



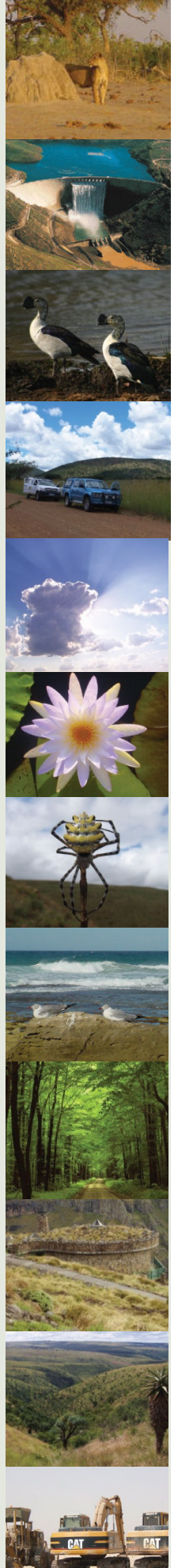
ISSUES & RESPONSES REPORT

DE WITTEKRANS NEMA, NEMWA & WUL APPLICATIONS, MPUMALANGA PROVINCE

EIMS Reference Number: 0948
MDEDET Reference Number: 17/2/3 GS-126
DEA Reference Number: 12/9/11/L1053/6
DWA Reference Number: To Be Allocated

August 2013

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DOCUMENT CONTROL

Issues and Responses Report

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REVISION AND AMENDMENTS

DATE	No.	DESCRIPTION OF REVISION OR AMENDMENT
17/06/2013	0	Issues and Responses Report – Draft Scoping Report
27/08/2013	1	Issues and Responses Report – Final Scoping Report

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LIST OF ACRONYMS:

BA	Basic Assessment
DEA	Department of Environmental Affairs
MDEDET	Mpumalanga Department of Economic Development, Environment & Tourism
I&APs	Interested & Affected Parties
IRR	Issues & Responses Report
PPP	Public Participation Process
NEMA	National Environmental Management Act
NEM: WA	National Environmental Management: Waste Act
IWULA	Integrated Water Use Licence Application
PM	Public Meeting
EAP	Environmental Assessment Practitioner

This document outlines the public participation process followed for the De Wittekrans NEMA, NEM:WA and WUL applications in Mpumalanga Province. Geo Soil and Water CC (GSW) were appointed by Mashala Hendrina Coal (the Applicant) as an independent environmental assessment practitioner (EAP), to co-ordinate, manage and compile the relevant environmental impact and management reports. GSW appointed Environmental Impact Management Services (Pty) Ltd. (EIMS) to facilitate the relevant public participation process related to the proposed project.

1 INTRODUCTION

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

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

This provision, along with several others gave rise to many new trends in South African legislation. In environmental legislation, the idea of public participation (or stakeholder engagement) features strongly and especially the National Environmental Management Act (Act 107 of 1998, NEMA) and the recent regulations passed under the auspices of this Act makes very strict provisions for public participation in environmental decision-making.

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

This Issues and Response Report (IRR) lists all verbal and written issues raised by interested and affected parties (I&APs) and stakeholders throughout the duration of the project (NEMA, NEM:WA, and Integrated WUL Applications). A breakdown of the public participation process is given within the following sections.

2 PUBLIC PARTICIPATION DURING THE NEMA, NEM:WA & IWULA PROCESSES

The public participation process follows the requirements of Regulation 54 (c) of GNR promulgated under the National Environmental Management Act (Act 107 of 1998) (NEMA).

2.1 Notices and Advertisements

Notification throughout this Environmental Impact Assessment (EIA) public participation process (PPP) will be in the following manner:

- ✎ Advertisements (in English) were placed in two of the most widely read newspapers in and around the vicinity of the proposed tower sites near the town of Hendrina (refer to

APPENDIX A). These newspapers were the Middelburg Observer and the Highveld Tribune;

- 20 A2 Correx notices (10 in English and 10 in Afrikaans) were placed within and around the proposed study area (refer to APPENDIX B for proof of site notice placement);
- Some A3 posters (in English and Afrikaans) were placed at local public gathering places within the town of Hendrina such as the Pick n Pay, Shoprite and the Municipal Building (refer to APPENDIX B for proof of poster placement);
- Notification letters, faxes, and/or emails were sent out to all affected landowners, pre-identified key Interested & Affected Parties (I&APs) such as government organisations, NGOs, ward councillors and other organisations that might be affected (refer to APPENDIX C for proof of key I&AP notification and APPENDIX D for proof of landowner notification).

