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CaseID: 12530

Date: Tuesday May 14, 2019  
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## Final Comment

### In terms of Section 38(8) of the National Heritage Resources Act (Act 25 of 1999)

Attention: Jagersfontein Developments (Pty) Ltd

1 President Street  
Jagersfontein  
9974

### Application for Environmental Authorisation for a prospecting right on the Remainder, Portion 1 and Portion 16 of the farm Jagersfontein 14, Fauresmith District, Free State

The application entails a prospecting right for diamonds by Jagersfontein Developments (Pty) Ltd on the Remainder, Portion 1 and Portion 16 of the Farm Jagersfontein 14 IS, Fauriesmith District, Xhariep District Municipality, Free State. Invasive activities include drilling and sampling, followed by bulk sampling.

A Scoping Report, draft EIA and EMP, and Heritage Impact Assessment (HIA) were submitted with the application: Phillip, L. 2009. Phase I Impact Assessment of the Dormant Jagersfontein Mine (Free State) in terms of Archaeological and other Heritage Sites. In an interim comment dated 28 September 2018, SAHRA rejected the HIA and required a full, valid HIA inclusive of a desktop Palaeontological Impact Assessment to be conducted by suitable professional heritage practitioners, respectively.

In a final comment from 1 November 2018, SAHRA recommended for the project to be rejected as a final EIA but no HIA and PIA had been submitted. An HIA and Letter of Recommendation from Exemption from Palaeontological Assessments were submitted subsequently.

*GAIGHER, S. 2019. PHASE 1 HERITAGE IMPACT ASSESSMENT REPORT – DESKTOP AND FIELD-BASED HERITAGE IMPACT ASSESSMENT FOR THE PROSPECTING RIGHTS APPLICATION FOR PORTION 1 AND 16 OF THE FARM JAGERSFONTEIN 14, GHARIEP DISTRICT, FREE STATE PROVINCE.*

Area A (P2): No heritage resources were encountered.

Area B (P1): Site 1: historic stone-walled enclosed area: to be preserved.

Area C (P4): No heritage resources were encountered.



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Area D (P3): Isolated non-diagnostic stone chips and possible cores. Excavations to be monitored.

*Recommendations:*

*Several other sites of significance were identified within the larger prospecting rights application area and these should be mitigated as per the recommendations included.*

*Should the client decide to alter the size or location of any of the prospecting core areas (P1 – P4) the new areas should be subjected to a field based HIA before any work can commence.*

A previous PIA of the area indicated that there is negligible possibility of finding any palaeontological deposits within the area (Rossouw, 2013).

The Letter of Recommendation from Exemption from Palaeontological Assessments was not accepted by SAHRA as it spoke to different activities as detailed in the EIA. Another Letter of Recommendation from Exemption from Palaeontological Assessments was submitted.

***ALMOND, J. 2019. DESKTOP PALAEOLOGICAL HERITAGE STUDY: APPLICATION FOR ENVIRONMENTAL AUTHORISATION FOR A PROSPECTING RIGHT ON THE REMAINING EXTENT, PORTION 1 AND PORTION 16 OF THE FARM JAGERSFONTEIN 14, FAURESMITH DISTRICT, FREE STATE.***

The four focus areas are underlain by Permian Ecca Group sediments (Tierberg and / or Waterford Formation) that have been extensively intruded by Early Jurassic Karoo dolerite sills and locally by Late Cretaceous kimberlite pipes. Due to previous disturbance by mining activities, the likely previous destruction of most fossil material by dolerite intrusions, as well as expected high levels of near-surface bedrock weathering, the palaeontological sensitivity of the Ecca Group sediments is considered to be low within the four small PRA focus areas. The Karoo dolerite and kimberlite intrusions are unfossiliferous. Breccias of downwardly-displaced Karoo mudrock within the pipes are unlikely to contain recognisable fossil remains (with the possible exception of palynomorphs and trace fossils). Quaternary or younger superficial sediments (Late Caenozoic alluvium, soils, surface gravels) overlying the older bedrocks in the region are probably of very low palaeontological sensitivity.

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A Chance Finds Procedure is appended in the PIA.



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## Final comment

The SAHRA APM Unit has reviewed the HIA and PIA and had no objection against the project subject to the conditions in the heritage reports and the following conditions that must be incorporated in the EMP for implementation:

1. The historic stone walled enclosed area in area B (P1) must be fenced off with a 30m buffer zone.
2. Excavations must be monitored for isolated non-diagnostic stone chips and possible cores within area D (P3).
3. As several other heritage sites of significance were identified by the author of the HIA within the larger prospecting rights application area, any earth works must be monitored by a professional archaeologist. The monitoring report must be submitted to SAHRA. If any heritage resources are impacted, these must be mitigated. A section 35 permit for mitigation must be obtained from SAHRA prior to mitigation thereof.
4. Should the client decide to alter the size or location of any of the prospecting core areas (P1 – P4) the new areas should be subjected to a field based HIA and desktop PIA before any work can commence.
5. The Fossil Chance Finds Procedure in the PIA must be included in the EMP.
6. Should any other objects of archaeological or palaeontological remains be found during construction activities, work must immediately stop in that area and the Environmental Control Officer (ECO) must be informed.
7. The ECO must inform the South African Heritage Resources Agency (SAHRA) and contact an archaeologist and/or palaeontologist, depending on the nature of the find, to assess the importance and rescue them if necessary (with the relevant SAHRA permit). No work may be resumed in this area without the permission from the ECO and SAHRA.
8. If the newly discovered heritage resource is considered significant a Phase 2 assessment may be required. A permit from the responsible heritage authority will be needed.

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9. A Chance Finds Procedures must be developed for the project to ensure that standard protocols and steps are followed should any heritage and/or fossil resources be uncovered during all phases of the project. These procedures should outline the steps and reporting structure to be followed in the instance that heritage resources are found. This must be included in the Environmental Awareness Plan.

10. The final EIA and appendices must be submitted to SAHRA upon submission to DEA. Should the project be granted Environmental Authorisation, SAHRA must be notified and all relevant documents submitted to the case file.

Should you have any further queries, please contact the designated official using the case number quoted above in the case header.

Yours faithfully

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Ragna Redelstorff  
Heritage Officer  
South African Heritage Resources Agency

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Phillip Hine  
Acting Manager: Archaeology, Palaeontology and Meteorites Unit  
South African Heritage Resources Agency

**ADMIN:**

Direct URL to case: <http://www.sahra.org.za/node/504850>  
(, Ref: FS30/5/1/1/2/10505PR)

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## Terms & Conditions:

1. This approval does not exonerate the applicant from obtaining local authority approval or any other necessary approval for proposed work.
2. If any heritage resources, including graves or human remains, are encountered they must be reported to SAHRA immediately.
3. SAHRA reserves the right to request additional information as required.