APPENDIX 3 – COMMENTS AND RESPONSE REPORT

The following communication from I&APs has been received to date:

I&AP DETAILS	COMMENT	EAP RESPONSE
		for Environmental Authorisation
Mr John Geeringh Senior Consultant Environmental Management, Group Capital Division: Land Development and Management, Eskom 011 516 7233 083 632 7663 john.geeringh@eskom.co.za		neral The general requirements for works at or near Eskomnear infrastructure and servitudes are noted. Please find and attached the KMZ files of the proposed drill hole and
Ms Natasha Higgitt Heritage Officer South African Heritage Resources Agency 021 462 4502 nhiggitt@sahra.org.za	http://sahra.org.za/sahris/. We not accept emailed, pos hardcopy, faxed, website links	all I&APs to notify them of the proposed application. As soon as the Draft Basic Assessment Report (BAR) is available for public review, it will be uploaded to the SAHRIS portal as per the requirements stipulated in your email. An additional notification will be sent to all I&APs to inform them that the Draft BAR is available for public review. on ents ental eess.

I&AP DETAILS	COMMENT	EAP RESPONSE
	Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA.	
	Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the EA process are submitted as part of the application, and are submitted to SAHRA at the beginning of the Public Review periods. Once all these documents have been uploaded, I will be able to issue an informed comment as per section 38(4) and 38(8) of the NHRA.	
Keabetswe W Mothupi and Tonakgolo Setlhabi on behalf of Mr Lengane Bogatsu Chief Director: Office of the Regional Land Claims Commissioner: North West	Kindly find the attached letters. Four (4) letters were attached detailing the land claim status of the project properties.	

I&AP DETAILS	COMMENT	EAP RESPONSE
018 388 7254		
lengane.bogatsu@drdlr.gov	<u>'.za</u>	
keabetswe.mothupi@drdlr.g	gov.za	
tonakgolo.setlhabi@drdlr.go	ov.za	

Comments Received Following the Release of the Draft Basic Assessment Report for Public Review

Lenong Pule

on behalf of

Dr Tseliso Ntili

Provincial Head: Water and Sanitation: Free State

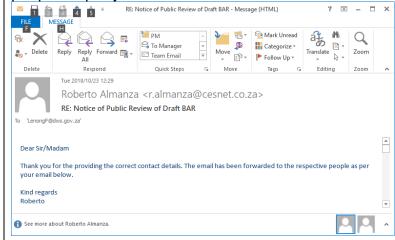
018 387 9500

LenongP@dws.gov.za

On behalf of the Provincial Head: Water and Sanitation: Free State, I would like to acknowledge receipt your below mail with kindness.

The properties as listed below do not fall within the Free State jurisdiction but rather the North West. Below, kindly find the details of the officials in North West Provincial Operations: Chadwick Lobakeng (Provincial Head) lobakengc@dws.gov.za Selby Matsheka (Strategic Support) matshekas@dws.gov.za Mampho Ramafoko (Office Manager) ramafokom@dws.gov.za Elize Ferris (Senior Secretary) ferries@dws.gov.za

Thank you for the providing the correct contact details. The email has been forwarded to the respective people as per your email below.



The notification email was subsequently forwarded to the officials as per the email addresses provided.

		Fig. Natice of Public Review of Draft BAT - Message (HTML) 7 CD - CD X Fig. Space 1 To
		Dear State-orders and Interested analysr Afficies Particus (IASPs), RECOGNIS ACCOUNTS AND ASSESSMENT ASSESSME
		Colored Basilimore COL Count Recommend Services COL Count Servic
Alan Agaienz SANRAL 012 426 6211 or 079 502 3700 agaienza@nra.co.za	Please provide me with a soft copy.	Below please find a dropbox link to the requested reports. https://www.dropbox.com/sh/bodicamprm1c6t3/AABd F5Vk9w5-OoGnBPh4Gi8-a?dl=0 If you have any problems downloading any of the documents, please let me know
		The DBAR was subsequently made available to the I&AP for download from the Dropbox link provided above.
Ms Natasha Higgitt Heritage Officer South African Heritage Resources Agency 021 462 4502	Thank you for notifying SAHRA of the proposed development. Please note that all development applications are processed via our online portal, the South African Heritage Resources Information	the SAHRIS Portal for comment from the heritage authority, you can access it via the link below:

