

## **APPENDIX B: PREVIOUS PUBLIC PARTICIPATION PROCESS**

Appendix B1 – Newspaper Advertisements

Appendix B2 – Site Notices

Appendix B3 – Notification Letter

Appendix B4 – Comments and Responses Report

## Appendix B1 – Newspaper Advertisement

**KENNIS VAN BASIESE ASSESSERINGSPROSES**  
**PROSPEKTERINGSREGAANSOEK VIR AFLANDIGE SEE AREAS 4C EN 5C,**  
**WESKUS, SUID-AFRIKA**

Advert No: DB/07/BA – 2021/06

Kennis geskied hiermee van 'n publieke deelnameproses in terme van die Omgewingsimpakbepaling (OIB) Regulasies 2014 (soos gewysig) gepromulgeer in terme van die Nasionale Wet op Omgewingsbestuur, 1998 (No. 107 van 1998; NEMA).

**Aansoeker:** De Beers Consolidated Mines (Pty) Ltd (De Beers).

**Omgewingskonsultant:** SLR Consulting (South Africa) (Pty) Ltd (SLR).

**Aktiwiteit:** De Beers het 'n aansoek om 'n Prospekteringsreg oor See Areas 4C en 5C langs die Weskus van Suid-Afrika by die Departement van Mineraalhulpbronne en Energie (DMRE) ingedien in terme van Artikel 16 van die Mineraal- en Petroleumhulpbronne Ontwikkelingswet, 2002 (No. 28 van 2002; MPRDA), soos gewysig.

Die voorgestelde prospekteringsaktiwiteit sal in fases onderneem word en sal die volgende insluit (i) geofisiese opnames en (ii) neem van seebed sedimentmonsters.

**Aansoek om Omgewingsmagtiging on die volgende aktiwiteite te onderneem:**

'n Basiese Asseseringsproses moet vir die voorgestelde prospekteringsaktiwiteite onderneem word aangesien die volgende Gelyste Aktiwiteite van toepassing is: Aktiwiteite 19A, 20 en 22 van Goewermentskennisgewing (GK) R983 (Kennisgewingslys 1, soos gewysig deur GK No. 326 van 7 April 2017).

**Geleentheid om deel te neem:**

'n Konsep Basiese Asseseringsverslag is beskikbaar vir 'n 30-dae oorsig en kommentaarperiode vanaf **4 Junie tot 5 Julie 2021**. 'n Kopie van die konsep verslag is op aanvraag by SLR beskikbaar of kan afgelaai word vanaf die SLR webblad ([www.slrconsulting.com/public-documents/debeers-4c5c](http://www.slrconsulting.com/public-documents/debeers-4c5c)) en 'n datavrye webblad (<https://slrpublicdocs.datafree.co/public-documents/debeers-4c5c>).

Indien u of u organisasie as 'n belanghebbende en geaffekteerde party wil registreer en/of enige kwessies of bekommernisse oor die voorgestelde projek wil lug, skakel asseblief met Candice Sadan van SLR by die onderstaande kontakbesonderhede. Kommentaar moet by SLR ingedien word **teen 5 Julie 2021**.

**SLR Consulting Kontakbesonderhede:**

Posbus 798, Rondebosch, 7701  
Tel: (021) 461 1118  
E-pos: [csadan@slrconsulting.com](mailto:csadan@slrconsulting.com)



Datum van advertensie: 4 Junie 2021



PROJECT NO. 33494.005/2020/21/RFQ 1

**KONKOONIES II: BOESMANLAND HIGH-SCHOOL HOSTEL, HUIS EKSTEEN: REPAIR AND REFURBISHMENT (R&R) OF ELECTRICAL BUILDING SERVICES**

Herewith the advertisement of a Request for Quotations (RFQ) to procure a contractor who can repair and refurbish (R&R) the electrical building services of the Boesmanland High-School Hostel, Huis Eksteen, located in Pofadder, Northern Cape. The scope of works will comprise of the following:

- New power distribution from the existing main distribution board to the existing sub distribution boards;
- New main- and sub-distribution boards;
- Replace the existing building services with new building services, including the wire ways, wiring and fixtures. Existing recessed wire ways will be utilized as far as possible, except where obstruction occurs during wiring; and
- Issuing of a valid Certificate of Compliance for the entire electrical building services.

A compulsory RFQ Clarification Meeting with the representatives of the Employer/Engineer will take place at Boesmanland High-School Hostel, Huis Eksteen, located in Pofadder on **Wednesday, 09<sup>th</sup> of June 2021** starting at **10h00**.

Documents can be obtained electronically from Mr. K. du Plessis at kieran@bvnam.co.za from BVI Consulting Engineers and/or hard copies can be collected on the same day of the RFQ Clarification Meeting. Confirmation of attendance must be notified at least two (2) full working days in advance to Mr. K. du Plessis at BVI Consulting Engineers in order to secure a hard copy of the RFQ document.

Bidders will be evaluated according to an 80/10/10 Preference Point System, as indicated in the RFQ document under Annexure C. The maximum points that can be scored will be 80 points for price, 10 points for locality (Khai-Ma Municipality 10 points and Namaqua District 5 points) and 10 points for B-BBEE Status Level. The maximum points which can be achieved is 100 points.

Hard copies of the RFQs must be submitted to BVI Consulting Engineers for the attention of Mr. E. van Jaarsveld, 17A Keerom Street, Springbok 8240, or soft copies to [enricov@bvnam.co.za](mailto:enricov@bvnam.co.za) before **Wednesday, 30<sup>th</sup> of June 2021**, at **12h00**. Late submissions will not be considered.

The following qualifications in order to proceed to the evaluation stage of the RFQs will be required:

1. Attendance of compulsory RFQ Clarification Meeting.
2. RFQs of persons who were convicted for fraud or corruption during the past five (5) years will not be considered.
3. The Bidder must be registered or accredited as a supplier or a contractor.
4. Proof that the Bidder has the experience to execute the required scope of works.
5. Submission of all required deliverables to accompany this RFQ.

The following deliverables must be submitted for this RFQ:

1. Police Clearance Certificate of Directors or Owners;
2. B-BBEE Certificate or exemption certificate (EMEs and QSEs);
3. Registration of Bidding Entity;
4. List three (3) projects of similar nature according to the scope of works of this RFQ indicating the following information:
  - a. Project Name;
  - b. Project description of the scope of works;
  - c. Project start and completion date;
  - d. Project value; and
  - e. Contact details of a representative of the Client who can act as a Referee to comment on the quality of the Bidder's work;
5. Proof of locality;
6. Letter of Good Standing at COIDA;
7. Tax Clearance Certificate; and
8. Proof of compliance with Health and Safety and Covid-19 legislation.

Queries relating to this RFQ can be addressed to Mr. E. van Jaarsveld or Mr. K. du Plessis from BVI Consulting Engineers.

Engineer: Mr. Enrico van Jaarsveld Pr. Eng./Mr. Kieran du Plessis  
BVI Consulting Engineers  
17A Keerom Street  
P.O. Box 683  
Springbok  
8240

Tel.: 027 712 9990


**NOTICE – DMR REF NO. NC 10792MP**

RE: APPLICATION FOR A MINING PERMIT TO MINE DIAMONDS (ALLUVIAL) AT FARM GRACE'S PUTS 201 IN THE NAMAQUALAND DISTRICT ENVIRONMENTAL AUTHORISATION GRANTED

Notice is hereby given to inform the public that **MR. ABRAHAM EDWARD SIMBOYA** Environmental Authorization Application has been granted to finalize the Mining permit to mine **DIAMONDS** on the above-mentioned property. An application for mining permit has been accepted by the Department of Mineral Resources, Northern Cape Province.

According to Section 27 (5) (b) of the Minerals and Petroleum Resources Development Act, 2002 (Act 28 of 2002) and Environmental Authorisation in terms of National Environmental Management Act, 1998 (Act 107 of 1998) as amended, the landowner or lawful occupier of the land, as well as any interested and affected parties must be notified and consulted regarding the proposed operation. You're hereby invited to address any comment to support / objection to the proposed mining operation to on / or before the **20 June 2021**. Please feel free to contact the undersigned on the following contact details:

Rinah Makhaga: 072 190 2016  
[raynholds@gmail.com](mailto:raynholds@gmail.com)

If no correspondence is received from you within the stated period, it will be accepted that you have no objections against the proposed mining activities.

**KENNIS VAN BASIESE ASSESSERINGSPROSES**

PROSPEKTERINGSREGAANSOEK VIR AFLANDIGE SEE AREAS 4C EN 5C, WESKUS, SUID-AFRIKA  
Aansoek No: DB/07/BA – 2021/06

Kennis geskied hiermee van 'n publieke deelnameproses in terme van die Omgewingsimpakbeoordeling (OIB) Regulasies 2014 (soos gewysig) gepromulgêr in terme van die Nasionale Wet op Omgewingsbestuur, 1998 (No. 107 van 1998; NEMAA).

Aansoeker: De Beers Consolidated Mines (Pty) Ltd (De Beers).

Omgewingskonsultant: SLR Consulting (South Africa) (Pty) Ltd (SLR).

Aktiwiteit: De Beers het 'n aansoek om 'n Prospekteringsreg oor See Areas 4C en 5C langs die Weskus van Suid-Afrika by die Departement van Mineralie en Petroleum (DMR) ingedien in terme van Artikel 16 van die Minerale- en Petroleumhulpbronne Ontwikkelingswet, 2002 (No. 28 van 2002; MPRDA), soos gewysig.

Die voorgestelde prospekteringsaktiwiteit sal in fases onderneem word en sal die volgende insluit (i) geotiese opnames en (ii) neem van soeband sedimentmonsters.

Aansoek om Omgewingsmaatskapping op die volgende aktiwiteite te onderneem: 'n Basiese Asseseringsproses moet vir die voorgestelde prospekteringsaktiwiteite onderneem word aangesien die volgende Gelyke Aktiwiteite van toepassing is: Aktiwiteite 19A, 20 en 22 van Goewermentskenningsgewing (GK) R983 (Kennisgewingslys 1, soos gewysig deur GK No. 326 van 7 April 2017).

