

Our Ref: 12615



an agency of the
Department of Arts and Culture

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Date: Thursday August 20, 2020

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Final Comment

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

Attention: Forzando Coal Mines (Pty) Ltd

Forzando Coal Mines (Pty) Ltd wishes to extend the current mining activities at Forzando South underground coal mines (under Mining Right MR380) by inclusion of contiguous areas which are held under Prospecting Rights 1035PR and 1170PR. The proposed extension does not intend to develop new surface infrastructure. There will be a need for two new ventilation shafts at the Forzando South mining area.

Forzando South Coal is proposing to establish a new underground coal mine as part of their Kalabasfontein Mine Project. The proposed new mine areas is around 15,478,296m² and underground mining will consist of bord and pillar methods 22 m below surface level. This mine is located on the farm Kalabasfontein 232 IS, in the Msukaligwa Local Municipality of the Mpumalanga Province.

Environmental Impact Management Services (EIMS) (Pty) Ltd have been appointed to undertake the Scoping and Environmental Impact Assessment (S&EIA) application process for Environmental Authorisation. The application is in terms of the National Environmental Management Act, 1998 (NEMA), and the 2014 EIA Regulations for activities that trigger the Mineral and Petroleum Resources Development Act, 2002 (MPRDA)(As amended).

In order to meet the requirements of SAHRA for commenting in terms of section 38(8) of the National Heritage Resources Act, no. 25 of 1999 (NHRA), a Heritage Impact Assessment (HIA) by PGS Heritage (Pty) Ltd and a Palaeontological Impact Assessment (PIA) by Banzai Environmental have been submitted to SAHRA for commenting.

Smeyatsky, I. November 2019. Proposed Kalabasfontein Mine Extension Project, Near Bethal, Govan Mbeki district municipality, Mpumalanga. Phase 1 – Heritage Impact Assessment.

The author undertook a field assessment of the proposed underground coal mine right area and identified 4 burial grounds (KAL002, KAL003, KAL008, KAL010), they are of High Heritage Significance and must be conserved in situ with a 50 m buffer zone to prevent any damage to the burial grounds. Six historical sites (KAL001, KAL004, KAL005, KAL006, KAL007 and KAL009) were also identified. They are mostly outhouses

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and storage units built of sandstone blocks. They are listed as having low heritage significance.

There will be minimal surface infrastructure therefore the overall impact to the identified heritage resources is low. The ECO must monitor the construction of the power line to prevent any unforeseen damage to the historical structure identified as KAL009.

Butler, E. November 2019. Palaeontological Impact Assessment of the Proposed Kalabasfontein Mining Right Application, Near Bethal, Mpumalanga.

The proposed Kalabasfontein mine extension area is underlain by Permian aged rocks of the Vryheid Formation, Ecca Group, Karoo Supergroup, which are of Very High palaeontological sensitivity. It is very possible that important fossils of the *Glossopteris* flora will be documented during excavations. Fossil plants are preserved in the shales and separations between and within some coal seams. The field survey did not identify any fossils or palaeontological sensitive rock outcrops of the Vryheid Formation. The area is overlain by Quaternary aged superficial deposits that are of low sensitivity. The overall palaeontological sensitivity is moderate, and the impact significance is moderate.

Final Comment

South African Heritage Resources Agency (SAHRA) Archaeology, Palaeontology and Meteorites (APM) Unit accepts the HIA and the PIA reports submitted to the case for commenting and has no objection to the development going ahead.

The Chance Finds Fossil Procedure as detailed in the PIA must be included in the EMPr.

If any historical buildings will be impacted by the proposed development, then comment and permits in terms of section 34 must be sought from the Mpumalanga Heritage Resources Authority (MPHRA). Please contact Benjamin Moduka at bmoduka@mpg.gov.za or call the offices at 013 766 5196.

In the event that fossils are uncovered during construction then construction must cease within the immediate vicinity, a buffer of 30 m must be established, and a palaeontologist called in to inspect the finds. The palaeontologist must obtain a section 35(4) permit in terms of NHRA and Chapter IV NHRA Regulations, before any fossils are collected.

If there are any new heritages resources are discovered during construction and operation phases of the

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proposed development, then a professional archaeologist or palaeontologist, depending on the nature of the finds, must be contracted as soon as possible to inspect the findings at the expense of the developer.

If the newly discovered heritage resources prove to be of archaeological or palaeontological significance, a Phase 2 rescue operation may be required at the expense of the developer. Mitigation will only be carried out after the archaeologist or palaeontologist obtains a permit in terms of section 35 of the NHRA (Act 25 of 1999). You may contact SAHRA APM Unit for further details: (Nokukhanya Khumalo/Phillip Hine 021 202 8654).

The SAHRA Burial Grounds and Graves (BGG) Unit accepts the recommendations for the burial grounds identified in the HIA report. As there will be no impacts to the burial grounds, no further mitigation is required. However, Heritage Management Plan for the long term conservation of the burial grounds in the Mine right area must be developed and included in the EMPr.

The SAHRA BGG advises that the 3 unfenced burial grounds are fenced however before fencing may occur, permission from the family members must be sought. This must be done by undertaking a social consultation process to identify the family members of the site. This must be done in terms of Chapter IX of the NHRA Regulations and section 36(3) of the NHRA.

If any unmarked human burials are uncovered and the archaeologist called in to inspect the finds and/or the police find them to be heritage graves, then mitigation may be necessary and the SAHRA Burial Grounds and Graves (BGG) Unit must be contacted for processes to follow (Thingahangwi Tshivase/Mimi Seetelo 072 802 1251).

The Final EIAR and its appendices must be submitted to the case and once a Record of Decision from the competent authority is issued, it must also be submitted to the case. This comment must be forwarded to the competent authority and proof of submission must be uploaded to the case.

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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Nokukhanya Khumalo
Heritage Officer
South African Heritage Resources Agency

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

ADMIN:

Direct URL to case: <http://www.sahra.org.za/node/507639>

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.