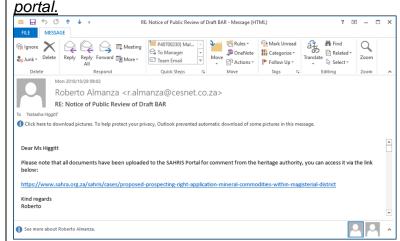
nhiggitt@sahra.org.za

System (SAHRIS) found at the following link: http://sahra.org.za/sahris/. We do not accept emailed, posted, hardcopy, faxed, website links or DropBox links as official submissions.

Please create an application on SAHRIS and upload all documents pertaining to the Environmental Authorisation Pre-Application Process. As per section 38(8) of the National Heritage Resources Act, Act 25 of 1999 (NHRA), an assessment of heritage resources must form part of the process and the assessment must comply with section 38(3) of the NHRA.

Once all documents including all appendices are uploaded to the case application, please ensure that the status of the case is changed from DRAFT to SUBMITTED. Please ensure that all documents produced as part of the EA process are submitted as part of the application, and are submitted to SAHRA at the beginning of the Public Review periods. Once all these documents have been

The DBAR was subsequently uploaded to the SAHRIS



Please see enlargement of the above image on page 269 below.

Agnes Montwedi Acting Chief Director- Office of the Regional Land Claims Commissioner, North West Department of Rural Development and Land Reform Agnes.Montwedi@drdlr.gov.za	uploaded, I will be able to issue an informed comment as per section 38(4) and 38(8) of the NHRA. Kindly find the attached. Four (4) letters were attached detailing the land claim status of the project properties. The letters are identical to those received during the initial notification process.	Your email with the attachments is noted and received.
Sebenzile Vilakazi Eskom VilakazS@eskom.co.za	Attached is a map showing all Eskom powerlines on the proposed prospecting farms including the switching station Eskom is busy constructing on the farm De Paarl 246KP.	Thank you for your email. Please could you kindly resend your email with the attachment as the map does not appear to have been sent through.
Lutho Zibi Amahlubi Chairman's Foundation izibi@amahlubichairmansfoundatio n.co.za	Notice has been given by your company to affected and interested parties on an application by K2015268783 for prospecting on farms De Paarl 246KP, Goedgedacht 255KP in the magisterial district of Bojanala. As the affected Amahlubi community we therefore show interest in the application by urging for consultation with the respective authority and custodian of the said farms. The Amahlubi Traditional Council under iNkosi M.S Zibi is the statutory	According to the Department of Rural Development and Land Reform, the proposed properties are under the mandate for the DRDLR (refer to e-mail correspondence in Appendix 2). Nevertheless, the proponent consequently met with the council and the community members on the 5 th of November 2018 (please refer to the attendance register provided in Appendix 2). Following the meeting, the proponent responded directly to the Amahlubi Chairman's Foundation with the following response: Thank you very much for meeting with me earlier today on such short notice and to allow me to make a presentation to the Council in respect of an application

body which these farms fall under their legal and social responsibility for the benefit of the community of Amahlubi for Agricultural purposes.

We therefore urge the applicant through your intervention to urgently contact the tribal offices in Khayakhulu make and appointment to brief the council and introduce the concept so as to facilitate a community engagement particularly process with the community members in Welverdiendt. If there's been any engagement prior to this email kindly note that the iNkosi and council which sits in Khayakhulu were the head office is based it was with individuals roque or an unrecognized body as per the traditional leadership governance framework act.

You may contact Ms S Semenya to arrange an appointment on 014 501 0020 or info@amahlubichairmansfoundation .co.za

In the interest of access to information so as to equitably share and make provision for preparation

for a Prospecting Right which were lodged with the Department of Mineral Resources.

We have taken note of the legal dispute between the Traditional Council and the Welverdiend Community which dispute resolves around some of the farms that form part of this Prospecting Right Application.

During the meeting you informed me that the farms De Paarl 246 KP, Goedgedacht 255 KP, Bedford 254 KP and Syferbult 257 KP falls under the jurisdiction of the Traditional Council and thus your request that any correspondence and discussions be addressed to you first.