**Gedreëthold om deel te neem:**

'n Konsep Basiese Asseseringsverslag is beskikbaar vir 'n 30-dae oorsig en kommentaarperiode vanaf 4 Januarie tot 5 Julie 2021. 'n Kopie van die konsep verslag is op aanvraag by SLR beskikbaar of kan afgelaai word vanaf die SLR webblad <https://slrconsulting.com/public-documents/dabeers-4c5c> en 'n datavye webblad <https://slrpublicdocs.datafree.co/public-documents/dabeers-4c5c>.

Indien u of u organisasie as 'n belanghebbende en geaffekteerde party wil registreer en/of enige kwessies of bekommernisse oor die voorgestelde projek wil lug, skielik asseblief met Candice Sadan van SLR by die onderstaande kontakbesonderhede. Kommentaar moet by SLR ingedien word teen 5 Julie 2021.

SLR Consulting Kontakbesonderhede:  
Posbus 798, Rowdebosch, 7781  
Tel: (021) 461 1118  
Epos: [csadan@slrconsulting.com](mailto:csadan@slrconsulting.com)


**social development**

Department:  
Social Development  
NORTHERN CAPE

Bid NC/SOC/002/2021

Closing Date: 02 July 2021

Closing Time: 11:00

**SUPPLY AND DELIVERY OF GROCERIES FOR THE DE AAR AND SPRINGBOK CHILD & YOUTH CARE CENTRES, FOR A PERIOD OF 36 MONTHS**

Required by: Department Social Development  
Northern Cape Provincial Government

Specifications and bid documents are available at the Department of Social Development. However, due to COVID-19 bidders are advised not to visit the offices but to request bid documents via e-mail, as per underneath details:

Bid closes at (postal address): Department Social Development,  
Private Bag X5042, Kimberley, 8300  
Street Address: 257 Barkly Road, Homestead, Latlhi Mabilo  
Complex, Ground Floor, Block C, Kimberley  
Thonepo Hammar or Boingotlo Motshabi  
053 874 9212 or 053 874 9299  
Contact Persons:  
Telephone:  
Email: thammer@ncpg.gov.za or  
bmotshabi@ncpg.gov.za

**PLEASE NOTE:**

- 1 From 18 April 2016, the South African Revenue Services (SARS) has introduced an enhanced electronic Tax Compliance Status (TCS) system which makes it easier for bidders to obtain Tax Clearance Certificate (TCC) – Tender as well as obtain a TCS Pin which can be used by authorised third parties to verify your compliance status online via SARS eFiling. In view of the above, a valid, printed tax clearance certificate – Tender – (not a tax clearance certificate "Good Standing") must be submitted at closing date and time (bid document NCP 2 refers).
- 2 This bid will be evaluated and adjudicated in terms of the 80/20 point system prescribed by the Preferential Procurement Policy Framework Act, 05 of 2000 and revised Regulations 2017.
- 3 In terms of Regulation 8(2) of the PPPFA, the Department intends to apply a specific tendering condition that only locally produced goods or locally manufactured goods, meeting the stipulated minimum threshold for local production and content, will be considered i.e. Canned Baked Beans @ 80%
- 4 The Department intends to apply pre-qualification criteria for preferential procurement to advance certain designated groups in terms of section 2(1)(f) of the PPPFA and section 4 (1) (c) (i-v) of the revise regulation as follows:
  - \* *The successful tenderer must subcontract a minimum of 30% of the value of the contract to an EME or QSE which is 51% owned by black people, black youth, black women, black people with disability, black people living in rural or underdeveloped areas or townships (Pixley Ka Seme & Namaqua Districts in the Northern Cape Province). Only tenderers following within the specific tendering condition may respond. Should the bidder fall within the objective criteria, then sub-contracting will not be necessary.*

- 5 In order to qualify for preference points a valid, originally certified copy of bidders' B-BBEE status level verification certificate or sworn affidavit signed by the Exempted Micro Enterprise (EME) representative and attested by a Commissioner of Oath must be submitted at bid closing date and time.
- 6 Bidders are required to submit their detailed Central Suppliers Database (CSD) registration report (not the summary report) together with the bid document.
- 7 The Department reserves the right to award the contract to various bidders complying with bid specifications and scoring the highest points for price & B-BBEE.
- 8 Names of bidders that submitted bids will be published on the website of the Office of the Premier: [www/northern-cape.gov.za](http://www/northern-cape.gov.za) and/or e-tender portal on Friday, 16 July 2021.


**social development**

Department:  
Social Development  
NORTHERN CAPE

Bid NC/SOC/004/2021

Closing Date: 02 July 2021

Closing Time: 11:00

RENDERING OF SECURITY SERVICES AT THE PROVINCIAL OFFICE (LATLHI MABILO COMPLEX), FRANCES BAARD DISTRICT (KIMBERLEY), PIXLEY KA SEME DISTRICT (DE AAR), ZF MGCAWU DISTRICT (UPINGTON & POSTMASBURG), JOHN TAOLO GAETSEWE DISTRICT (KURUMAN) AND NAMAQUA DISTRICT (SPRINGBOK & CALVINIA), FOR A PERIOD OF 24 MONTHS

Required by: Department Social Development  
Northern Cape Provincial Government

Specifications and bid documents are available at the Department of Social Development. However, due to COVID-19 bidders are advised not to visit the offices but to request bid documents via e-mail, as per underneath details:

Bid closes at (postal address): Department Social Development, Private Bag X5042,  
Kimberley, 8300  
Street Address: 257 Barkly Road, Homestead, Latlhi Mabilo  
Complex, Ground Floor, Block C, Kimberley  
Thonepo Hammar or Boingotlo Motshabi  
053 874 9212 or 053 874 9299  
Contact Persons:  
Telephone:  
Email: thammer@ncpg.gov.za or  
bmotshabi@ncpg.gov.za

**PLEASE NOTE:**

- 1 From 18 April 2016, the South African Revenue Services (SARS) has introduced an enhanced electronic Tax Compliance Status (TCS) system which makes it easier for bidders to obtain Tax Clearance Certificate (TCC) – Tender as well as obtain a TCS Pin which can be used by authorised third parties to verify your compliance status online via SARS eFiling. In view of the above, a valid, printed tax clearance certificate – Tender – (not a tax clearance certificate "Good Standing") must be submitted at closing date and time (bid document NCP 2 refers).
- 2 This bid will be evaluated and adjudicated in terms of the 80/20 point system prescribed by the Preferential Procurement Policy Framework Act, 05 of 2000 and revised Regulations 2017.
- 3 A two stage bidding process will be followed, where the first stage involves minimum percentage qualification for functionality as a criterion and the second stage price and B-BBEE.
- 4 The Department intends to apply pre-qualification criteria for preferential procurement to advance certain designated groups in terms of section 2(1)(f) of the PPPFA and section 4 (1) (c) (i-v) of the revise regulation as follows:
  - \* *The successful tenderer must subcontract a minimum of 30% of the value of the contract to an EME or QSE which is 51% owned by black people, black youth, black women, black people with disability, black people living in rural or underdeveloped areas or townships (All Districts in the Northern Cape Province). Only tenderers following within the specific tendering condition may respond. Should the bidder fall within the objective criteria, then sub-contracting will not be necessary.*
- 5 In order to qualify for preference points a valid, originally certified copy of bidders' B-BBEE status level verification certificate or sworn affidavit signed by the Exempted Micro Enterprise (EME) representative and attested by a Commissioner of Oath must be submitted at bid closing date and time.
- 6 Bidders are required to submit their detailed Central Suppliers Database (CSD) registration report (not the summary report) together with the bid document.
- 7 The Department reserves the right to award the contract to various bidders per district complying with bid specifications and scoring the highest points for price & B-BBEE.
- 8 Names of bidders that submitted bids will be published on the website of the Office of the Premier: [www/northern-cape.gov.za](http://www/northern-cape.gov.za) and/or e-tender portal on Friday, 16 July 2021.

## Appendix B2 – Site Notices





DE BEERS GROUP

## KENNIS VAN BASIESE ASSESSERING PUBLIEKE DEELNAMEPROSES PROSPEKTERINGSREGAANSOEK VIR AFLANDIGE SEE AREAS 4C EN 5C, WESKUS, SUID-AFRIKA

Kennis geskied Hiermee van 'n publieke deelnameproses in terme van die Omgewingsimpakbepaling (OIB) Regulasies 2014 (soos gewysig), gepromulgeer in terme van die Nasionale Wet op Omgewingsbestuur, 1998 (No. 107 van 1998; NEMA).

De Beers Marine (Pty) Ltd het namens De Beers Consolidated Mines (Pty) Ltd 'n aansoek om 'n Prospekteringsreg oor See Areas 4C en 5C lang die Weskus van Suid-Afrika ingedien by die Departement van Mineraal hulpbronne en Energie (DMRE) in terme van Artikel 16 van die Mineraal- en Petroleumhulpbronne Ontwikkelingswet, 2002 (No. 28 van 2002; MPRDA), soos gewysig. 'n Aansoek om 'n prospekteringsreg vereis Omgewingsmagtiging in terme van die OIB Regulasies 2014 (soos gewysig). Die voorgestelde prospekteringsprojek behels OIB gelyste aktiwiteite waarvoor 'n Basiese Asseseringsproses onderneem moet word. Besonderhede van die prospekteringsaktiwiteite en die Basiese Asseseringsproses is hieronder opgesom.

