

Proposed Engen Gonubie Service Station

Buffalo City Local Municipality, Amathole District Municipality, Eastern Cape Province

Farm: Portion 66 Farm no. 809, Gonubie

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Palaeontological Impact Assessment: Phase 1: Field Study

Facilitated by: Kantey & Templar Consulting Engineers

9 Burnside Island, 410 Jan Smuts Avenue,

Craighall, 2024

Tel: 043 726 6443

2022/02/05

Ref: Pending

Regisaurus (ESI) (H. Fourie)



B. Executive summary

Outline of the development project: Kantey and Templar Consulting Engineers has facilitated the appointment of Dr H. Fourie, a palaeontologist, to undertake a Palaeontological Impact Assessment (PIA), Field Study of the Proposed Engen Gonubie Service Station in Buffalo City Local Municipality, Amathole District Municipality, Eastern Cape Province on Farm: Portion 66 Farm no. 809, Gonubie.

The applicant, Engen Petroleum (Pty) Ltd. is proposing to develop a new service station with a convenience store along the main road in Gonubie, East London. It is proposed that the Engen Service Station will comprise underground storage tanks with a combined capacity of 92 m³ for the storage of petroleum products.

The Project includes one locality Option (see Figure 2):

Option 1: A roughly square area pinned in green located in Gonubie on Main Road close to the N2 National Road intersection. The approximate size of the site is 0,67 hectares.

Legal requirements:

The **National Heritage Resources Act (Act No. 25 of 1999) (NHRA)** requires that all heritage resources, that is, all places or objects of aesthetic, architectural, historical, scientific, social, spiritual, linguistic or technological value or significance are protected. The Republic of South Africa (RSA) has a remarkably rich fossil record that stretches back in time for some 3.5 billion years and must be protected for its scientific value. Fossil heritage of national and international significance is found within all provinces of the RSA. South Africa's unique and non-renewable palaeontological heritage is protected in terms of the National Heritage Resources Act. According to this act, palaeontological resources may not be excavated, damaged, destroyed or otherwise impacted by any development without prior assessment and without a permit from the relevant heritage resources authority.

The main aim of the assessment process is to document resources in the development area and identify both the negative and positive impacts that the development brings to the receiving environment. The PIA therefore identifies palaeontological resources in the area to be developed and makes recommendations for protection or mitigation of these resources.

“palaeontological” means any fossilised remains or fossil trace of animals or plants which lived in the geological past, other than fossil fuels or fossiliferous rock intended for industrial use, and any site which contains such fossilised remains or traces.

For this study, resources such as geological maps, scientific literature, institutional fossil collections, satellite images, aerial maps and topographical maps were used. It provides an assessment of the observed or inferred palaeontological heritage within the study area, with recommendations (if any) for further specialist palaeontological input where this is considered necessary.

A Palaeontological Impact Assessment is generally warranted where rock units of **LOW** to **VERY HIGH** palaeontological sensitivity are concerned, levels of bedrock exposure within the study area are adequate; large scale projects with high potential heritage impact are planned; and where the distribution and nature of fossil remains in the proposed area is unknown. The specialist will inform whether further monitoring and mitigation are necessary.

Types and ranges of heritage resources as outlined in Section 3 of the National Heritage Resources Act (Act No.25 of 1999):

(i) (i) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens.

This report adheres to the guidelines of Section 38 (1) of the National Heritage Resources Act (Act No. 25 of 1999).

Subject to the provisions of subsections (7), (8) and (9), any person who intends to undertake a development categorised as (a) the construction of a road, wall, power line, pipeline, canal or other similar form of linear development or barrier exceeding 300 m in length; (b) the construction of a bridge or similar structure exceeding 50 m in length; (c) any development or other activity which will change the character of a site (see Section 38); (d) the re-zoning of a site exceeding 10 000 m² (1 ha) in extent; (e) or any other category of development provided for in regulations by SAHRA or a PHRA authority.

This report (1c) aims to provide comment and recommendations on the potential impacts that the proposed development could have on the fossil heritage of the area and to state if any mitigation or conservation measures are necessary.

Outline of the geology and the palaeontology:

The geology was obtained from map 1:100 000, Geology of the Republic of South Africa (Visser 1984) and 3226 King Williamstown, 1:250 000 geological map (Johnson 1976).