I further wish to thank you for agreeing to the public meeting to be held at the Nonceba Community Hall on 14 November 2018, and I confirm that members of the Traditional Council shall also attend the public meeting.

I attach hereto a copy of the presentation to be made at the public meeting of which 10 copies were also handed to the members earlier today.

I also attach hereto a copy of the attendance register of the meeting held earlier today.

The list of Interested and/or Affected Parties (I&APs) who have been notified of the proposed prospecting application, as well as the associated public meeting,

behalf of iNkosi and the Amahlubi Traditional Council as per agreement with the council that details of members of the community you've been engaged with thus far was agreed you'd provide details in the following manner:

A comprehensive list of the venue and attendees. time (Attendance register)

As a cursory we also bring to your attention that the below email is acknowledged but request your indulgence on reasons for blind copying recipients as this seems to pose a risk to the process and iNkosi given that all those who are to attend the said meeting should first be vetted/cleared accordingly and by respective their invited constituency/legally recognised body so as to ensure accountability in/of a conducive environment.

for the below stated meeting. On is available in the Draft Basic Assessment Report (BAR). A hardcopy of the Draft BAR is available at the Welverdiend Community Centre and a soft copy available following via link the https://www.dropbox.com/sh/bodicamprm1c6t3/AABd F5Vk9w5-OoGnBPh4Gi8-a?dl=0.

> The attendance register and minutes from the public meeting can also be made available to the Traditional Council on request, and will also be included as an appendix to the Final BAR.

In addition to the comments above, the comments received during the public meeting were addressed by the EAP representative during the public meeting. Please refer to the minutes of the meeting provided in Appendix 2 (pages 221-223).

The following comments from the DMR, dated 5 November 2018, were received by the EAP on 6 November 2018:

I&AP DETAILS	COMMENT	EAP RESPONSE
Comments Received Following th	e Notification of Intent to Apply for	Environmental Authorisation
Mr Christopher Tshisevhe Case Officer: Department of Mineral Resources (DMR), North West Region 018 487 4300	1. We confirm having received your basic assessment report and environmental management programme report (BAR) on the 19 th of October 2018.	
chris.tshisevhe@dmr.gov.za	2. This letter serves to inform you that your BAR was reviewed by this office and found to be unacceptable since it does not contain and addressed the following: 2.1 A locality map which shows the nearest town and environmental features at a scale not smaller than 1:250 000.	Please refer to Figure 1 (page 5), Figure 2A to 2F (pages 8 to 15), Figure 16 (page 74), Appendix 4 (page 271) and Appendix 6 (page 294) in both the Draft and Final Basic Assessment Reports. The scale of the maps is either 1:150 000, 1:30 000 or 1:25 000 (all larger than the prescribed scale of 1:250 000).
	2.2 Your BAR shows that the proposed prospecting operation will be conducted using drilling and trenching methods, however, the total number of trenches and their dimensions were not specified. It was noted that the surface area which will be disturbed per each borehole and the dimensions of the sumps associated with the drilling programme were also not provided.	The Prospecting Works Programme (PWP) has been amended, on request from DMR (letter received by the applicant on the 18th of October 2018, included in Appendix 8), to exclude the proposed trenches. All reference to trenches has consequently been removed from the Final Basic Assessment Report (this report) and, should the results of the drilling programme show that trenching is required at a later stage, a Section 102 amendment of the PWP shall be submitted prior to any trenching taking place.