<b>Aansoeker:</b>	De Beers Marine (Pty) Ltd namens De Beers Consolidated Mines (Pty) Ltd.	
<b>Aard van die voorgestelde aktiwiteit</b>	Die voorgestelde prospekteringsaktiwiteite sal in fases onderneem word en sal die volgende insluit: (i) geofisiese opnames en (ii) neem van seebed sedimentmonsters.	
<b>Ligging:</b>	<p>Die oostelike grens van See Areas 4C en 5C is tussen 2.5 en 5 km seewaarts van die kus geleë, terwyl die westelike grens ongeveer 140 – 180 km aflandig geleë is. Port Nolloth is 10 km noord van See Area 4C geleë en Hondeklipbaai 50 km suid van See Area 5C.</p> <p>Die voorgestelde prospekteringsaktiwiteite sal tipies gefokus word in areas waar waterdieptes wissel vanaf 100 m tot 160 m en dit word dus nie verwag dat die prospektering enige effek sal hê op aktiwiteite langs die kus nie. Die prospekteringsregarea sluit die Namaqua Fossilwoud Mariene Bewaringsarea, wat in See Area 4C geleë is, uit.</p>	
<b>Aansoek vir gelyste aktiwiteite:</b>	'n Basiese Asseseringsproses moet vir die voorgestelde prospekteringsaktiwiteite onderneem word aangesien die volgende Gelyste Aktiwiteite van toepassing is: Gelyste Aktiwiteite 19A, 20 en 22 van Goewermentskennisgewing R983 (Aktiwiteitslys 1).	
<b>Geleentheid om deel te neem:</b>	<p>'n Konsep Basiese Asseseringsverslag is beskikbaar vir 'n 30-dae oorsig- en kommentaarperiode vanaf <b>4 Junie tot 5 Julie 2021</b>. 'n Kopie van die konsep verslag is op versoek by SLR beskikbaar of kan afgelaai word vanaf die SLR webblad (<a href="http://www.slrconsulting.com/public-documents/debeers-4c5c">www.slrconsulting.com/public-documents/debeers-4c5c</a>) en 'n verniet data webblad (<a href="https://slrpublicdocs.datafree.co/public-documents/debeers-4c5c">https://slrpublicdocs.datafree.co/public-documents/debeers-4c5c</a>).</p> <p>Indien u of u organisasie will registreer as 'n belanghebbende en geaffekteerde party en / of u enige kwessies of bekommernisse aangaande die voorgestelde projek wil lug, skakel asseblief met Candice Sadan van SLR by die onderstaande kontakbesonderhede. Kommentaar moet SLR <b>teen 5 Julie 2021</b> bereik.</p>	
<b>SLR Consulting Kontakbesonderhede:</b>	<p>Aandag: Ms. Candice Sadan          Posbus 798, Rondebosch, 7701          Tel: (021) 461 1118          E-pos: <a href="mailto:csadan@slrconsulting.com">csadan@slrconsulting.com</a></p>	