The notices and written notification gave I&APs the opportunity to submit their issues/queries/concerns to the environmental consultants, Environmental Impact Management Services (Pty) Ltd (EIMS), of which the contact person, contact number, email and faxes were clearly stated on the notice. Comments/concerns and queries were encouraged to be submitted in either of the following manners:

- Electronically (fax, email)
- Telephonically, or
- Written letters.

All comments received by EIMS to date are included in this report which is part of the Final Scoping Report submitted to the competent authority. Table 1 summarises the public participation process.

Table 1: Opportunities provided for Public Participation

PUBLIC PARTICIPATION PHASE			
ACTION	DESCRIPTION	PUBLICATION/PLACE	
Announcement of Project	Placement of project announcement newspaper advertisements	Highveld Tribune Middelburg Observer	February 2013 08 February 2013
	Placement of project announcement site notices	20 A2 site notices (English, & Afrikaans) were placed at key locations within and around the proposed study area	06 February 2013
	Placement of project announcement poster notices	A3 posters (English & Afrikaans) were placed at key public locations within and around the town of	06 February 2013

		Hendrina in whose vicinity the proposed study area is located	
	Project announcement notification of key I&APs and landowners	Key I&APs and Landowners were notified via registered post, fax and/or email	04 February 2013 – Ongoing
Draft Scoping Report public review announcement	Placement of Draft Scoping Report at public venues for review	Report Placement: Hendrina Public Library; Geo Soil and Water offices & website; and EIMS Offices & website	20 June 2013
	Draft Scoping Report availability notification to all registered I&APs (key stakeholders & landowners)	Notifications via registered post, fax and/or email	20 – 21 June 2013
Final Scoping Report public review announcement	Final Scoping Report availability notification to all registered I&APs (key stakeholders & landowners)	Notifications via registered post, fax and/or email	28 August 2013

2.2 Identification of Interested and Affected Parties

In terms of the 2010 EIA Regulations under the NEMA, stakeholders are required to formally register as I&APs for the EIA process.

The I&AP database for the current NEMA, NEMWA and IWUL applications project includes both pre-identified and registered key stakeholders and landowners. The basis of the current I&AP database was the database of the previously conducted Mining Right Application for the De Wittekrans Coal Mine following the Minerals and Petroleum Resources Development Act (MPRDA). The majority of the key stakeholders were pre-identified but a few registered as a result of the notification documents (site notices, advertisements, notices in public places, and notification letters/faxes/emails that were distributed within organisations and/or departments (refer to APPENDIX E for the key stakeholder database).

The proposed study area includes approximately six properties. All landowners were sent notification and invitations to participate and comment via registered post, fax and/or email. A few surrounding landowners requested to be registered as a result of the notification documents and the site notices placed at various points within the study area (refer to APPENDIX D for proof of all landowner initial & draft scoping notifications and APPENDIX F for the landowner database).

In line with the 2010 EIA Regulations, future consultation will take place mainly with registered I&APs. The various authorities, directly affected I&APs and key I&APs are registered stakeholders by default.

2.3 Public Meetings

In accordance with Regulation 56 of the EIA regulations, all reports submitted to the authorities for decision making must be made available for public comment. The Draft Scoping and EIA Reports will be made available to the public and notification regarding where it will be available from and for how long will be sent to all registered I&APs. A public meeting will be conducted during the Draft EIA Report (EIAR) public comment period, and will be aimed at presenting the findings of the EIAR in order to provide the I&APs an opportunity to raise their concerns, queries, and comments. Comments obtained during the Draft Scoping and EIA Reports consultations will be included in the Issues and Responses Report, which will be continuously updated from the Scoping phase through to the EIA phase, and submitted together with the Final EIAR to the relevant competent authorities. The public comment period regarding the Draft Scoping and EIA Reports is 45-days in accordance with the relevant authority requirements and/or guidelines.

3 ISSUES RAISED

The issues and comments raised during the public consultation process are summarised in the table below. Please refer to APPENDIX G for a copy of all correspondence.