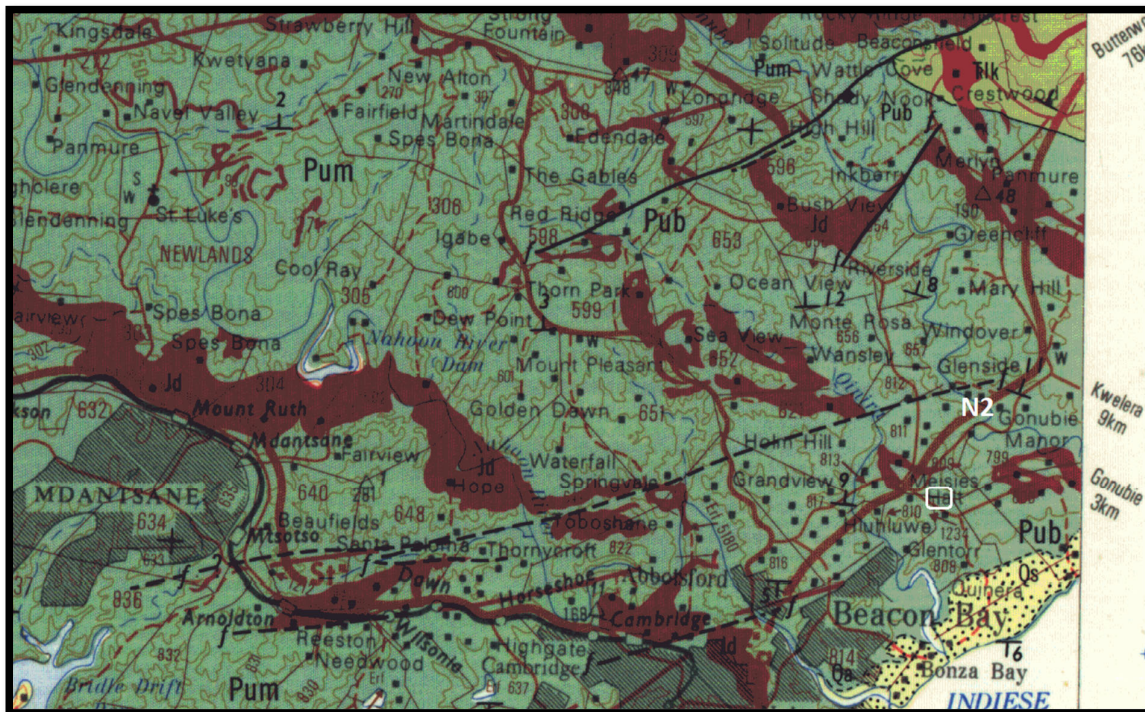


Figure: The geology of the development area.

Legend to Map and short explanation.

Qs - Sand, dune sand, dune rock (□). Quaternary.

Jd - Karoo Dolerite suite (maroon). Jurassic.

Pub - Grey mudstone, shale, sandstone (green). Balfour Formation, Adelaide Subgroup, Karoo Supergroup. Permian.

..... - (black) Lineament (Possible dyke).

-f- Fault.

⊥5° - Strike and dip.

□ - Proposed development (in white on Figure).

The Adelaide Subgroup consists of up to three formations (Koonap, Middleton, Balfour in the east). Mudrock predominates with subordinate sandstone and is Upper Permian in age. It overlies the Eccca Group conformably

and is overlain by the Katberg Formation of the Tarkastad Subgroup. Siltstone beds are common (Cole *et al.* 2004). The Balfour Formation is distinguished from the Middleton Formation by the lack of 'red' mudstone and is ± 2 150 m. thick, whereas the Middleton Formation is ± 1 600 m. thick (sheet info, Kent 1980). The Adelaide Subgroup has a maximum thickness of 1750 m. in the south (Visser 1989).

Palaeontology – Fossils in South Africa mainly occur in rocks of sedimentary nature and not in rocks from igneous or metamorphic nature. Therefore, if there is the presence of Karoo Supergroup strata the palaeontological sensitivity can generally be **LOW** to **VERY HIGH**, and here locally **VERY HIGH** for the Balfour Formation (SG 2.2 SAHRA APMHOB, 2012).

The rocks of the Karoo Supergroup are internationally acclaimed for their richness and diversity of fossils. The rocks of the Beaufort Group of South Africa cover approximately one-third of the land surface and have yielded an abundance of well-preserved therapsids and other tetrapods which have been used to subdivide this Group into eight faunal Assemblage Zones.