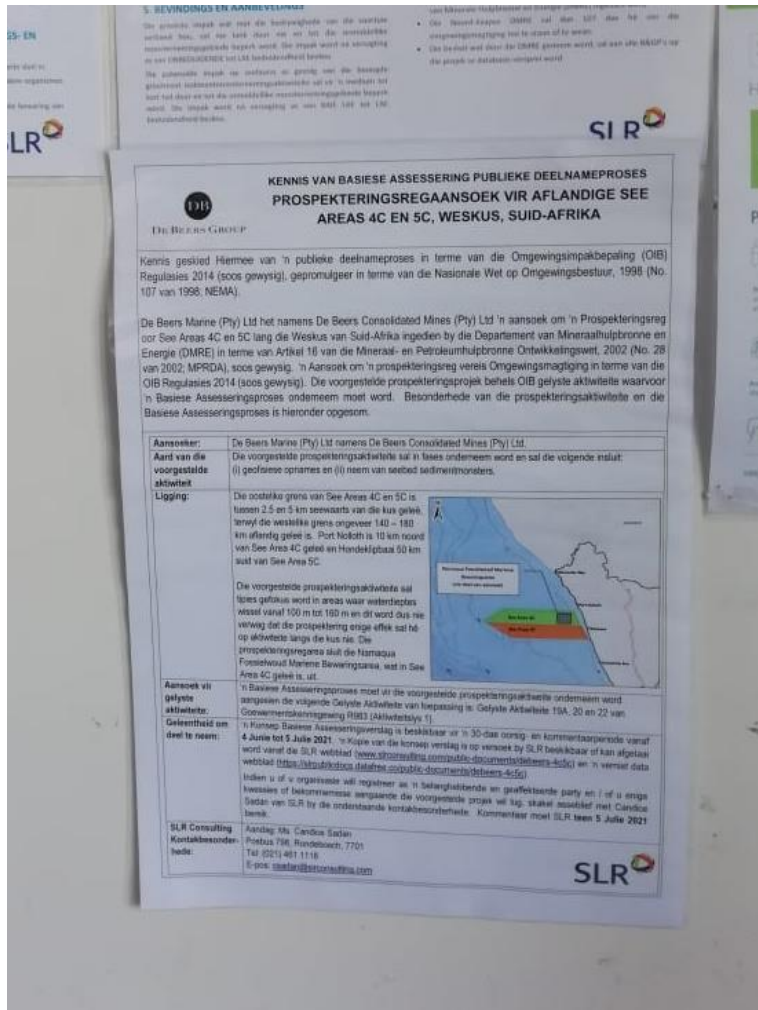


Figure 1: Site Notice placed on notice board at Local Library

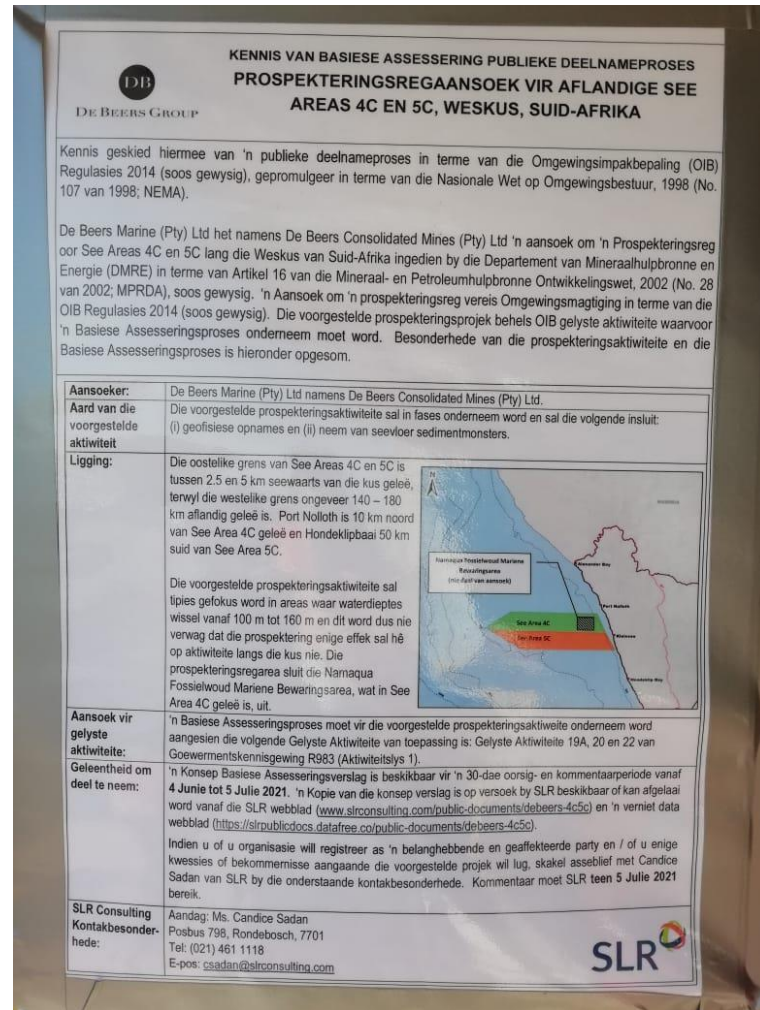


Figure 2: Site Notice placed on notice board at Kings



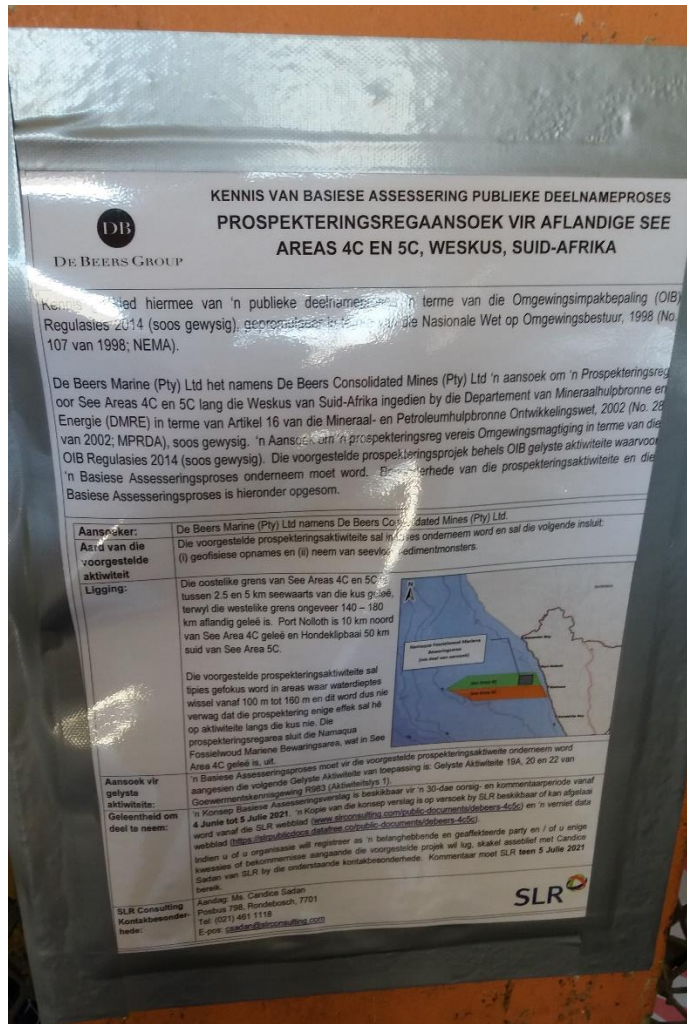


Figure 2: Site Notice placed at Sizamile General Dealer

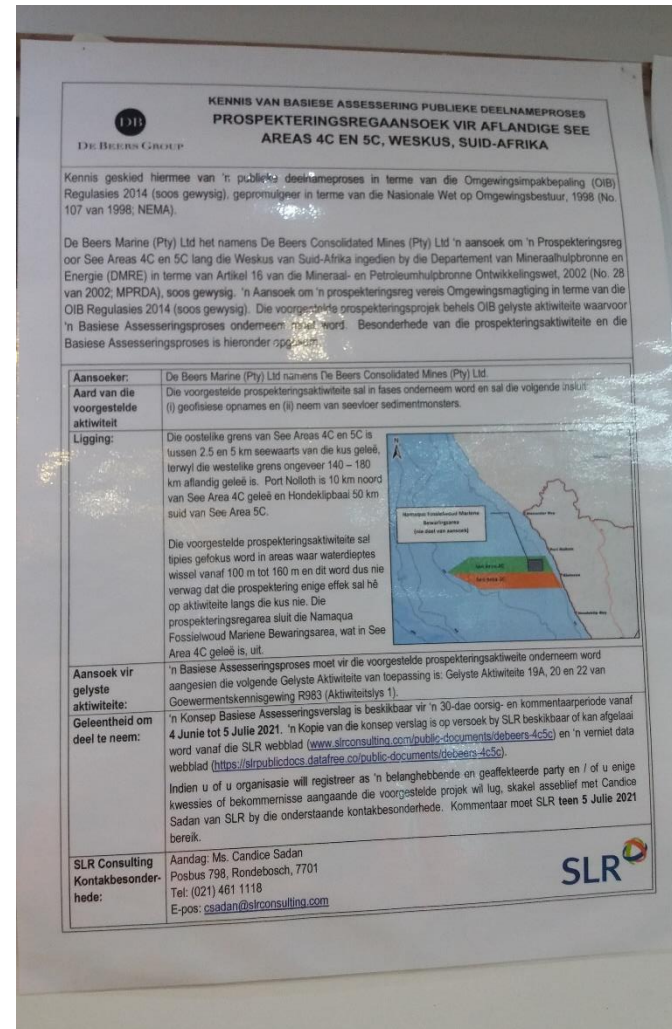


Figure 4: Site Notice placed on notice board at Spar



## Appendix B3 – Notification Letter

## Nicholas Arnott

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**From:** Candice Sadan  
**Sent:** Friday, 04 June 2021 14:56  
**To:** Candice Sadan  
**Subject:** De Beers Consolidated Mines (Pty) Ltd – Basic Assessment Process for Proposed Prospecting Activities in Offshore Sea Areas 4C and 5C, West Coast: Notification of Draft Basic Assessment Report for Comment

**Attachments:** DB07\_DBAR\_Executive Summary.pdf; 2021-06-04\_DB07\_Gen DBAR Notification\_Rev0.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Bcc:**

Dear Interested and / or Affected Party

The attached correspondence provides information regarding the availability of a draft Basic Assessment Report (BAR) for review and comment in accordance with the EIA Regulations, 2014 (as amended). Should you and / or your organisation wish to comment on the Draft BAR for the proposed project, comments should be sent to our Ms Candice Sadan (at the details below) **by no later than 5 July 2021.**

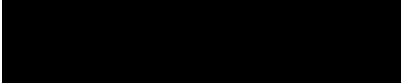
**Ms. Candice Sadan**  
SLR Consulting (South Africa) (Pty) Ltd  
PO Box 798, Rondebosch, 7701  
Tel: (021) 461 1118 / 9

Should you have any queries on the above, or require any further information, please do not hesitate to contact the undersigned.

Kind regards



**Candice Sadan**  
Office Administrator



SLR Consulting  
SLR Consulting (Cape Town office)  
5th Floor, Letterstedt House, Newlands on Main  
Cnr Main and Campground Roads  
Newlands  
Cape Town, 7700



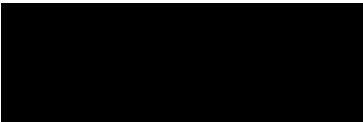
Confidentiality Notice and Limitation

This communication, and any attachment(s) contains information which is confidential and may also be legally privileged. It is intended for the exclusive use of the recipient(s) to whom it is addressed. If you are not the intended recipient, any disclosure, copying, distribution or action taken or not taken in reliance on it is prohibited and may be unlawful. If you have received this communication in error, please advise SLR by e-mail and then delete the e-mail from your system. As e-mails and any information sent with them may be intercepted, corrupted and/or delayed, SLR does not accept any liability for any errors or omissions in the message or any attachment howsoever caused after transmission.

Any advice or opinion is provided on the basis that it has been prepared by SLR with reasonable skill, care and diligence, taking account of the manpower, timescales and resources devoted to it by agreement with its Client. It is subject to the terms and conditions of any appointment to which it relates. Parties with whom SLR is not in a contractual relationship in relation to the subject of the message should not use or place reliance on any information, advice, recommendations and opinions in this message and any attachment(s) for any purpose.

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**Candice Sadan**  
Office Administrator



SLR Consulting  
SLR Consulting (Cape Town office)  
5th Floor, Letterstedt House, Newlands on Main  
Cnr Main and Campground Roads  
Newlands  
Cape Town, 7700

**ATTENTION: INTERESTED AND AFFECTED PARTY**

Dear Madam / Sir

**DE BEERS CONSOLIDATED MINES (PTY) LTD – BASIC ASSESSMENT PROCESS FOR PROPOSED PROSPECTING ACTIVITIES IN OFFSHORE SEA AREAS 4C AND 5C, WEST COAST, SOUTH AFRICA: NOTIFICATION OF PUBLIC PARTICIPATION PROCESS IN TERMS OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (NO. 107 OF 1998; NEMA) AND THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 (AS AMENDED)**

This letter provides information on the availability for comment of a draft Basic Assessment Report (BAR) prepared for the above-mentioned proposed project.

Notice is hereby given, in terms of the National Environmental Management Act (NEMA), 1998 (Act 107 of 1998) and the EIA Regulations, 2014 (as amended), that the draft BAR prepared for the proposed Prospecting Activities in offshore Sea Areas 4C and 5C, West Coast, South Africa has been made available for a 30-day public and authority review and comment period from 4 June to 5 July 2021.


A copy of the Executive Summary of the draft BAR is enclosed with this letter and a copy of the full report is accessible at the SLR website at [www.slrconsulting.com/public-documents/debeers-4c5c](http://www.slrconsulting.com/public-documents/debeers-4c5c) and on a zero-data rated website at <https://www.slrpublicdocs.datafree.co/public-documents/debeers-4c5c>. A hard copy version of the full report is also made available at the A.J. Bekeur Library in Port Nolloth.

If you and / or your organisation would like to register on the project database, comment on the proposed project and / or if you know of any other stakeholders interested in, or affected by, the proposed project please submit such comments and / or information to our Ms. Candice Sadan (at the details below) by no later than 5 July 2021.

SLR Consulting (South Africa) (Pty) Ltd  
Attention: Ms Candice Sadan  
PO Box 798, Rondebosch, 7701  
Tel: (021) 461 1118/9

Should you have any queries in this regard or require additional information, please do not hesitate to contact our Ms Candice Sadan or the undersigned ([narnott@slrconsulting.com](mailto:narnott@slrconsulting.com)).

Yours sincerely



Nicholas Arnott Pr. Sci. Nat.  
Senior Environmental Consultant  
SLR Consulting (South Africa) (Pty) Ltd



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## Appendix B4 – Comments and Responses Report

## BASIC ASSESSMENT FOR A PROSPECTING RIGHT APPLICATION FOR SOUTH AFRICAN SEA AREAS 4C AND 5C, WEST COAST, SOUTH AFRICA

### COMMENTS AND RESPONSES REPORT

#### 1. INTRODUCTION

This Comments and Responses Report has been compiled as part of Basic Assessment process that was previously undertaken for the proposal by De Beers Consolidated Mines (Pty) Ltd (De Beers) to undertake prospecting activities in South African Sea Areas 4C and 5C.

The draft Basic Assessment Report (BAR) was distributed for a 30-day comment period from 4 June to 5 July 2021. All comments have been collated and responded into this Comments and Responses Report. Where applicable, responses to comments and questions are given or cross-referenced to the relevant section of text in the updated Draft Basic Assessment Report (BAR).

#### 2. COMMENTS RECEIVED

A total of eleven submissions were received. Comments and issues are presented and responded to in Table 2-2 overleaf. No importance should be given to the order in which the comments are presented. As far as possible, comments are presented verbatim from written submissions.

TABLE 2-1: LIST OF I&AP COMMENTS RECEIVED DURING THE EIA PROCESS

SUBMITTED BY	DATE	METHOD
1. Andy Pienaar	17 June 2021	Email
2. Rodrick Soudens	1 July 2021	Email
3. Ruan Brand - South African Heritage Resources Agency	1 July 2021	Letter
4. Walter Steenkamp	2 July 2021	Email
5. Department of Agriculture, Environmental Affairs, Land Reform and Rural Development - Louise Geldenhuys	3 July 2021	Letter
6. Dawid Markus	5 July 2021	Email
7. Jackie Sunde	5 July 2021	Email
8. Leonard Peterson	5 July 2021	Email
9. Hondeklipbaai Women's Group - Carisa Soudens	5 July 2021	Email
10. Rio Button	6 July 2021	Email
11. Department of Forestry, Fisheries and Environment (DFFE) – Branch: Ocean and Coasts	3 August 2021	Email

Table 2-2: Summary table of comments received with responses from SLR and the project technical team, as appropriate