NAME	DATE	METHOD	Comment	RESPONSE
PARTICIPATION/ REGISTRATION				
Mr. W.D. Fouche (via Ms. Queen Mbuli) – Steve Tshwete Local Municipality Manager	13 Feb 2013	Letter via email	Your submission on 08 February 2013 regarding the above-mentioned matter is hereby acknowledged. The executive director responsible to deal with this matter is as follows: Executive Director – Infrastructure Services (013 249 7208), letter number 78840.	The contact details provided by the Steve Tshwete local municipal manager were noted and updated in the key stakeholders Interested and Affected Party database.
Ms. Elize Etsebeth – Hyundai Middleburg	08 Feb 2013	Email	We are a commercial dealer for HD 72/65 H100 and panel vans plus our Multicab. Please if you need any trucks or bakkies phone us.	This information was noted.
Mr. Mannie Prinsloo	11 Feb 2013	Email	Please may I register as an Interested and Affected Party (I&AP) for the above-mentioned project (contact details included).	EIMS thanked Mr. Prinsloo for his response to the initial notification, and notified him that he has been registered as an Interested and Affected Party on the project's database as per his request.
Mr. Bart van de Steen	11 Feb 2013	Email & telephone	I would like to register as an Interested and Affected Party for Mashala Hendrina Coal's De Wittekrans Coal Mine Project (contact details included). Mr. Van De Steen also called and had the following comments: <ul style="list-style-type: none"> ☞ He has a number of concerns with regards to the EIA report for the Mining Right application – particularly with regards to the proposed transportation of coal to Davel, whereby he does not think the road can withstand the increase in traffic; and since there is a school near the said road, he is concerned about the safety of the 	EIMS thanked Mr. van de Steen for his response to the initial notification, and notified him that he has been registered as an Interested and Affected Party on the project's database as per his request. EIMS informed Mr. Van De Steen that the current process (as per distributed notifications), is for the NEMA, NEMWA & IWUL applications and is not part of the completed Mining Right applications to which the mentioned EIA report refers. However, with respects to the comments received, as part of the NEMA, NEMWA and IWUL application, numerous [potential impacts will be identified and assessed during the Scoping and EIA phases of the project.

			<p>school children;</p> <ul style="list-style-type: none"> ✓ Suggested adding SANBI Middelburg/Mpumalanga to I&AP database as well as uMnotho Wesizwe (who have rights in the vicinity of the project area); ✓ Queried the status of existing Mashala Hendrina Coal De Wittekrans and Knapdaar projects; ✓ Mentioned that to his knowledge, another entity called uMnotho Wesizwe has either prospecting or mining rights in the vicinity of De Wittekrans study area and wanted to know if they were part of the current project's process. ✓ He stated that many people within study area are interested in the prospect of jobs that may arise from the proposed mine. He asked that it be included in the project's conditions to hiring that not only 	<p>The reports presenting the findings of both phases will be made available to the public including all registered I&APs for their review and comment. Should Mr. Van De Steen's comments not be addressed in these reports or should he had further comments or concerns, he may submit these during the commenting periods of each phase, which will be announce to the public and all registered I&APs in due course. All comments from I&APs will be included in this issues and responses report to be submitted with both the Draft Scoping and EIA reports to the competent authority.</p> <p>This was noted and SANBI branches (Pretoria and Nelspruit) were contacted to get their details which were then added to the key stakeholder's database. EIMS further sent the initial notification documents to the contacts at SANBI Pretoria and Nelspruit.</p> <p>EIMS let Mr. van De Steen know that the De Wittekrans Mining Right application process is separate from this current process, and the EIA Report was submitted in 2010. EIMS would find out about the status of the Knapdaar project. EIMS has since established that the latter project is still currently in the prospecting phase.</p> <p>EIMS has since added uMnotho Wesizwe to the key stakeholder database and sent them the initial notification documentation.</p> <p>EIMS let Mr. Van De Steen that his comment will be recorded, as it is in this Issues and Responses report, which will be submitted along with the Scoping and EIA reports to the competent authorities. As mentioned previously, Mr. Van De Steen's comments may be addressed in the Scoping and/or EIA reports</p>
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			<p>should preference for jobs be given to local people but mostly to those from neighboring farms as they are the people that will be the most exposed to the negative impacts (e.g. dust, noise) that might arise from the proposed mining activities, especially since the negative impacts are likely to outweigh the positive impacts.</p> <p>Mr. van de Steen mentioned that he was very happy with the public participation followed during the mining right application process.</p>	<p>as one of the identified (in Scoping phase) and assessed (during EIA phase) impacts. Should these not be addressed, he may further submit his comments during the upcoming public comments periods.</p> <p>EIMS informed Mr. Van De Steen that all efforts will be directed at keeping all registered I&APs informed of available reports and opportunities to provide comment. All comments will be included in the documents to be submitted to the decision-making authority.</p>
Mr. Alphius Pretorius	20 Feb 2013	Telephone	Requested to be registered as an Interested and Affected Party (contact details provided).	Mr. Pretorius was added to the database, all provided contact details included.
Ms. Thoko Lukhele – Mooivlei farm land occupier	01 Mar 2013	Telephone	Ms. Lukhele called to find out what the project was about and who is applying. She further asked how one may register. Ms. Lukhele provided her preferred contact details and requested to be registered.	EIMS let Ms. Lukhele know that the project pertains to the applications for environmental Authorisation, Waste Management Licence, and Integrated Water Use Licence for the proposed De Wittekrans coal mine (which already went through a mining right application process, not part of this project). EIMS further informed Ms. Lukhele that Mashala Hendrina Coal was the applicant, and that to register one needs to provide EIMS with contact information and consent to be added to the interested and Affected Party database for future involvement. EIMS after receiving contact details from Ms. Lukhele, added these to the I&AP database and emailed her a copy of the initial notification letter.
Ms. Carolyn Ah Shene-Verdoorn – Birdlife South Africa	25 Feb 2013	Letter via email	<p>Bird Life South Africa hereby wishes to register as an Interested and Affected party for the Mashala Hendrina Coal (Pty) Ltd mining right application for the proposed De Wittekrans Coal Mine, on the western side of the N11 between Ermelo and Hendrina, Mpumalanga.</p> <p>Mining activities are often accompanied by environmental impacts that compromise both</p>	EIMS thanked Ms. Ah Shene-Verdoorn for responding to the initial notification and informed her that Birdlife South Africa has been registered as an I&AP. EIMS further let Ms. Ah Shene-Verdoorn know that once further documentation was available, Birdlife South Africa and all other registered I&APs would be timeously informed.