I&AP DETAILS	COMMENT	EA	P RESPO	NSE	
		D.,			
		Project Component	oject Footprint Summ Area (in m²)	No of Units	Total Area (in m²)
		Drill Pad Area	120	70	8400
		Drill Hole (located within the drill pad area)	0,012	70	0,84
		Sumps (located within the drill pad area)	3	70	210
		Site Camp	8 000	1	8000
		TOTAL AREA			16400
		Please refer to the s	•		•
		page 7 of the Fina			Report for
		confirmation of the to			
	2.3 Your BAR has also shown that	SAHRA was notified			•
	the South African Heritage	email notifications da			
	Resource Agency (SAHRA) has	October 2018. Con			
	been notified regarding the	Natasha Higgitt on 27	•		
	proposed prospecting operation	2018 and the Draft Ba			•
	however, there is no proof as to how	the SAHRIS portal on			
	SAHRA was consulted.	the proof of correspor	ndence with	SAHRIS (on page 237
		to 238 (Appendix 2).			
		□ □ □ □ ↑	of Public Review of Draft BAR - Mes	age (HTML)	? 函 — □ ×
		Rocks Backs Forward S To	0700230) Mal ↑ Manager ▼ Move ■ Move	es * Se Mark Unread eNote Categorize * Transi	Related Zoom
		Delete Respond C	uick Steps rs Move	Tags 5≥	Editing Zoom A
		Roberto Almanza < r.almanza			
		To "Natasha Higgitt" Click here to download pictures. To help protect your privacy, Ou	tlook prevented automatic download	d of some pictures in this message.	
		Dear Ms Higgitt			_
		Please note that all documents have been uploaded to the below:	SAHRIS Portal for comment fro	m the heritage authority, you	can access it via the link
		https://www.sahra.org.za/sahris/cases/proposed-prospe	cting-right-application-mineral-	commodities-within-magisteria	al-district
		Kind regards Roberto			
		See more about Roberto Almanza.			
		Please see enlargem	ent of the	above ima	ide on page
		269 below.	.5/10 5/ 11/0		.go on page

I&AP DETAILS	COMMENT	EAP RESPONSE
	2.4 Your BAR shows that the current land use within the proposed prospecting area is livestock farming, you are therefore required to provide specific mitigation measures related to such land use considering that part of proposed prospecting methods is trenching.	The Prospecting Works Programme (PWP) has been amended, on request from DMR (letter received by the applicant on the 18th of October 2018, included in Appendix 8), to exclude the proposed trenches. All reference to trenches has consequently been removed from the Final Basic Assessment Report (this report) and, should the results of the drilling programme show that trenching is required at a later stage, a Section 102 amendment of the PWP shall be submitted prior to any trenching taking place. Please refer to Table 1 (page 84 - 85) and Table 2 (Page 88), in both the Draft and the Final Basic Assessment Reports for specific mitigation measures related to livestock farming. These measures are included below for ease of reference: "Livestock: Landowners and/or land occupiers must be informed of the planned dates of the prospecting activities; Site activities must be restricted to daylight hours between 6 am and 6 pm and as per the agreement with the landowner/s and/or land occupiers, unless otherwise agreed upon; Drilling must not take place within 100 m of livestock pens or any wetlands and drainage lines and their regulatory buffers;
	2.5 Your public participation process was also reviewed and found to be unacceptable due to the following:	Please note that when the Draft BAR was submitted to DMR, the public participation period was still on-going. All information related to the public meeting (Appendix 2, page 210 to 223), together with the minutes and

I&AP DETAILS	COMMENT	EAP RESPONSE
I&AP DETAILS	a) Your draft BAR made a commitment to hold a meeting within the 30 days mandatory public participation period however, no minutes and attendance register was submitted to this office. b) Your newspaper advertisement and site notice did not run for the period of 30 days as prescribed by regulation 3(8) of the Environmental Impact Assessment Regulations, 2014 as amended. Kindly also note that Appendix 2 of your BAR shows that advertisement on Rustenburg Herald was done on the 10th October 2018 while the actual newspaper advertisement was published on the 12th October	attendance register, which was held on the 14 th of November 2018 at the Nonceba Community Hall, has subsequently been included in the Final BAR as indicated above. The public participation period on the Draft BAR commenced on the 19 th of October 2018 and continued until the 19 th of November 2018, as advertised in the Rustenburg Herald on 26 th of October 2018. Please note that prior to this, a pre-assessment public participation process (not a mandatory requirement in terms of the EIA Regulations), including the advertisement in the Rustenburg Herald mentioned by DMR, was also conducted from the 27 th of September to the 26 th of October, thus PPP was conducted from the 27 th of September to the 19 th of November (a period of 54 days). The site notice was placed at two (2)
	2018.	locations surrounding the site on 28 September 2018 and has yet to be removed from the site (thus has been available on site for a period of 58 days). Three hard copies of the Draft Basic Assessment Report was made available at the Welverdiend Community Centre on 19 October 2018 and has yet to be removed. The Draft Basic Assessment Report has also been made available to I&APs, on request, via a Dropbox link. Please refer to Appendix 2 for proof. The initial advertisement was published on the 12th of October
		2018 and the publication date has thus been amended in the Final Basic Assessment Report.