NO.	ISSUE	COMMENT	RESPONSE
1	ANDY PIENAAR		
1.1	I&AP Registration	Herewith our application to register as an I&AP for the above project for which there is an application before the DMRE for the right to prospect for diamonds of the West Coast of the Northern Cape.	Mr Pienaar has been added to the Project database.
1.2	Request for meeting	We further would like to request that you come do an explanatory workshop in Kleinsee to the surrounding communities who were severely impacted by the offshore operations of your client. That is so we in terms of Section F of the NEMA can better understand the nature of the proposed operations.	<p>The inshore boundary of Sea Areas 4C and 5C is situated approximately 2.5 - 5 km seaward of the coast. The proposed prospecting operations would be undertaken further offshore, typically be focussed in areas where the water depth ranges from 70 m – 160 m (and generally located further than 6 - 13 km offshore). Given the distance that the proposed prospecting activities would be located offshore, no impacts on land-based activities are expected.</p> <p>As part of the current public participation process, a public meeting is planned in Kleinsee to share information about the proposed project and Basic Assessment process, as well as to provide I&amp;APs an opportunity to ask questions, raise issues of concern and contribute comments about the proposed project.</p>
2	RODRICK SOUDENS		
2.1	Request for meeting	The Hondeklipbaai community want you to come and explain us. We want Afrikaans briefing sessions and want to know how this process will impact on our livelihood as we and De Beers has a history on mining and what is gainable for the community that lives in poverty since they abandoned us a few years ago.	<p>As part of the current public participation process, a public meeting is planned in Hondeklipbaai to share information about the proposed project and Basic Assessment process, as well as to provide I&amp;APs an opportunity to ask questions, raise issues of concern and contribute comments about the proposed project.</p> <p>It should also be noted that the southern-most boundary of Sea Areas 4C and 5C is located more than 50 km north of Hondeklipbaai. Due to the fact that the proposed prospecting activities are located such a large distance away, no impacts on stakeholders located in Hondeklipbaai are expected.</p>

NO.	ISSUE	COMMENT	RESPONSE
3	SOUTH AFRICAN HERITAGE RESOURCES AGENCY - RUAN BRAND		
3.1	Summary of project information	<p>The application pertains to prospecting activities that would be conducted in two phases over a span of five years. The first phase entails exploration sampling using coring, wide spaced sampling, geophysical surveying, and/or infill surveying. It is assumed that the sampling would see up to 22 500 samples being obtained in a cumulative non-contiguous area of disturbance approximately 0.225 km<sup>2</sup> in size. The geophysical surveying would be conducted via multibeam swath bathymetry (including backscatter); sub-bottom profiler seismic systems; side scan sonar systems; and electrical, magnetic, and electro-magnetic systems. These tools would be employed from a variety of platforms, including towed systems, vessel mounted, pole mounted, as well as autonomous underwater and surface vehicles. The second phase is desktop based and aims to assess the economic viability of the mining deposits.</p> <p>Although the Namaqua Fossil Forest Marine Protected Area (MPA) is located within the targeted prospecting area, the DBAR mentions that the MPA as well as the extension of the associated Ecologically or Biologically Significant Areas (EBSA) has been excluded from the application.</p>	This summary of project information included in the Draft Basic Assessment Report is correct.
3.2	Summary of heritage impact assessment findings	<p>A heritage impact assessment (HIA) for Sea Concession 4C, 5C, and 6C was conducted in 2017. This HIA found that at least five vessels wrecked in the Sea Concession areas 4C, 5C, and 6C and that a further 28 vessels might have wrecked somewhere in the area. The HIA furthermore recommended that if any heritage resources are encountered a management plan must be developed. If any heritage resources, including but not limited to wreckage and/or archaeological objects, are discovered these must be reported to SAHRA immediately in line with section 35(3) of the NHRA and these may not be removed, destroyed, or interfered with by anyone on site.</p>	This summary of the findings of the heritage impact assessment is correct.
3.3	Support of proposed mitigation measures	<p>SAHRA has reviewed the DBAR and is satisfied with the recommended mitigation measures set out under section 7.8 in the report which specifies the procedure to be followed if any heritage resources are encountered during the pre-sampling exploration phase of the project. These mitigation measures must be adhered to, and any discoveries must be reported to SAHRA immediately.</p>	Support of the proposed mitigation measures is acknowledged.



NO.	ISSUE	COMMENT	RESPONSE
3.4	Correction of number of shipwrecks	However, SAHRA has noted inaccurate information in the report which needs updating. On page 118 under the heading 'Shipwrecks' the estimated number of shipwrecks along the South African coastline is listed as 2000 when the number is in fact closer to 2800. Furthermore, the National Monument's Council ceased to exist in 2000 when the promulgation of the NHRA established SAHRA as the national heritage resources authority. All wrecks and associated artefacts older than 60 years are considered archaeological and are therefore provided protection under section 2 and 35 of the NHRA as opposed to having National Monument Status as indicated in the DBAR. These above points must be amended in the final report.	These aspects have been updated in Section 4.3.6 of the updated draft BAR.
3.5	Notification to SAHRA should any shipwrecks be identified	If any wrecks are encountered, the location and associated data used to identify the wreck must be provided to SAHRA. Should any shipwrecks be identified as part of this project then SAHRA must be notified to enable the information to be added to the national shipwreck database. Any new discoveries or updated data is a valuable resource in adding to our knowledge of South Africa's maritime history.	SAHRA will be notified in the event that any shipwrecks are discovered whilst undertaking the proposed prospecting operations.
3.6	Submission of information	Please also note that all updates and/or changes to the project, supporting documentation, correspondence, reports, or any other work relating to the project must be uploaded to the case on SAHRIS to provide SAHRA with the opportunity to comment. SAHRA does not accept emailed documents or hard-copy documents received via post.	The requirement to upload information on SAHRIS is noted.
4	<b>AUKOTOWA FISHERIES - WALTER STEENKAMP</b>		
4.1	Postponement of process and request for public meeting	The management and members of Aukotowa Fisheries would like to suggest that the EIA be postponed for the time being until after the President's ruling regarding the 3rd wave of Covid-19 infections and the stricter 'lockdown level 4' on Sunday 11 July 2021. You can then, depending on the verdict, come and hold a community meeting here.  <i>Original submission:</i> <i>Hiermee wil die bestuur en lede van Aukotowa Fisheries graag aan die hand doen dat die EIA vir eers uitgestel sal word tot na die President se uitspraak ten opsigte van die 3de vlaag infeksies en die strenger 'lockdown level 4' op Sondag 11 Julie 2021. U kan dan daarna, afhangende van die uitspraak, 'n gemeenskaps vergadering hier kom hou.</i>	As part of the current public participation process, public meetings are planned in Port Nolloth, Kleinsee and Hondeklipbaai to share information about the proposed project and Basic Assessment process, as well as to provide I&APs an opportunity to ask questions, raise issues of concern and contribute comments about the proposed project.
4.2	Requirement of Strategic Environmental	We would also like to ask that when the process resumes, a Strategic Environmental Assessment be undertaken to assess the overall impact that all the mines in the area. We rely on your good judgment to handle the situation in the best possible way.	The request for undertaking a Strategic Environmental Assessment is noted. A cumulative impact assessment has been undertaken in the BAR (see Section 5.6) which considers the

NO.	ISSUE	COMMENT	RESPONSE
	Assessment	<p><i>Original submission:</i>  <i>Ons wil ook graag vra dat wanneer assesserings wel weer 'n aanvang neem, u 'n Strategiese Omgewings assessering sal doen om die gesamentlike impak te bepaai wat al die myne in die area saam veroorsaak. Ons vertrou op u goeie oordeel om die situasie op die bes moontlike manier moontlik te hanteer.</i></p>	<p>possible cumulative impact of the proposed operations in addition to the known prospecting, mining and petroleum exploration activities off the West Coast. While a number of applications / environmental assessment processes have recently been undertaken for activities off the West Coast, a small percentage of the applications submitted (and potentially approved) have advanced to implementation/completion. Furthermore, the proposed activities in each of these applications are generally restricted to a significantly smaller footprint within the overall application area. Thus, the number of available licences and application processes being undertaken off the West Coast is not an indication of the actual cumulative impacts which have taken place or that could take place in the future.</p> <p>With respect to the requirement for a Strategic Environmental Assessment (SEA), NEMA and the EIA Regulations 2014 (as amended) serve as the legal framework to be followed for an Environmental Authorisation application in respect of the proposed prospecting activities. A Basic Assessment process is the defined environmental instrument to be utilised in informing the application for Environmental Authorisation. Thus, the undertaking of an SEA is not a requirement that needs to be complied with regard to an application for Environmental Authorisation. There is no basis in law that prohibits the consideration of an EA application in the absence of a SEA. Furthermore, it is not within the authority of De Beers to commission and / or undertaken a SEA. It is the understanding that a SEA can only be commissioned by a Minister and/or MEC. In this regard it is recommended that the Department of Mineral Resources and Energy be approached directly with this request for a SEA.</p>

NO.	ISSUE	COMMENT	RESPONSE
5	DEPARTMENT OF AGRICULTURE, ENVIRONMENTAL AFFAIRS, LAND REFORM AND RURAL DEVELOPMENT - LOUISE GELDENHUYS		
5.1	Additional seabird breeding sites	On page 99 of the Basic Assessment full report, it is stated that the closest breeding islands for seabirds are Bird Island at Lambert's Bay. Please note that there are important seabird breeding islands at McDougall's Bay and Boegoeberg (about 15 km south of the Orange River Mouth), as well as onshore breeding sites in the Northern Cape. Important seabird breeding sites along the Northern Cape Coastline are given in the table at the end of the document.	This comment is noted and the Basic Assessment Report has been updated accordingly to incorporate these additional locations (McDougall's Bay and Boegoeberg) which are located to the north of Sea Areas 4C and 5C.
5.2	Mapping of fisheries effort	On the maps indicating spatial distribution of the separate fisheries (figure 4-39 to figure 4-52), the block indicating the location of licence blocks 4C and 5C is obscuring and covering all the important spatial fisheries locations that should be indicated. This means that these figures cannot be used for their purpose of evaluating fisheries inside the block where the proposed activities will take place. It is requested that these figures please be given in a revised document or in the final Basic Assessment report with the locations of blocks 4C and 5C as an outline only, so that it does not cover the fisheries maps underneath.	The mapping included in the BAR has been updated to show the boundary outline of Sea Areas 4C and 5C only in relation to the recorded fishing activity of the various sectors operating off the West Coast.
5.3	Application of proposed mitigation measures	It is highly recommended that the applicants apply the mitigating measures adapted from the Joint Nature Conservation Committee, and that is listed on page 126, in order to minimise the impact of noise generated by geophysical survey methods on fish and marine mammals.	The proposed mitigation measures have been included in the Environmental Management Programme (EMPR) compiled for the proposed operations (see Appendix F). See 5.2.1 in the updated draft BAR.
5.4	Impact on seals	It is recommended that a 20 km buffer area around the Kleinzee seal colony be implemented, with no acoustic or sonar sampling taking place inside the buffer area.	<p>The proposed geophysical surveys generally use higher frequency sources compared to seismic airgun sources and thus have much lower noise emissions that dissipate to safe levels over a relatively short distance. Accordingly, the anticipated radius of influence of the proposed geophysical surveys would be significantly less than that for a deeper penetration low frequency seismic airgun array.</p> <p>The potential for physiological injury to seals from geophysical survey noise is expected to be low as it is assumed that highly mobile creatures such as seals would avoid severe sound sources at levels well below those at which discomfort occurs. Furthermore their tendency to swim at or near the surface</p>