		<p>avifauna and biodiversity in general. Bird Life South Africa is concerned by the environmental impacts of this mining application that cannot be mitigated, including human influx, habitat destruction, erosion, air-, water- and noise-pollution.</p> <p>This proposed opencast coal mine falls within the Amersfoort-Bethal-Carolina District Important Bird Area (IBA). This IBA has been recognised by Bird Life South Africa and Bird Life International as both a national (SA 018) and global (ZA 014) IBA that is critical for the conservation of IUCN Red Data List (i.e. threatened) and grassland endemic bird species. As such, Birdlife South Africa is concerned about the possible avifaunal impacts from mining.</p> <p>Of the 213 bird species recorded in the Southern African Bird Atlas Project 2 (SABAP2) for this IBA, 14 regionally threatened species have been recorded, including the regionally critically endangered Wattled Crane <i>Bugeranuscarunculatus</i> and endangered Botha's Lark <i>Spizocorysfringillaris</i>. This IBA is thought to still hold a significant proportion of the global population of Botha's Lark, a South African endemic species. The grassland areas also support, even regionally, vulnerable bird species: Denham's Bustard <i>Neotisdenhami</i>, White-bellied Korhaan <i>Eupodotissenegalensis</i>, African Grass Owl <i>Tyto capensis</i>, Southern Bald Ibis <i>Geronticuscalvus</i>, Lesser Kestrel <i>Falco naumanni</i>, Blue Crane <i>Anthropoidesparadiseus</i> and Grey Crowned Crane, <i>Balearicaregularum</i>. Thus all three of South Africa's crane species are represented in these grasslands. Numerous wetlands, which potentially hold threatened and migratory water bird species, occur in the area.</p>	<p>EIMS contacted Ms. Ah Shene-Verdoorn telephonically to clarify that the current process being undertaken was for the applications for Environmental Authorisation and Waste Management and Water Use Licences and not the Mining Right application. EIMS was able to inform Birdlife South Africa that the final reports regarding the Mining Right application were submitted in 2010 and provided them with the department of Mineral Resources (DMR) reference number for the project as per their request. Furthermore, EIMS provided Birdlife South Africa with contact details towards getting further information regarding the mining right application previously conducted.</p>
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			<p>Water birds are at the greatest risk from the impacts of opencast coal mining. Other grassland endemic bird species (i.e. those found only in South Africa, Lesotho and Swaziland) also occur in this IBA. These include Buff-streaked Chat <i>Campicoloides bifasciata</i>, Sentinel Rock Thrush <i>Monticola explorator</i> and Southern Bald Ibis. These are also particularly sensitive to the impacts of opencast coal mining.</p> <p>For more information, a Google Earth map and link to the SABAP2 data for the Amersfoort-Bethal-Carolina District IBA, please visit http://www.birdlife.org.za/conservation/iba/iba-directory/341-amersfoortbethalcarolinab.</p> <p>In a 2012 media release, Birdlife South Africa urged government to offer equal recognition to food production, water security and the conservation of our cultural and natural heritage, especially when assessing mining applications. Birdlife South Africa is not opposed to all mining, but rather to unsustainable activities in inappropriate areas that potentially negatively impact threatened and endemic bird species and their habitats. Birdlife South Africa does not support prospecting or mining of any resource within IBAs or adjacent natural areas, and therefore strongly objects to the application for a mining right for coal in this De Wittekrans Project.</p> <p>Please notify us when the Scoping Report and Draft Environmental Impact Assessment Report are available for review and comment.</p>	
Mr. Johan Wentzel	22 Jun 2013	EIMS	I would like to access your documents (on EIMS website) I am an I&AP re the De Wittekrans coal	EIMS contacted Mr. Wentzel and assisted him on how to register on the EIMS website in order to