Zones present in the study area are the *Daptocephalus* Assemblage Zone and the *Lystrosaurus* Assemblage Zone including the Teekloof Formation and the Balfour Formation, and is characterised by the abundance of *Dicynodon* in association with *Emydops*, *Pristerodon* and *Dinanomodon*; *Palemydops* *Aulacephalodon* and *Oudenodon*; *Diictodon*, and several Theriocephalia such as *Theriongnathus* and the Cynodont *Cynosaurus* amongst others (Rubidge 1995). Plant fossils such as *Glossopteris* and silicified wood are also present. In this area the biozone boundaries are uncertain. The *Daptocephalus* Assemblage Zone overlies the *Cistecephalus* Assemblage zone.

Summary of findings (1d): The Phase 1: Field Study was undertaken towards the end of January 2022 in the summer in wet and hot conditions during the official Level 1 Covid-19 lockdown, and the following is reported:

The Project includes one locality Option (see Figure) with a **VERY HIGH** sensitivity present in Gonubie:
Option 1: A roughly square area pinned in green located in Gonubie on Main Road close to the N2 National Road intersection. The approximate size of the site is 0,67 hectares.

Other locality options will not be feasible as all of the options will be situated on the Beaufort Group sediments.

Field Observation - Fieldwork was done in January. The area is covered in vegetation amongst a tree, lush grass and bushes. The area is small and fairly flat. Outcrops are difficult to see because of the lush vegetation, but there are three areas where the soil was disturbed and the mudstone can be seen. No fossils were found.

Recommendation:

The potential impact of the development on fossil heritage is **VERY HIGH** and therefore a Phase 1: Field Survey was necessary for this development (according to SAHRA protocol), if a chance fossil is found during construction a Phase 2 Palaeontological Impact Assessment and Mitigation or conservation will be necessary.

Concerns/threats (1g) to be added to EMPr:

1. Threats to the National Heritage are earth moving equipment/machinery (for example haul trucks, front end loaders, excavators, graders, dozers) during construction, the sealing-in, disturbance, damage or destruction of the fossils by development, vehicle traffic, clearing, and human disturbance.
2. Special care must be taken during the clearing, digging, drilling, blasting and excavating of foundations, trenches, channels and footings and removal of overburden not to intrude fossiliferous layers.

The recommendations are (**1ni,1niA,1nii**):

1. Mitigation may be needed if fossils are found during construction. Overburden and interburden must be surveyed for fossils.
2. No consultation with parties was necessary. The Environmental Control Officer must familiarise him- or herself with the formation present and its fossils and follow protocol.
3. The development may go ahead with caution. The ECO must survey for fossils before and or after clearing, blasting or excavating and keep a photographic record.
4. The EMPr already covers the conservation of heritage and palaeontological material that may be exposed during construction activities. For a chance find, the protocol is to immediately cease all construction activities, construct a 30 m no-go barrier, and contact SAHRA for further investigation. It is recommended that the EMPr be updated to include the involvement of a palaeontologist for pre-construction training of the ECO.

Stakeholders: Developer – Engen Petroleum (Pty) Ltd. P.O. Box 35, Cape Town, 8000.

Environmental – Kantey & Templar Consulting Engineers. 9 Burnside Island, 410 Jan Smuts Avenue, Craighall, 2024. Tel: 043 726 6443.

Landowner – Engen Petroleum (Pty) Ltd. P.O. Box 35, Cape Town, 8000.

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D. Background information on the project

Report

This report is part of the environmental impact assessment process under the National Environmental Management Act, as amended (Act No. 107 of 1998) (NEMA) and includes Appendix 6 (May 2019) of the Environmental Impact Assessment Regulations (see Appendix 2). It also is in compliance with The Minimum Standards for Palaeontological Components of Heritage Impact Assessment Reports, SAHRA, APMHOB, Guidelines 2012, Pp 1-15 (**2**).

Outline of development (**1f**)

This report discusses and aims to provide the developer with information regarding the location of palaeontological material that will be impacted by the development. In the pre-construction phase it may necessary for the developer

to apply for the relevant permit from the South African Heritage Resources Agency (SAHRA / PHRA) if fossils are present.

The applicant, Engen Petroleum (Pty) Ltd. is proposing to develop a new service station with a convenience store along the main road in Gonubie, East London. It is proposed that the Engen Service Station will comprise underground storage tanks with a combined capacity of 92 m³ for the storage of petroleum products.

