact of seabed excavation and tailings disposal on benthic habitats specifically in and biodiversity important area

impact of fine sediment plumes on surrounding benthos and water column, impacting fishing areas and MPA ecosystems
Improper waste discharges during vessel operations; SANParks remains concerned about the future impact on biodiversity and the upstream Namaqua National Park MPA.

<p>Stakeholder 3</p>	<p>23/06/2022</p>	<p>Thank you for the opportunity to comment on Prospecting Rights Application 10B (NC 30/5/1/1/2/13062 PR)</p> <p>Cognisance must be taken by the general Duty of Care, as stated in Section 28 of the National Environmental Management Act, 1998:</p> <p>“Every person who causes, has caused, or may cause significant pollution or degradation of the environment must take reasonable measures to prevent such pollution or degradation from occurring, continuing, or recurring, or, in so far as such harm cannot reasonably be avoided or stopped, to minimize and rectify such pollution or degradation of the environment”</p> <p>With reference to the content of the final Background Information document the following comments as requested.</p> <p>Due to a lack of resources and capacity within this office this office only the following concentrated and pointed out studies and resources are referred to however there are quite a few other studies and resources within this regard.</p> <p>Studies as being mentioned below has shown also that seismic disturbance may have in the water may have a huge impact on marine animals as they are very sensitive to sound disturbances in the water as is indicated by this study By Robert C. Jones Jr. 01-03-2019</p> <p>“Marine mammals use sound to communicate, navigate, and hunt for prey,” said Jill Richardson, program director and</p>	<p>Thank you for your comments. We will include this in the Stakeholder report and in the Comments and Reponses table of the Draft BAR along with our comments.</p>
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senior lecturer in the Department of Marine Ecosystems and Society at the University of Miami Rosenstiel School of Marine and Atmospheric Science. “Evolutionarily, they capitalized on the effective propagation of sound underwater, but this also makes them very susceptible to noise pollution. Airgun noise can be so pervasive, spatially, and temporally, that it can be debilitating.”

Changes in diving and surfacing patterns, displacement from important feeding habitats, disorientation, stress, and either temporary or permanent shifts in hearing thresholds are some of the known impacts to marine mammals, according to Richardson. “And since sound is so important to their survival, the fact that they may not be able to hear each other is extremely concerning and may lead to impacts at the population level,” she said. “Imagine trying to raise a baby or communicate with friends while navigating in a concert hall where the band, essentially, never stops.”

According to Richardson, the sounds generated by airguns can travel more than 4,000 kilometres from the source. “We are only starting to understand the impact of stress on marine mammal health, but it likely contributes to immune function disruption,” she said. “This, when layered on top of the menagerie of other emergent threats, such as exposure to contaminants and biotoxins and the loss of habitat, can lead to devastating effects on marine mammals.”

This office is not aware of any studies or sources that consider the impact of the

proposed activities impact on the environment to be positive.

Research have also shown the Southern Right and Humpback whales pass through the West Coast in groups of 8-10 between June and December. Bryde's whales, common dolphins, Heaviside dolphins and dusky dolphins is also spotted during the year. The southern right whale (*Eubalaena australis*) is the most spotted whale along the West Coast in the cool season between May and November. Courting pairs breach and lobtail or slap the water with their flippers while the mothers can be seen escorting their newly born calves around sheltered bays.

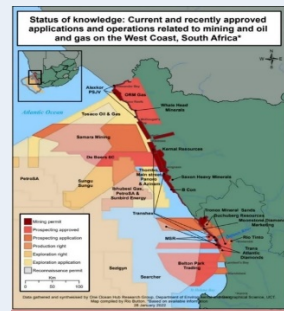
Considering the above research seismic activity in the application could potentially cause great harm to the Marine Ecology and fisheries should the approval of prospecting activities leads to mining activities over a long period of time.

The West Coast is also traditionally known for its small fishing communities which relies on fish catches from the sea for a livelihood. Taking the above research outcomes into account it is extremely important to acknowledge the fact that seismic activity effects breeding and moving patterns of fish and that it could potentially lead to a devastating decline in fish population species along the Coastal Towns.

It is my sincere request that this application is implemented through the regulatory system of binding Marine Area Plans with detailed guidelines and spatial regulations that would

steer development according to the Marine Spatial Planning Act (No. 16 of 2018) which inter alia provides a framework for Marine Spatial Protected areas in South Africa, provides for the development of marine area plans and provides for the Institutional arrangements for the Marine Spatial Planning to govern the use of the ocean by and across multiple sectors. This act must be read in conjunction with the National MSP Framework (including the spatial management approach) and the National MSP Data and Information Report (NDR)

Also, of concern as pointed out in the Background Information document is the accumulative impact of the amount prospecting applications on the West Coast either from sea or land as can be seen on the map below and referred to in the summary of Potential Impacts on pg. 6 of the Background information document. Also see Map below of all mining and prospecting applications along this stretch of coastline.