		website	project south of Hendrina.	access the Draft Scoping Report (and associated annexures).
		Email	I am not sure how to register. I have a stake in the mine in the sense that some coal rights originally belonged to me and I will still benefit from it in the long run, hence my interest. I also lived on that farm for a number of years and know certain risk factors that you will probably not find in literature.	EIMS thanked Mr. Wentzel for responding to the notification and noted his association with the affected farm and area. EIMS contacted Mr. Wentzel to ensure he had been able to register after clarifying the registration steps with him.
Ms. NT Mathebula – Mpumalanga Department of Agriculture, Rural Development & land Administration (DARDLA)	10 Jul 2013	Fax	Your application dated 21 June 2013 in the above-mentioned regard, has reference. Receipt of your application is hereby acknowledged and you will be informed of this Directorates comments in due course. At this stage the Department would like to register as an Interested/ Affected Party. This application's reference number is (DAARDLA 15/3/1/1/99) and you are requested to please use this reference in any future correspondence or enquiries in this regard.	EIMS called Ms. Mathebula to clarify that the application was submitted to MDEDET as the competent authority, and DARDLA was notified as a commenting authority. Ms. Mathebula noted the distinction and asked that EIMS send her the BID for the project. EIMS emailed the BID to Ms. Mathebula.
REQUEST FOR DOCUMENTATION				
Dr. Koos Pretorius	04 Feb 2013	Email	Please send me all the relevant documents.	EIMS thanked Mr. Pretorius for responding to project's initial notification, and included the following details: Please be advised that the purpose of this Public Participation Process pertains specifically to the required NEMA, NEMWA, and Water Use License environmental process only. A previous round of public participation was undertaken in support of the Mining Right (MPRDA) application process and this process serves to satisfy the requirements for public participation for the processes mentioned above. The notification sent out earlier this week serves to notify all I&APs of the initiation of the NEMA, NEMWA and WULA processes. Once further documentation (Background Information Document