Related Infrastructure:

1. Islands for petrol pumps
2. Convenient store and office
3. Underground tanks
4. Ablution
5. Parking.

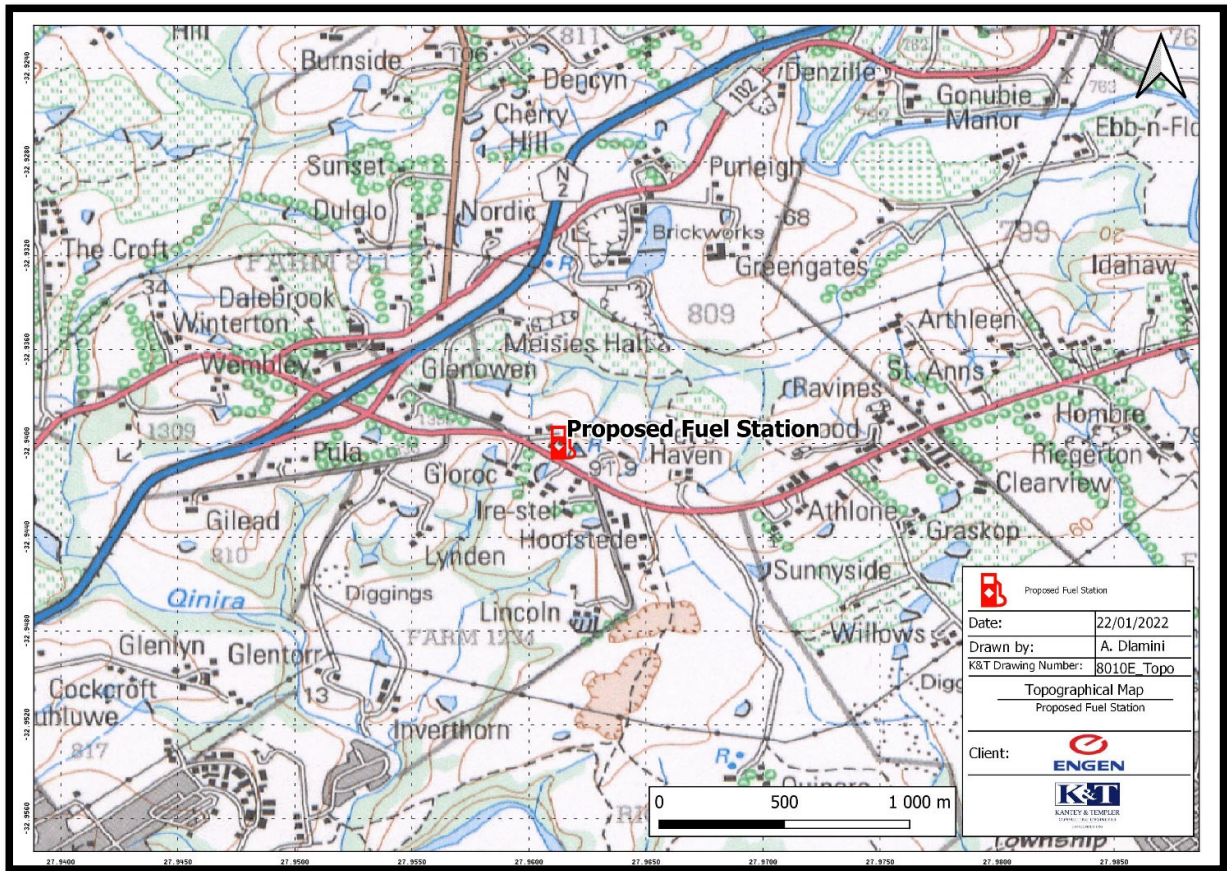


Figure 1: Figure showing topographic location (Kantey & Templar)

The Project includes one locality Option (see Figure 2) on Main Road in Gonubie:

Option 1: A roughly square area pinned in green located in Gonubie on Main Road close to the N2 National Road intersection. The approximate size of the site is 0,67 hectares.

Rezoning/ and or subdivision of land: No.

Name of Developer and Consultant: Engen Petroleum (Pty) Ltd. and Kantey & Templar.

Terms of reference: Dr H. Fourie is a palaeontologist commissioned to do a palaeontological impact assessment: field study to ascertain if any palaeontological sensitive material is present in the development area. This study will advise on the impact on fossil heritage mitigation or conservation necessary, if any.

Short Curriculum vitae:(1ai, 1aii) Dr Fourie obtained a Ph.D from the Bernard Price Institute for Palaeontological Research (now ESI), University of the Witwatersrand. Her undergraduate degree is in Geology and Zoology. She specialises in vertebrate morphology and function concentrating on the Therapsid Therocephalia. At present she is curator of a large fossil invertebrate, Therapsid, dinosaur, amphibia, fish, reptile, and plant collections at Ditsong: National Museum of Natural History. For the past 14 years she carried out field work in the North West, Western Cape, Northern Cape, Eastern Cape, Limpopo, Mpumalanga, Gauteng and Free State Provinces and has done more than 200 PIA's since 2012. Dr Fourie has been employed at the Ditsong: National Museum of Natural History in Pretoria (formerly Transvaal Museum) for 26 years.