NO.	ISSUE	COMMENT	RESPONSE
			<p>would expose them to reduced sound levels when in close proximity to an operating noise source. Given that the proposed prospecting activities would be undertaken in water depth ranges from 70 m – 160 m (and generally located further than 6 - 13 km offshore) no impacts on this seal colony are anticipated.</p> <p>In light of the above, the implementation of any buffer for the proposed prospecting activities in sea areas 4c and 5c is not deemed necessary.</p>
5.5	Impact on Namaqua Fossil Forest EBSA	<p>It is requested that the applicant consult with the National Department of Forestry, Fisheries and the Environment (DFFE), in order to agree on a maximum number of physical samples that may be taken in the area of the Namaqua Fossil Forest EBSA that falls outside the Marine Protected Area, and that data from these samples are shared with the DFFE, SANBI and SAEON (possible contact persons: Steve Kirkman (skirkman@environment.gov.za), Kerry Sink (k.sink@sanbi.org.za), Lara Atkinson (lara@saeon.ac.za).</p>	<p>The DFFE and SANBI are included on the project I&amp;AP database and were provided an opportunity to comment on the proposed Draft BAR. De Beers' prospecting will follow a phased approach, with each campaign dependent on the results of the previous campaign. De Beers therefore does not yet know the location of the sampling sites nor how many samples will be needed (total samples and total area will not exceed the maximum potential totals provided in section 3.2.1 of the BAR. Mitigation measures are included in Sections 5.2.3 to 5.2.6 and the impact of the sampling has been assessed to be generally of VERY LOW significance with and without mitigation. De Beers' will also request engagement sessions with the relevant stakeholders to discuss further.</p>
5.6	Impact on Critical Biodiversity Areas	<p>As a mitigation measure for the impact of physical sampling (disturbance and loss of benthic fauna during sampling (page 131 of the Basic Assessment full report), it is requested that the applicant determine and commit to a maximum number of samples (or maximum area disturbed) in each of the Critical Biodiversity Areas that occurs within the sampling area (as indicated on the map on page 96 of the Basic Assessment full report).</p>	<p>The maximum footprint of the proposed sampling operations with Sea Areas 4C and 5C is set out in Section 3.2.1 of the BAR. The same approach as mentioned in 5.5 applies.</p>
5.7	Impact on rocky outcrop communities	<p>On page 135 of the Basic Assessment full report, it is stated that the impacts of smothering in rocky outcrop communities would be low and very low without and with mitigation respectively. This statement does not correspond to the further information given, that the deep-water corals in these areas will be particularly sensitive to sediment</p>	<p>The deep water corals in the BAR and specialist report refer to corals that occur below the thermocline, generally observed below 150 m and as deep as 3000 m. These are not the same as the corals which may be present in the application area. The</p>



NO.	ISSUE	COMMENT	RESPONSE
		<p>deposition, and that even if sampling in these areas are avoided, the sediment plumes of samples taken close to these areas may still possibly cause smothering in these areas due to drifting in ocean currents.</p>	<p>assessment of the significance of the impacts to potential corals in De Beers' area of interest in Sea Areas 4C and 5C also takes into consideration the fact that the impacts would be highly localised to areas immediately adjacent to the sampling footprints in relation to the exceptionally vast size of the Sea Areas themselves which would remain undisturbed. Thus, the very limited extent and low probability of impacts occurring reduces the overall significance of these potential impacts. The key recommendation for mitigation states that "<i>remote sensing data should be used to conduct a pre-sampling analysis/environmental studies of the seabed to identify high-profile, rocky-outcrop areas without a sediment veneer, with potentially sensitive fauna. Exploration sampling targets gravel bodies in unconsolidated sediments and does not target these high-profile rocky-outcrops without a sediment veneer.</i>"</p>
5.8	Buffer around rocky outcrop areas	<p>In addition to the mitigation measure indicated for the smothering impact described above (avoiding sampling in rocky outcrops, page 135), it is requested that buffer areas "upstream" of rocky outcrops be determined, considering the prevailing currents, to ensure that sediments are not disposed in areas where it may drift over and smother close-by rocky outcrop areas. Sampling may take place in these buffer areas, but disposal of sediments is not to take place in these areas.</p>	<p>Section 4.1.3 of the Basic Assessment Report notes that the concentrations of suspended particulate matter in the water column is naturally variable, both spatially and temporally, due to currents, winds and natural inputs from river systems. From available baseline information it is understood that most of the sediment shallower than 90 m can be subject to re-suspension and transport by heavy swells.</p> <p>From previous operations undertaken by DBM, suspended sediments in plumes settle fairly rapidly (within hours) and water sampling has confirmed that contaminant levels in the plumes are well below water quality guideline levels. Thus, it is not deemed necessary to determine upstream buffer areas around rocky outcrops as any perceived smothering impacts are not likely to differ substantially from the natural variability of water turbidity in the short-term.</p>

NO.	ISSUE	COMMENT	RESPONSE
6	DAWID MARKUS		
6.1	I&AP Registration	Greetings. I hereby register as an interested and Affected Party. Hope you find this in order.	Mr Markus has been added to the Project database.
7	JACKIE SUNDE		
7.1	Public participation and consultation	Several key rights holders have not been adequately informed about this application and have therefore not had access to the Basic Assessment Report (BAR) to date. Most notably we refer to the indigenous, traditional fisher communities of the Namaqualand coastal region. In terms of section 2 (1) of the National Environmental Management Act 107 of 1998 all interested and affected persons must have adequate opportunity to participate and must have the necessary understanding, skills and capacity to participate effectively and equitably, and the participation of vulnerable and marginalised persons must be secured. The public notification process for this mining application has been completely inadequate in terms of Section 2(1) of NEMA and has not enabled all interested and affected parties or the vulnerable and marginalised to participate equitably or effectively.	<p>Details of the original and current public participation process undertaken for the proposed project is set out in Sections 2.4.7 and 2.4.8 of the BAR. The public participation process is being undertaken in compliance with the requirements of Chapter 6 of the EIA Regulations 2014 (as amended).</p> <p>As part of the previous process, actions undertaken to notify stakeholders who were not included on the preliminary project I&amp;AP database, included advertisements (in English and Afrikaans) placed in local newspapers and posters erected at various public locations within Port Nolloth. Copies of the full BAR and Executive Summary were placed on the SLR website, as well as on a zero-data rated website that I&amp;APs could use to access the draft BAR (via internet-capable devices) at no charge. Notifications of the availability of the BAR was also sent to the representative/s of the small-scale fishing co-operative that operates from Port Nolloth.</p> <p>As part of the new 2023 public participation process, a similar approach to the above will be followed with the addition of in-person public meetings that will be held in Port Nolloth, Kleinsee and Hondeklipbaai.</p>
7.2	Public consultation	Formal notification of the application to key Interested and Affected Parties and other stakeholders was not completed. Documentation especially was not easily available to the interested and affected parties.	See response provided in Section 7.1. Direct notifications were also sent to Ward Councillors for wards 2, 3 and 4 of the Richtersveld Local Municipality and ward 8 of the Nama Khoi Local Municipality.
7.3	Applicability of the Traditional Leadership and Khoisan Act	The Public Participation Process failed to inform the indigenous Khoisan Traditional Leadership about the meeting. As the Traditional Leadership and Khoisan Act commenced on the 1 April 2021 the consultants are obliged to consult traditional leaders. The Act should be cited in the BAR as it is now a piece of legislation that frames any	See response provided in Section 7.2 regarding the notification of stakeholders. Representatives of known traditional authorities in the area will be included in the updated notification to I&APs for the current public participation

NO.	ISSUE	COMMENT	RESPONSE
		application of this nature and Khoisan Leadership is recognised as Traditional Leadership. Failure to do so signals discrimination against this important group of indigenous persons who are resident in this region.	process. Should there be any specific Traditional Authority that you feel should be informed of the proposed project, you are welcome to provide their details to SLR so that they may be contacted to inform them of the proposed project.
7.4	No notification provided to stakeholders in Hondeklipbaai	We also note that the Hondeklipbaai Ward Councillors, Women's Group and the Small-scale Fisheries cooperative were not informed about this application. The SSF fishers are rights holders in this space and must be noticed as this impacts the marine ecosystem services that they depend on for their livelihoods.	See response provided in Section 7.1. As part of the new 2023 public participation process, a similar approach to the above will be followed with the addition of in-person public meetings that will be held in Port Nolloth, Kleinsee and Hondeklipbaai.
7.5	Provision of project information in local language	We note that whilst the Port Nolloth SSF cooperative was informed, the failure to provide summary documents in the fishers local language and the current lockdown mitigates against them being about to engage with you in order to understand this application and its potential impacts in a way that is appropriate for their requirements and capacities.	See response provided in Section 7.1. The executive summary will also be made available in Afrikaans as part of the new public participation process. Furthermore, in-person public meetings will be held in Port Nolloth, Kleinsee and Hondeklipbaai to provide stakeholders an opportunity to provide comments in their preferred language.
7.6	Implication of Covid-19 alert level 4	The imposition of a Level 4 COVID-19 Lockdown has impacted the public participation process and means that it is not possible to meet the NEMA standards for consultation with regard to these more marginalised groups who do not have easy access to the internet. For this reason we request that you consider an application for an extension for the Public Participation process and that you are then able to address the capacity considerations of the local fisher constituencies appropriately and meet the legal requirements to engage with the Traditional Authorities who have been left out.	As noted above, in-person public meetings will be held in Port Nolloth, Kleinsee and Hondeklipbaai.