Each of the marked applications has some negative potential impacts on the coastline of the West Coast and it seems like collectively, it

		<p>could damage or destroy the living resources and heritage of the people of the West Coast.</p> <p>With regards to the Conclusions and Recommendations of the Socio-Economic Impact Assessment even though the negative impacts of prospecting would be low the long-term impacts of mining may have devastating negative impacts on the maritime sector.</p> <p>Considering the above it is critical that the Potential Mitigation measures must form part of the EMPR as pointed out on pg. 7 of the Background Information document.</p> <p>The Municipality reserves the right to request further information and revise initial comments based on any additional information that might be received.</p>	
<p>Stakeholder 4</p>	<p>23/6/2022</p>	<p>Please find attached to this email the comment for the above case, I have also issued it on SAHRIS. Please let me know if you have any queries.</p> <p>Interim Comment</p> <p>In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999)</p> <p>Attention: Anchor Environmental Consultants (Pty) Ltd Trans Atlantic Diamonds Pty Ltd has applied for the right to prospect for diamonds and other gemstones and precious metals and</p>	<p>Thank you for the informative comments. We will make sure to consider the listed concerns and suggestion in the final BAR.</p>

ferrous and base metals such as rare earths in Sea Concession

Area 10B. This area covers 10 040 ha and extends from 8km south of the border between the Western and Northern Cape (southern boundary) to 13km south of the Groenrivier Lighthouse (northern boundary).

The South African Heritage Resources Agency (SAHRA) would like to thank you for submitting the Background Information Document (BID) for the proposed Prospecting Rights and Environmental Authorisation to Prospect in the Offshore Sea Concession Area 10B.

As part of the Environmental Authorisation process a Basic Assessment Report and Environmental Management Plan must be completed. SAHRA is pleased to note that the BID has already identified that there may be impacts to Heritage during the proposed project and as such has outlined possible mitigation measures on page 10 of the document. Furthermore, as part of the assessment of the possible impact on heritage, SAHRA requires that a Heritage Impact Assessment (HIA) must be undertaken as part of the project including an evaluation of the likelihood for any shipwrecks being present in the proposed prospecting area.

The HIA must include a specialist study of maritime and underwater cultural heritage to be undertaken by a suitably qualified Maritime Archaeologist.

In terms of the National Heritage Resources Act, No 25 of 1999 (NHRA), Sections 2 and 35

		<p>stipulates that any wreck, being any vessel or aircraft or any part thereof older than 60 years in South Africa's territorial waters or maritime cultural zone is protected and falls under the jurisdiction of SAHRA's Maritime and Underwater Cultural Heritage Unit. These heritage sites or objects may not be disturbed without a permit from the relevant heritage resources authority.</p> <p>Should anything of archaeological or paleontological significance be exposed during the proposed project, work must cease immediately and SAHRA must be informed of its discovery without delay. In this event, work may not commence until feedback has been received from SAHRA.</p> <p>Should you have any further queries, please contact the designated official using the case number quoted above in the case header.</p>	
<p>Stakeholder 10</p>	<p>01/7/2022</p>	<p>SUBJECT: COMMENTS ON THE BACKGROUND INFORMATION DOCUMENT FOR PROSPECTING RIGHTS AND ENVIRONMENTAL AUTHORISATION TO PROSPECT IN THE OFFSHORE SEA CONCESSION AREA 10B.</p> <p>The Department of Forestry, Fisheries, and the Environment (DFFE), Branch Oceans & Coasts (O&C) appreciates the opportunity granted to comment on the Background Information Document (BID) for Prospecting Rights and Environmental Authorization to Prospect in the Offshore Sea Concession Area 10B. The Branch O&C has provided recommendations in terms of the National Environmental Management Act, 1998 (Act No. 107 of 1998), ("NEMA") and the National Environmental Management: Integrated Coastal</p>	<p>Thank you for the informative comments. We will make sure to consider the listed concerns and suggestion in the final BAR.</p>