Legislative requirements: South African Heritage Resources Agency (SAHRA) for issue of permits if necessary. National Heritage Resources Act (Act No. 25 of 1999). An electronic copy of this report must be supplied to SAHRA (2).

E. Description of property or affected environment

Location and depth:

The Proposed Engen Gonubie Service Station in Buffalo City Local Municipality, Amathole District Municipality, Eastern Cape Province will be situated on Farm: Portion 66 Farm no. 809, Gonubie

The depth is determined by the infrastructure to be developed and the thickness of the formation in the development area, in this instance the related infrastructure. Details of the location and distribution of all significant fossil sites or key fossiliferous rock units are often difficult to determine due to thick topsoil, subsoil, overburden and alluvium. Depth of the overburden may vary a lot. Geological maps do not provide depth or superficial cover, it only provides mappable surface outcrops. The Balfour Formation reaches a depth of 2150 m. (Figure 3).

The Project includes one locality Option (see Figure 2) as below:

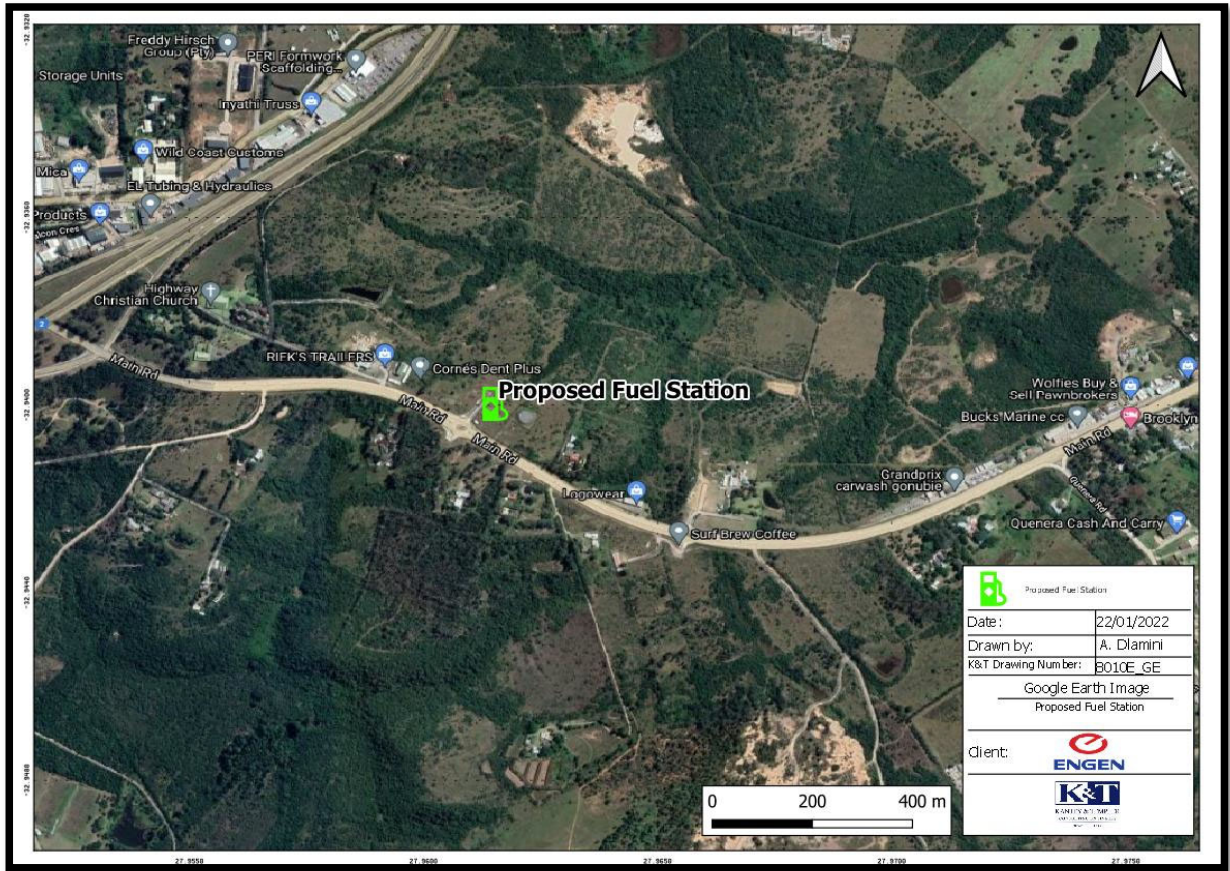


Figure 2: Google.Earth image showing location (Kantey &Templer).