				and Scoping Report etc.) is available, all registered I&APs such as yourself will be notified in a timeous manner about their availability and where to access the documentation for review as well as to provide us with valuable comment.
Mr. Tobie du Toit – Landowner Portion 1Re of De Wittekrans 218	04 Feb 2013	Email	Thank you for the notification. I presume I will remain an Interested and Affected Party and receive future updates?	EIMS thanked Mr. Du Toit for his response, and notified him that has been registered as an Interested and Affected Party on the project's database and will continue to receive notifications regarding this project.
Mr. Roelof van Vuren	06 Feb 2013	Email	Kindly furnish with the relevant and applicable information on a frequent basis.	Thank you very much for your response to our notification, you have been registered as an Interested and Affected Party on our database and will continue to receive timeous notifications/ information regarding this project.
Prof. Johan van Vuren	21 Feb 2013	Email	Thanked EIMS for the information regarding project and asked to be kept on the emailing list. He noted that he is a trustee of a family trust that owns the farm adjacent to farm Israel. He further requested to see the information on the expected impacts and the bio-physical information that will be used for the EIA.	EIMS thanked Mr. Van Vuren for responding to the initial notification and details of his association with the study area. IEMS further informed Mr. Janse van Vuren that he has been registered as an Interested and Affected party and once further documentation is available, he will be notified with details.
Dr. Koos Pretorius	22 Jun 2013	Email	Please send me an electronic copy.	EIMS prepared an electronic copy (CD) and sent it to Dr. Pretorius via speed services post.
PROCESS & PROJECT ISSUES				
Ms. Jenna Lavin - SAHRA	26 Feb 2013	Email with letter	Thank you for notification, please find letter attached regarding SAHRA's requirement that all applications be submitted digitally via SAHRIS (SAHRA will not accept requests for comment or decision on applications in any other format).	EIMS contacted Ms. Lavin to enquire regarding the digital submission of the initial notification and Ms. Lavin provided EIMS with a copy of a guide to submitting an application on the SAHRIS. EIMS has since registered and submitted the initial documentation digitally.
Ms. Anne-Marie Botha – AMP Property management and land	25 Apr 2013	Email	Ms. Botha saw the site notice next to the N11 and informed EIMS that Eskom is in the process of planning a new 132kv power line (Zamokuhle	EIMS thanked Ms. Botha for responding to the site notices placed around the study area, and notified her that she has been registered as an I&AP for the

Acquisition			<p>– Estancia) in the vicinity of the De Wittekrans study area. She requested that EIMS send her the map of the study area as per displayed on the site notice, as well as information regarding the EIA.</p> <p>Ms. Botha informed EIMS that the proposed power line has already been approved and provided a map showing its proposed route.</p>	<p>project. Furthermore, EIMS highlighted that the notification pertains to the Environmental Authorisation, Waste management and Integrated Water Use Licence applications and not the Mining Right application (which was undertaken as a separate process and final reports submitted in 2010). EIMS included a map of the study area indicating the affected farms as per the map on the site notice in response to Ms. Botha's request. In addition, EIMS sent Ms. Botha a copy of the initial notification letter sent out to pre-identified key stakeholders and landowners.</p>
Ms. Jenna Lavin - SAHRA	06 May 2013	Letter via SAHRIS	<p>Please select the link below to view the letter from SAHRA for the above application.</p> <p>On the right hand side of the page you will see a box labelled "Official Comments and Decisions", select the date 3 May 2013. This will take you to the text of the letter and to a link to the .pdf of the letter.</p> <p>Please can you confirm receipt of this letter?</p>	<p>Thank you very much for responding to the digitally submitted initial notification regarding the applications for Environmental Authorisation, Waste management Licence and Integrated Water Use Licence for the proposed De Wittekrans coal mining development. This serves to acknowledge receipt of SAHRA's comments in this regard.</p>
Ms. Jenna Lavin - SAHRA	06 May 2013	Letter via SAHRIS	<p>Thank you for your indication that development is to take place in this area. In terms of the National Heritage Resources Act, no 25 of 1999, heritage resources, including archaeological or palaeontological sites over 100 years old, graves older than 60 years and structures older than 60 years are protected. They may not be disturbed without a permit from the relevant heritage resources authority.</p> <p>In terms of Section 38(8) of the NHRA, before any development proposed in terms of the MPRDA (2002) is approved, it is incumbent on the developer (or mine) to ensure that a Heritage Impact Assessment is done that</p>	<p>EIMS acknowledged receipt of the comments from SAHRA via SAHRIS and that all comments have been noted</p> <p>EIMS further asked for clarification from SAHRA regarding the Heritage Impact Assessment Report, which has been requested for this study as per your letter with comments (dated 03/05/2013). EIMS informed SAHRA that the Mining Right Application as per the MPRDA process was completed and all relevant documents (including the Heritage Impact Assessment Report) submitted in 2010. The current application process is as per the NEMA, NEM:WA and Water Act.</p> <p>EIMS highlighted that the Heritage Impact</p>