NO.	ISSUE	COMMENT	RESPONSE
7.7	Reference to the Marine Spatial Planning Act	The BAR fails to include reference to the Marine Spatial Planning Act 16 of 2018 which came into effect 1 April 2021. We note Section 3 (2) of the Marine Spatial Planning Act 16 of 2018. We believe that all future mining applications must be stayed until such time as the MSP marine spatial plans for the area are adopted in terms of the Marine Spatial Planning Act 16 which commenced in April 2021.	<p>The draft BAR has been updated to include a reference to the Marine Spatial Planning Act 16 of 2018 (MSPA). It is further noted that the current application relates to prospecting and not mining activities.</p> <p>The Marine Spatial Planning Act provides a framework for marine spatial planning (MSP) in South Africa and the development of marine area plans through a multi-sectoral (energy, defence, fisheries, environmental affairs, mineral resources, tourism, transport etc.) approach, aiming to facilitate responsible and sustainable use of the ocean.</p> <p>The National Coastal and Marine Spatial Biodiversity Plan (v1.2) was released in April 2022 and provides the basis for the biodiversity sector plan as an input into the MSP process. It is understood that the National Working Group for the MSP process is currently busy identifying the spatial priorities and claims of each sector and marine activity on this basis. Integrated marine area plans will be drafted in the future. Timeframes for approval of marine area plans are unknown. (<a href="https://www.dffe.gov.za/projectsprogrammes/msp/status">https://www.dffe.gov.za/projectsprogrammes/msp/status</a>).</p> <p>Any applications currently underway need to be evaluated against legislation/plans/guidelines that are in effect at the time the application is made.</p>
7.8	Requirement to undertake a Strategic Environmental Assessment	3. Urgent need for an integrated, holistic Strategic Environmental Assessment (SEA) Noting the extensive mining activity in this region of the Northern Cape already, and the flurry of applications underway or in the pipeline, we request that the consultants, in accordance with the ethical principles guiding their profession, support our request that before any further mining applications are considered for this area, a Strategic Environmental Assessment (SEA) is conducted for this Namaqualand marine and coastal environment. This area has been targeted for extensive oil and gas exploration in addition to the Sunbird Energy license, TOSACO application (underway) in addition to the many	See response provided in Section 4.2 above.

NO.	ISSUE	COMMENT	RESPONSE
		<p>other applications in the offshore concessions, such as the parallel De Beers 6C application. Prior to any further activity a holistic, integrated assessment of the ocean and coastal ecosystem and associated environmental, social, cultural and economic interests should be done in order to fulfil the principles of the Marine Spatial Planning Act (2018), the MLRA and the Oceans Policy (2011).</p>	
7.9	<p>Placement of application on hold</p>	<p>In the light of these two critical gaps in the environmental planning process underway, reflected in the current BAR, we believe that this application should be put on hold pending a proper SEA and a full and effective participation process.</p>	<p>See response provided in Section 4.2 above.</p>
8	LEONARD PETERSON		
8.1	<p>No notification provided to stakeholders in Hondeklipbaai</p>	<p>I am the ward councillor for Hondeklipbaai. I was not notified about this application which will affect my constituency. The Hondeklipbaai community would like to note its concern that they were not listed as a 'Selected client' in your list of Interested and Affected Parties for the above-mentioned application for a prospecting right. They were not informed about this application and have not had a chance to access all the documents. A few of us found out about this by word of mouth but we note these documents are not available in our area nor are they in the predominant language used in the area and the majority of our community do not know about this. We would therefore request an extension of the period for public participation as we cannot respond as a community by 5 July 2021.</p>	<p>As part of the current public participation process, a public meeting is planned in Hondeklipbaai to share information about the proposed project and Basic Assessment process, as well as to provide I&amp;APs an opportunity to ask questions, raise issues of concern and contribute comments about the proposed project.</p>
8.2	<p>Extension to public participation process</p>	<p>Given that there is a COVID Level Four Lockdown we request an extension of this public participation process until this lockdown is over and we can meet and the SLR can ensure that they have provided adequate opportunity for us to participate fully in this process.</p>	
8.3	<p>Requirement to undertake a Strategic Environmental Assessment</p>	<p>In addition to the 6C application, there are other mining applications underway in various concessions on the beaches, in the surf zone and offshore including that of TOSACO (2021) in addition to pre-existing oil and gas authorisations held by Sunbird Energy. Given that this entire stretch of the Namaqualand coast was identified as a Mariculture and Fishing Zone in the Northern Cape Spatial Planning Process (2014) we request that a Strategic Environmental Assessment (SEA) be undertaken for this area so that the cumulative impact of all of these mining applications can first be assessed and an appropriate, holistic marine spatial plan for the area be devised to ensure the economic,</p>	<p>See response provided in Section 4.2 above.</p>

NO.	ISSUE	COMMENT	RESPONSE
		social and environmental impacts and development priorities are confirmed before any further individual projects can be authorised.	
8.4	Impacts on fish recruitment and spawning	The application for a prospecting right in sea areas 4C and 5C lies in the waters to the north of Hondeklipbaai. These waters and this marine and coastal ecosystem is critical for the survival of the marine life we depend on for our food security and our livelihoods. This area is adjacent to Sea Area 6C where De Beers currently also has an application pending. As shown in the map of fish recruiting grounds and spawning areas presented in the Specialist Assessment done by CapMarine for both this application and for the 2018 Area 6C application, the health of this area is critical for the sustainability of fisheries along the West Coast. We trust that these issues will be noted and our request accommodated.	Section 4.2 of the specialist Fisheries Impact Assessment report (see Appendix D2 of the BAR) considers the potential impact of sediment plumes on fish spawning and recruitment. The report states that typically fisheries stock recruitment is highly variable and shows a strong spatial and temporal signal and that spawning and recruitment of small pelagic species as well as of many demersal species occurs primarily well to the south of Sea Areas 4C and 5C. The overall impact on fish stock recruitment was deemed to be of VERY LOW to INSIGNIFICANT significance due to the localised nature of the proposed sampling in relation to the overall extent of fish nursery areas.
9	HONDEKLIPBAAI WOMEN'S GROUP		
9.1	Dependence on coastal ecosystem for food security	The application for a prospecting right in sea areas 4C and 5C lies in the waters to the north of Hondeklipbaai. These waters and this marine and coastal ecosystem is critical for the survival of the marine life we depend on for our food security and our livelihoods. This area is adjacent to Sea Area 6C where De Beers currently also has an application pending. As shown in the map of fish recruiting grounds and spawning areas presented in the Specialist Assessment done by CapMarine for both this application and for the 2018 Area 6C application, the health of this area is critical for the sustainability of fisheries along the West Coast.	See response provided in Section 8.4 above.
9.2	No notification provided to stakeholders in Hondeklipbaai	The Hondeklipbaai community would like to note our concern that we are not listed as a 'Selected client' in your list of Interested and Affected Parties for the above-mentioned application for a prospecting right. We were not informed about this application and have not had a chance to access all the documents. A few of us found out about this by word of mouth but we note these documents are not available in our area nor are they in the predominant language used in the area and the majority of our community do not know about this. Our ward councillor was not informed either. We would therefore request an extension of the period for public participation as we cannot respond as a community by 5 July 2021.	See response provided in Section 7.4.



NO.	ISSUE	COMMENT	RESPONSE
		Given that there is a COVID Level Four Lockdown we request an extension of this public participation process until this lockdown is over and we can meet and the SLR can ensure that they have provided adequate opportunity for us to participate fully in this process.	
9.3	Requirement to undertake a Strategic Environmental Assessment	In addition to the 6 C application, there are other mining applications underway in various concessions on the beaches, in the surf zone and offshore including that of TOSACO (2021) in addition to pre-existing oil and gas authorisations held by Sunbird Energy. Given that this entire stretch of the Namaqualand coast was identified as a Mariculture and Fishing Zone in the Northern Cape Spatial Planning Process (2014) we request that a Strategic Environmental Assessment (SEA) be undertaken for this area so that the cumulative impact of all of these mining applications can first be assessed and an appropriate, holistic marine spatial plan for the area be devised to ensure the economic, social and environmental impacts and development priorities are confirmed before any further individual projects can be authorised.	See response provided in Section 4.2 above.
10	RIO BUTTON		
10.1	Provision of shapefiles	Please could you send me the shapefiles for the 4C and 5C from the "Basic Assessment for a Prospecting Right Application for South African Sea Areas 4C and 5C, West Coast, South Africa."	As this request was received after the completion of the 30-day public review and comment period, and the application process was subsequently suspended, the application shapefiles were not provided. Rio Button to contact SLR if shapefiles are still required.
11	DEPARTMENT OF FORESTRY, FISHERIES AND ENVIRONMENT (DFFE) – BRANCH: OCEAN AND COASTS		
11.1	Mandate of Branch Oceans and Coasts	<p>The Branch O&amp;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 the protection of the ecological integrity, natural character, and the economic, social, and aesthetic value of the coastal zone, and that people, properties, and economic activities are protected from coastal risks arising from dynamic coastal processes. Guided by the principles of integrated coastal management, this Branch continues to strive for social equity and promote sustainable use of coastal resources.</p> <p>In line with the principles of international best practice, this Branch underscores the need for coastal environments to be developed in a manner that allows for equal access and enjoyment. Integrated coastal management strives to ensure sustainable development</p>	The stated mandate of the Branch is acknowledged and recorded here for consideration by the Competent Authority in decision-making.