I&AP DETAILS	COMMENT	EAP RESPONSE
	c) Your BAR does not show as to how other organs of states such as National Department of Agriculture, Forestry and Fisheries, Department of Rural, Environmental and Agricultural Development, Department of Water and Sanitation and North West: Provincial Heritage Resources Agency/ South African Heritage Resource Agency have been consulted regarding the draft BAR.	All organs of state (including but not limited to the National Department of Agriculture, Forestry and Fisheries, Department of Rural, Environmental and Agricultural Development, Department of Water and Sanitation and North West: Provincial Heritage Resource Agency South African Heritage Resource Agency) were notified of the proposed development via email notifications dated 6 September 2018 and 19 October 2018. Please refer to Appendix 2 for proof.
	d) Your BAR has also specified that the BID was hand delivered to Mr Mandisi (Deputy Head of Community Trust) however, no proof to confirm that indeed such document was delivered to Mr Mandisi.	Acknowledgement was received from Mr Mandisi Tunzi on the 20 th of November 2018. Please refer to the proof included on page 199 of Appendix 2.

I&AP DETAILS	COMMENT	EAP RESPONSE
		I hereby wish to register as an interested and Affected Party (ISAP) for the Proposed Prospecting Right Application, Thabazimb, Horth West Province Mana & Sumanne. Email Agdress: LICLUSE disconductory Connections of the Proposed of the Province of th
	e) Appendix 2 (table of comments and responses) first and third	The Issues and Responses Table provided in Appendix 3 (above, and in this table) provides the details of the

I&AP DETAILS	COMMENT	EAP RESPONSE
	column does not show the organization/ individual who raise comments and how the EAP has respond to such comments. 2.6 Your BAR has also specified that part of the proposed prospecting area falls within Critical Biodiversity Area, you are therefore required to consult with the Department of Environmental Affairs in particular Biodiversity Section in order to obtain necessary mitigation measures.	organization/individual in the first column, their comments raised in the second column, and the EAP's response in the third column. In addition, a summary of the comments and responses is provided on pages 42 to 57 of the Final Basic Assessment Report. The Department of Environmental Affairs, including Biodiversity Section, were notified of the proposed development via email notifications dated 6 September 2018 and 19 October 2018. No comments have been received to date. The following officials were notified: Ms Rose Masela Department of Environmental Affairs (DEA) – Biodiversity rmasela@environment.gov.za Danie Smit DEA: Integrated Environmental Authorisations (Protected Areas) Dsmit@environment.gov.za Ms Toinette Van der Merwe Department of Environmental Affairs (DEA) tvandermerwe@environment.gov.za Mr Ernest Mokganedi Department of Environmental Affairs (DEA) - Protected Areas Section emokganedi@environment.gov.za
	2.7 Your Paleontological study attached to your BAR as Annexure C was also reviewed and found to be questionable considering that it was compiled based on the desktop information not fieldwork.	The desktop-based paleontological impact assessment is the standard first report to assess paleontology of an area. Dr Lloyd Rossouw, a well-experienced professional paleontologist from the National Museum in the Free State was commissioned to undertake this paleontological desktop study. His conclusions were not that a field-based paleontological impact assessment be undertaken, but that "as far as paleontological heritage is concerned, it is advised that a professional paleontologist is called in once the trenching process, if required, is completed and fresh