		<p>satisfies Section 38(3) of the NHRA. Appropriate mitigation, which involves recording, sampling and dating sites that are to be destroyed, may be required depending on the nature and significance of the resources identified.</p> <p>As such, SAHRA requires that a Heritage Impact Assessment report be completed and submitted for assessment. This report should be inclusive of an assessment of impacts to archaeological resources and an assessment of impacts to palaeontological resources by suitably qualified practitioners. This assessment of heritage resources must satisfy Section 38(3) of the NHRA.</p> <p>The requested Archaeological Report must identify the archaeological sites and assess their significance and make recommendations (as indicated in section 38(3) of the NHRA) about what mitigation may be required.</p> <p>A palaeontological study must be undertaken to assess whether or not the development will impact upon significant palaeontological resources. Alternatively, a letter of exemption from a Palaeontologist is required to indicate that this is unnecessary. If the area is deemed sensitive or if significant heritage is identified, a full Palaeontological Report may be required.</p> <p>The impacts of the proposed development on any other heritage resources such as built</p>	<p>Assessment Report conducted and submitted during the Mining Right Application (MPRDA) process is available, and asked SAHRA if the said report should be re-submitted online via SAHRIS.</p> <p>EIMS subsequently submitted the Heritage Assessment Report via SAHRIS after clarification and instruction on registration by the SAHRA official Ms. Jenna Levin.</p>
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			<p>structures over 60 years old, sites of cultural significance associated with oral histories, burial grounds and graves, graves of victims of conflict, and significant cultural landscapes or viewsapes must also be assessed.</p> <p>SAHRA looks forward to receiving this heritage report and will provide comment before the project can commence.</p>	
Ms. Jenna Lavin - SAHRA	10 June 1013	Letter via SAHRIS	<p>In our letter dated 03 may 2013, SAHRA requested that a full HIA be completed investigating the development on all heritage resources. The above report was submitted in response to this letter. Although an assessment of palaeontological resources was requested with the letter from SAHRA dated 03 May 2013, no such assessment has yet been submitted to SAHRA.</p> <p>Despite the great level of detail in the submitted HIA, SAHRA is unable to issue a Final Comment for this application as no assessment of the impact to palaeontological resources has yet been submitted. As such SAHRA has a number of requests (see Correspondence with I&APs for full details) as follows: palaeontological study; further investigation of structure identified as</p>	<p>EIMS thanked SAHRA for their response to the submitted HIA Report and let the project case officer, Ms. Jenna Lavin, know that their comments have been forwarded to the project manager including their request for a palaeontological assessment.</p>

			<p>Site 13 in the HIA report; recommended exhumation & relocation of graves at Sites 14 & 19 is endorsed; recommendations included in the Noise & Vibrations specialists study as well as the Air Quality & Dust specialist study with regards to impact on rock art at Site 9 are endorsed; a detailed Conservation Management Plan must be established for Site 9; and a Conservation Management Plan must be established for the remaining heritage sites (Sites 1 to 8, 10 to 12, 15 to 18, and 20 to 36). SAHRA will await the submission of the above information before issuing a Final Comment for this project. Should it not be possible to adhere to the above conditions, the applicant must consult with SAHRA regarding the reasons for non-compliance.</p>	
Ms. Jenna Lavin - SAHRA	21 June 1013	Email	<p>Please can you load the De Wittekrans case on SAHRIS so that I may assess it as is required in terms of Section 38 (8).</p>	<p>EIMS loaded the Draft Scoping Report and all annexures on SAHRIS.</p>
Dr. Koos Pretorius	20 Jul 2013	Email	<p>Please advise as to the status of the Mining Rights application.</p>	<p>EIMS informed Mr. Pretorius that since the submission of the final reports for the Mining Right Application, the project team has been awaiting a decision from the Department of Mineral Resources. Once the decision has been communicated to the</p>

				project team, the registered Interested and Affected parties will be notified.
Ms. Celia Adams – Steve Tshwete Local Municipality	27 Jun 2013	Email with letter	Your submission received on 25 June 2013 regarding the above-mentioned matter is hereby acknowledged. The Executive Director responsible to deal with this matter is as follows: Executive Director – infrastructure Services.	EIMS noted this and confirmed that the Executive Director contact details were included in the I&AP database.
Dr. Koos Pretorius	05 Aug 2013	Email	<p>I see that my comments during the MPRDA phase were summarised. Please note that a sustainable plan for the post closure phase of the mine must be done now. Attached is a summary of the legal framework for this. This was not done during the MPRDA phase and should the mining right be granted, it will be appealed on, inter alia this.</p> <p>There must also be a reasoned argument of why this area must be mined when considering the sensitivity of the ecology and the high potential soils and the impacts on them and the lack of a financially viable closure plan that is fully quantified at this stage. The map in the scoping report (3.2) does not show how the new mine plan will avert these. I have attached three documents dealing with the above issues.</p>	EIMS thanked Dr. Pretorius for his continued input and involvement regarding the De Wittekrans project. Furthermore, EIMS let Dr. Pretorius know that the project team is currently preparing the final documents and his comments will be taken into consideration.