NO.	ISSUE	COMMENT	RESPONSE
		and that development within the coastal zone is socially responsible, economically justifiable, and ecologically sustainable.	
11.2	Branch Oceans and Coasts support of the proposed prospection operations	The report specifies that, given the location of the Sea Areas and nature of the proposed activities, no effect on coastal activities is anticipated as a result of the prospecting operations. It is based on this understanding and comprehensive assessment of the merits of this proposal, that this Branch concludes that it is in support of the proposal for prospecting activities in offshore sea areas 4C and 5C, West Coast, South Africa.	The support of the Branch Oceans and Coasts to the proposed prospecting activities is acknowledged and recorded here for consideration by the Competent Authority in decision-making.
11.3	Alignment of Sea Area boundaries with the Namaqua Fossil Forest MPA	<p>The comments and recommendations as provided below draw from the ICM Act, scientific research, and expert knowledge on the marine and coastal environment to outline the motivating factors influencing this decision for the attention of the Environmental Assessment Practitioner and the competent authority:</p> <ul style="list-style-type: none"> <li>It is recommended that the 4cc and 5C concession areas are set back to align with the landward boundary of the Namaqua Fossil Forest MPA). This would ensure that any adverse impacts from prospecting would be set away from the MPA (as a buffering and precautionary aspect) and that no prospecting occurs in nearshore coastal waters.</li> </ul>	<p>The Namaqua Fossil Forest feature is a small unique seabed outcrop of fossilized yellowwood at 136 - 140 m depth, approximately 30 km offshore on the West Coast of South Africa. This small unique feature was observed within a 2 km<sup>2</sup> area and received full protection through the declaration in May 2019 of the much larger (~516 km<sup>2</sup>) encompassing Namaqua Fossil Forest MPA.</p> <p>The request to align the Sea Area boundaries with the Namaqua Fossil Forest MPA is not clearly understood and will be clarified with the DFFE: Oceans and Coasts.</p>
11.4	Impact on seal colony	<ul style="list-style-type: none"> <li>It is further recommended that the EAP provides further information on the long-term unintended cumulative impacts of this proposal on the seal colony in Kleinsee.</li> </ul>	See response provided in Section 4.2.
11.5	Location of proposed activities in relation to the coast	<ul style="list-style-type: none"> <li>Future planned socio-economic growth of the Northern Cape coastal area and the ongoing efforts for the facilitation of public access along the Northern Cape coast are key factors that would require prospecting activities to be set as far away from the coast as practicable to ensure that future activities that would have a conflict with prospecting activities can be catered and planned for.</li> </ul>	As noted in Section 1.2, the inshore boundary of Sea Areas 4C and 5C is situated approximately 2.5 - 5 km seaward of the coast. The nature of the proposed prospecting operations are such that they would only take place over short periods of time during the overall duration of the prospecting right itself (which is valid for a 5-year period). Thus, no impacts with respect to public access to the near-shore or land-based coastal activities are expected.
11.6	Impacts on coastline	<ul style="list-style-type: none"> <li>An assessment regarding the impacts of prospecting activities on the nearshore area (i.e., the area from the landward boundary of the Namaqua Fossil Forest MPA), specifically regarding:</li> </ul>	The proposed activities would be undertaken offshore using vessels, thus no onshore activities would take place. Furthermore, as noted above, the inshore boundary of the Sea

NO.	ISSUE	COMMENT	RESPONSE
		<ul style="list-style-type: none"> <li>○ Public access to the adjacent coastal area.</li> <li>○ The planned and future use of the adjacent coastal area and whether this is in alignment and/or will augment/support the planned socio-economic development for the Northern Cape coastline.</li> </ul>	Areas is located 2.5 – 5 km from the coast and the proposed prospecting activities would be located further offshore (the water depths targeted for sampling ranging between 70 m to 160 m). Thus, there is no anticipated impacts on public activities within the adjacent coastal area.
11.7	Impacts on fisheries	The report specifies that Sea Areas 4C and 5C lie within the southern zone of the Benguela Current region. Nutrient-rich upwelled water enhances primary production, and the West Coast region consequently supports substantial pelagic fisheries. It further specifies that the proposed prospecting operations would potentially impact the demersal longline, pole-and-line, traditional line fish, and small-scale fishery sectors, as well as fishery research surveys through the implementation of the required safety exclusion zones around the survey/sampling vessel. Many communities depend on fisheries as a means of maintaining sustainable livelihoods. Activities should avoid areas that support pelagic fisheries.	The potential impact on fisheries is assessed in Section 5.3.1 of the BAR. Of the fishing sectors that operate off the West Coast, the sectors that could potentially be affected include the pelagic long-line, demersal longline, tuna pole, traditional line-fish fisheries, small-scale fishers, as well as fishery research. However, given that the possible impacts on these fisheries would be limited to a small area within Sea Areas 4C and 5C and are deemed to be improbable (with the implementation of mitigation) as the fishing vessels would be able to operate elsewhere outside of the exclusion zone within the entire extent of Sea Area 4C and 5C, the prospecting operations are not anticipated to have any impact on the above-mentioned fisheries.
11.8	Disposal of unwanted material	The report specifies that as part of the sampling operations, it is expected that the seabed sediments will be pumped to the surface and discharged onto sorting screens on the sampling vessel for screening. The unwanted material will be returned overboard from where the heavy portion settles on the seafloor in and around the excavated areas. It is not specified how the unwanted material will be disposed of.	As indicated in your comment, the unwanted material (which does not contain resources for further processing) is discharged overboard from where the heavy portion settles on the seafloor in and around the excavated areas. The remaining sediment forms a sediment plume in the water column which dissipates with time (see Section 5.2.5 of the BAR).
11.9	Applicability of Coastal Discharge permit	Please contact the Department of Forestry, Fisheries & Environment (DFFE) OC: Pollution Management to confirm the need for a Coastal Water Discharge Permit (Dr. Y Peterson Ypeterson@environment.gov.za/ Mpho Ligudu Mligudu@environment.gov.za.	It is noted that the proposed operations would be conducted by vessels, thus the relevant MARPOL 73/78 standards would apply and a Coastal Water Discharge Permit would not be required.
11.10	Applicability of Construction Off-Road Vehicle permit	A Construction Off-Road Vehicle permit (ORV) will be required to authorize the transportation of materials in and out of the coastal zone during construction. The ORV Off-Road Vehicle Regulations regulates driving within the coastal zone and ensures that development is undertaken in an environmentally friendly and sustainable manner. Upon receipt of Environmental Authorization, the applicant will be required to apply for a	As the proposed activities would be undertaken offshore using vessels, no onshore activities would take place and a Construction ORV permit is not required.

NO.	ISSUE	COMMENT	RESPONSE
		Construction Off-Road Vehicle Permit. The applicant must consult this department's DFFE: Branch O&C contact details to obtain an ORV permit ORVPermitting@environment.gov.za	
11.12	Avoid sensitive features	Recommendations and conditions for the attention of the EAP and CA to be included in the Final EMP: <ul style="list-style-type: none"> <li>When planning on areas to place infrastructure and activities to take place, the designs should avoid areas that have been identified as sensitive and offer important functions, such as habitat, breeding areas, areas where natural resources that are considered of important status occur, and migration route.</li> </ul>	Section 4 of the Basic Assessment Report provides an overview of the baseline environment which includes identified protected and/or sensitive areas (Section 4.2), breeding areas and migration routes (where applicable) for species offshore of the West Coast (Section 4.1). Various mitigation measures have been proposed to avoid or limit potential impacts associated with the proposed project (see Section 6.2).
11.13	Mitigation for land-based activities	<ul style="list-style-type: none"> <li>Vehicles and machinery have the potential of releasing fuel and oil emissions while in operation. It is our view that the concentrations will be low if vehicles and machinery that will be used are maintained well and inspected regularly by the building contractor. Therefore, no vehicles and machinery must be scheduled to be refuelled within the coastal zone.</li> <li>Due to the demand for public safety, failure by the responsible contractor to reinstate the site location where the maintenance works will be taking place that falls within the coastal area, we recommend that the competent authority gives power to the Local Municipality to issue a notice instructing the applicant to undertake the works within a specific period. The Local Municipality should also be empowered to reserve the right to proceed with maintenance works and recover the costs from the applicant should the applicant fail to comply and recommend for this condition to form part of the EA conditions to be adhered to and implemented.</li> </ul>	As the proposed activities would be undertaken offshore using vessels, the proposed mitigation for land-based activities do not apply.
11.14	Appointment of an ECO	<ul style="list-style-type: none"> <li>The applicant should ensure the appointment of an Environmental Control Officer (ECO) that will be responsible for ensuring the identified mitigation measures and recommendations are implemented and adhered to. Further to this, the ECO will also be responsible for undertaking site inspections, ensuring compliance with the EA conditions, and ensure that the marine ecosystem is protected and conserved throughout all phases of this proposed project.</li> <li>The ECO should ensure that employees are capacitated on the environmental considerations, aware of the procedures to be followed and that necessary materials and equipment are made available to undertake the mitigation measures.</li> </ul>	Refer to Section 3.2 of the Environmental Management Programme (EMPr) which sets out the roles and responsibilities for the various role players involved in the implementation of the EMPr. In this regard, the De Beers Marine (Pty) Ltd (DBM) Environmental Manager is responsible for ensuring adherence to the conditions of the Environmental Authorisation and prospecting right and any additional environmental licences or permits issued for the project, and the requirement of the approved EMPr.

NO.	ISSUE	COMMENT	RESPONSE
11.15	Commencement of unauthorised activities	Kindly note that the activity may not commence before an environmental authorization is granted by the CA. In terms of Section 49A of NEMA, the commencement of unauthorized activities, failure to comply with conditions in a license to operate, unlawful or intentional acts that lead to significant pollution, and failure to comply with compliance orders or directives may result in the imposition of a fine or jail sentence on conviction for an offense. Section 49B provides that persons convicted of offenses in terms of Section 49A may be liable to a fine and/or imprisonment.	The application will not commence any listed activities until the relevant authorisations have been issued.