I&AP DETAILS	COMMENT	EAP RESPONSE
		bedrock is exposed in order to record potential stromatolitic occurrences if any trenching is going to exceed widths and depths of >1m into unweathered/fresh bedrock where the latter starts below the superficial soil overburden." Please note that subsequent to this, trenching has been removed from the prospecting works programme and the report has been amended as such.
	2.8 Item (d) (ii) of the BAR has specified that approximately 5000 litres of water will be required per day for the proposed prospecting activities. It was further stated that the required water may be abstracted form a borehole or other water sources on site. This statement is contradicting with the subsequent paragraph on (iii) which states that a water used Authorisation has not been applied for based on the limited amount of water required and the current uncertainty if water will be abstracted form a borehole and/or other water sources on site. Our	been amended as such. The applicant has since confirmed that water will be sourced from an external (off-site) water supplier and no water abstraction from boreholes and/or any other water sources will occur on site. As a result, no water use authorization will be required from DWS.
	view as the Department is that, if the applicant will or is intending to use water for proposed prospecting operation, the source of such water must be specified and a water used registration from the Department of	

I&AP DETAILS	COMMENT	EAP RESPONSE
	Water and Sanitation and or water	
	used agreement between the	
	applicant and the water supplier	
	must be submitted to this office.	
	2.9 This office has also noted that	Page numbers have been inserted in the Final Basic
	your BAR was not numbered.	Assessment Report.
	2.10 Kindly also note that your	The quantum of financial provision for the rehabilitation
	quantum of financial provision for	and/or management of negative environmental impacts
	the rehabilitation and/or	
	management of negative	information. Please refer to Appendix 7 of the Final
	environmental impacts to the	Basic Assessment Report. The updated financial
	amount of R226, 040.26 as	provision amount is R 225,056.50 (VAT inclusive),
	projected by yourselves was	which is R 983.76 less than the original amount
	evaluated however, this	presented in the Draft Basic Assessment Report.
	Department is not in a position to	
	confirm the adequacy of your	Year CPI Increase (StatsSA) General Rehabilitation Cost Maintenance Cost (DMR Guidelines) (DMR Guidelines)
	proposed amount due to the	2005 3,40% 52600,00 700,00 2006 4,70% 55072,20 732,90
	following:	2007 7,10% 58982,33 784,94
	a) The master rate which were	2008
	used to calculate the proposed	2010 4,30% 73463,32 977,65 2011 5,00% 77136,48 1026,53
	financial provision appears to be	2012 5,60% 81456,13 1084,02
	below the Consumer Price Index	2014 6,10% 91351,17 1215,70
		2015 4,60% 95553,33 1271,62 2016 6,40% 101668,74 1353,01
	(CPI) average as published by the	2017 5,30% 107057,18 1424,72
	Statistics South Africa.	
		Description Unit Rate (ZAR) Quantity MF W1 Cost (ZAR)
		rehabilitation
		maintenance & aftercare
		TOTAL: R 195,701.35 +VAT (15%): R 225,056.50

I&AP DETAILS	COMMENT	EAP RESPONSE
	b) The dimensions and total number of trenches associated with the proposed prospecting activities was not specified on the BAR.	The Prospecting Works Programme (PWP) has been amended, on request from DMR (letter received by the applicant on the 18th of October 2018, included in Appendix 8), to exclude the proposed trenches. All reference to trenches has consequently been removed from the Final Basic Assessment Report (this report) and, should the results of the drilling programme show that trenching is required at a later stage, a Section 102 amendment of the PWP shall be submitted prior to any trenching taking place. Please note that all areas to be disturbed has thus been recalculated as follows:
		Project Footprint Summary Project Component Area (in m²) No of Units Total Area (in m²)
		Drill Pad Area 120 70 8400
	c) The area which will be disturbed per each borehole and sizes of the sumps associated with the drilling programmes was also not specified.	Please refer to the summary table provided above.
	•	Noted. This report, the Final Basic Assessment Report, is hereby submitted in accordance with these specifications.

I&AP DETAILS	COMMENT	EAP RESPONSE
	BAR and EMPr requested above must be submitted to this office on or before the 05th December 2018.	
	4. It must be noted that if the EAP/applicant is unwilling or unable to comply with the prescribed timeframes and to adequately address the comments specified above, your application for Environmental Authorisation will be refused without any further communication to you.	with and the comments adequately addressed in the
	5. Further note that Department reserves the right to revise initial comments and request further information to you, based on the revised information.	Noted.
	6. Should you have any query regarding the contents of this letter kindly contact Mr. Christopher Tshisevhe on the number reflected above.	Noted.