Prof. Johan van Vuren	05 Aug 2013	Email	<p>I worked through the draft scoping report and have the following remarks:</p> <ul style="list-style-type: none"> ➤ The farm Bosmanshoek 235 is not included in table 1.3 but is included in the mining area as shown in fig 1.3. Bosmanshoek is the southern tip of the mining area on the fig. Could you please provide clarity on whether it is included or not? ➤ Bosmanshoek is indicated as grassland habitat (Fig 4.12) but there is 55Ha crop farming on the farm. 	<p>EIMS thanked Prof. Van Vuren for his input and continued involvement. With regards to hid query regarding farm Bosmanshoek, EIMS informed Prof. van Vuren that they checked the cadastral divisions within the study area and noted that the farms Israel, Groblershoek & Groblersshoop (included in the study) are positioned where the farm Bosmanshoek appears on the 1996 topographical map. Moreover, EIMS conducted a Deeds search for the farm Bosmanshoek and the results were such that the information regarding the Bosmanshoek farm indicated that some of the portions of the said farm no longer existed or the information was unknown.</p> <p>EIMS asked Prof. van Vuren for advice based on the map showing the topographical background (indicating where Bosmanshoek farm is) and the latest cadastral division of the farms and their names in the same vicinity (Israel 207, Globershoek 191 and Globlersshoop 192), whether there were any portions of the farm Bosmanshoek that still existed within the indicated study area.</p>

				<p>Pertaining to the comment regarding the classification of Bosmanshoek as a grassland habitat, during the Scoping phase of the project it was established that the said area was historically classified as grassland. The area will be assessed further in more detail during the EIA phase to establish its current status which as your input suggests also includes cultivated land (i.e. crop farming).</p>
Prof. Johan van Vuren	19 Aug 2013	Email	<p>Attached please find a copy of an earlier cadastral map of Bosmanshoek 235. It belongs with Geluksdraai 240 to Geluksdraai Trust (No 8385/95) since January 1996. Please note that Bosmanhoek 235 is south next to Israel outside the mining area as shown with the yellow boundary and to the west of Geluksdraai 240. It is outside the boundaries of the planned mining area as shown on the GCS map but could still be impacted by mining activities? The effect of mining close by on the ground water availability and quality is not dealt with in the report and is of great concern.</p> <p>Attached is a map prepared by Mapco, Standerton in 2003 for the farm clearly showing</p>	<p>EIMS thanked Prof. Van Vuren once again for his continued engagement with the project as well as for the information he provided regarding farm location of farm Bosmanshoek. EIMS confirmed with Prof. Van Vuren that Bosmanshoek is within the study area for this project, and that as such the landowner's database has been updated accordingly.</p> <p>Moreover, EIMS informed Prof. Van Vuren that all his comments thus far have been included in the Issues and Responses Report to be submitted along with the Final Scoping Report to the competent authority. He was also informed that more detailed impact assessment studies will be undertaken during the upcoming EIA phase, and that his concern regarding the impact of proposed mining activities on</p>

			Bosmanhoek 235 and Geluksdraai 240.	groundwater (availability and quality) has been noted to be considered during the EIA investigations. The EIA Reports will be made available for comment to all I&APs, and notification of the availability of the said reports will be distributed to I&APs.
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4 I&AP Database

A database containing all the identified I&APs including pre-identified and registered key stakeholders, and affected landowners within the study area, has been attached as Appendices 5 and 6, respectively.

5 List of Appendices

APPENDIX A: Advertisements

APPENDIX B: Site Notice Placement

APPENDIX C: Key I&AP Notifications

APPENDIX D: Landowner Notifications

APPENDIX E: Key Stakeholders Database

APPENDIX F: Landowner Database

APPENDIX G: Correspondence