Management Act, 2008 (Act No. 24 of 2008) (“ICM Act”). The Branch O&C has the mandate to ensure the holistic management of the coast and estuarine areas as an integrated system and promote coordinated coastal management. It ensures that the ecological integrity, natural character, and economic, social, and aesthetic value of the coastal zone are maintained to ensure that people, properties, and economic activities are protected against the impacts of dynamic coastal processes. Guided by the principles of integrated coastal management, the Branch O&C promotes developments that promote socially justified sharing of benefits derived from a resource-rich marine and coastal area and strives to ensure that the principles of sustainable development are upheld. Please note the recommendations for your consideration:

1. The Background Information Document indicated that the Trans-Atlantic Diamonds Pty Ltd (the Applicant) has applied for the right to prospect for diamonds and other gemstones and precious metals and ferrous and base metals such as rare earth in Sea Concession Area 10B. This area covers 10 040 ha and extends from 8km south of the border between the Western and Northern Cape (southern boundary) to 13km south of the Groenrivier Lighthouse (northern boundary). The boundary closest to the shore starts approximately 1km west of the highwater mark and extends 5km westwards from this point to a water depth of 70. The applicant is advised to conduct the proposed prospecting sustainably as South African waters play a significant role in supporting the 2 unique and diverse biotas even though this area is not a

proclaimed Marine Protected Area (MPA) it contributes important ecosystem goods and services including significant fisheries resources.

2. The report has identified potential impacts associated with the proposed activity and recommended mitigation measures to minimize the significant impacts. It is recommended that specialist studies be conducted to provide expert advice on the potential impacts with recommended mitigation measures to inform the Competent Authority on decision making.

3. In terms of the specialist studies to be conducted, a Marine Ecology Impact Assessment should be undertaken to identify, quantify and evaluate the potential effects of the proposed mineral prospecting on marine habitats, species, and ecosystems including the ecosystem functioning and processes. This should include considerations of species richness, biodiversity, faunal densities, and community structures and incorporate measures to avoid, reduce and mitigate negative ecological impacts and their effects, and the provision of ecological enhancements.

3.1 Heritage Impact Assessment (HIA) should be conducted to identify any heritage resources that will be impacted either directly or indirectly and provide insight into the impact of the proposed prospecting on such heritage resources and provide mitigation measures to limit the effect of that impact.

3.2 Cumulative Impacts Assessment should be undertaken to assess the impact that arises from a result of an impact from the proposed prospecting activity interacting with an impact from another activity to create an additional

impact. The assessed impacts and effects are strongly influenced by the status of the other activities such as projects already in existence, approved or proposed, and how much data is available to characterize the magnitude of their impact.

3.3 Furthermore, a Fisheries Impact Assessment (FIA) should also be conducted considering that the western coastal shelf has highly productive commercial fisheries like other upwelling ecosystems around the world and approximately 14 different commercial fisheries sectors currently operate within South African waters therefore this assessment will best advise the suitable areas to conduct the proposed activity to avoid fishing grounds coinciding with the proposed prospecting area.

4. The Branch O&C supports the creation of buffer zones around any ecological sensitive features to enhance the probability of recovery of impacted sites through local re-colonization after the prospecting and/or mining activity if the proposed activity reaches such stage.

5. The Branch O&C further encourages all the operations related to the proposed four phases of sampling to avoid mortalities or injuries to marine life either by smothering/burying animals by sediment, contamination from oil spills, etc., adhere to the recommended best practice mitigation for impacts related to spills and waste generated by vessels and assess any risks associated with this activity.

6. Register the Branch O&C as registered as an Interested &Affected Party for the proposed project.

		<p>7. The Branch O&C will provide detailed comments and recommendations during the next public process based on the availability of specialist studies and more information.</p> <p>Kindly note that the Department reserves the right to revise its comments and request further information based on any additional information received. All correspondence, documentation, and/or requests (hard copy or electronic copy) should be submitted to our office via OCEIA@dffe.gov.za / or Physical Address: Department of Forestry, Fisheries & the Environment (DFFE), Branch: Oceans and Coast, 2 East Pier Building, East Pier Road, Victoria and Alfred Waterfront, Cape Town, 8001.</p>	
Stakeholder 11	04/7/2022	<p>As discussed telephonically, please note that the above proposed development or activity(ies) is taking place in a marine environment. As a result, the DEFF Directorate: Biodiversity Conservation will not be able to provide comments. You are therefore, advised to request comments from Western Cape Department of Forestry, Fisheries and the Environmental under Marine and Coastal Unit as well as from the Heritage Unit.</p>	<p>Noted and comments were requested Western Cape Department of Forestry, Fisheries and the Environmental under Marine and Coastal Unit.</p>