The bulk of the site is underlain by the Karoo Supergroup Formations covered by vegetation, grass, trees, and a transformer.

F. Description of the Geological Setting

Description of the rock units:

Large areas of the southern African continent are covered by the Karoo Supergroup (Figure 3). It covers older geological formations with an almost horizontal blanket. Several basins are present with the main basin in the central part of south Africa and several smaller basins towards Lebombo, Springbok Flats and Soutpansberg. An estimated age is 150 – 180 Ma. And a maximum thickness of 7000 m is reached in the south. Three formations overlie the Beaufort Group, they are the Molteno, Elliot and Clarens Formations. The Elliot Formation is also known as the Red Beds and the old Cave Sandstone is known as the Clarens Formation. At the top is the Drakensberg Basalt Formation with its pillow lavas, pyroclasts, etc. (Kent 1980, Snyman 1996).

Dolerite dykes (Jd) occur throughout the Karoo Supergroup. Structural geological features such as dykes and faults can have a measurable influence on ground water flow and mass transport. Permian sediments are extensively intruded and thermally metamorphosed (baked) by subhorizontal sills and steeply inclined dykes of the Karoo Dolerite Suite (Jd). These early Jurassic (183 Ma) basic intrusions baked the adjacent mudrocks and sandstones to form splintery hornfels and quartzites respectively. Thermal metamorphism by dolerite intrusions tends to reduce the palaeontological heritage potential of the adjacent sediments.

The rocks of the Beaufort Group were deposited by large, northward-flowing, meandering rivers in which sand accumulated, flanked by extensive floodplains where periodic floods deposited mud. Following the end-Permian mass extinction, the meandering rivers were replaced by multi-channelled, braided river systems that deposited sand rather than the silts and muds of the earlier meandering rivers. The sandstone-dominated strata deposited by these braided rivers, known as the Katberg Formation, can be as much as 1000 m. thick. As time passed, the high-energy, braided rivers of the Katberg Formation reverted to a meandering form, possibly reflecting recovery of the vegetation. These sedimentary deposits are the Burgersdorp Formation (McCarthy and Rubidge 2005).



Figure 3: Geology of the development area (3226 King Williamstown) (1h).

Legend to Map and short explanation.

Qs - Sand, dune sand, dune rock (⋯). Quaternary.

Jd - Karoo Dolerite suite (maroon). Jurassic.

Pub - Grey mudstone, shale, sandstone (green). Balfour Formation, Adelaide Subgroup, Karoo Supergroup. Permian.

..... - (black) Lineament (Possible dyke).

-f- Fault.

⊥5° - Strike and dip.

□ - Approximate position of filling station (blocked in white).

Mining Activities on Figure above:

None close by.

The Tarkastad Subgroup of the Beaufort Group consists of a lower predominantly arenaceous Katberg Sandstone Formation and a predominantly upper argillaceous Burgersdorp Formation (Cole *et al.* 2004, Kent 1980). It is Early Triassic in age. This Subgroup is absent in the west of the basin. A maximum thickness of 900 m can be measured for the Katberg sandstone Formation. This formation consists of buff-weathered, greenish-grey and light-grey tabular and minor ribbon-shaped sandstone bodies, interbedded with units of red, greyish-red and, less commonly, greenish-grey and dark greenish-grey mudstone (Cole *et al.* 2004). Red, bluish and green mudstone, siltstone and

fine- to medium-grained sandstone lenses are characteristic of the Burgersdorp Formation. This Subgroup marks the boundary of the Palaeozoic and the Mesozoic (Snyman 1996, Visser 1998). Fossil mammal-like reptiles are present (Norman and Whitfield 2006).

The Adelaide Subgroup consists of up to three formations (Koonap, Middleton, Balfour in the east). Mudrock predominates with subordinate sandstone and is Upper Permian in age. It overlies the Ecca Group conformably and is overlain by the Katberg Formation of the Tarkastad Subgroup. Siltstone beds are common (Cole *et al.* 2004). The Koonap Formation reaches a thickness of 1 300 m. (Kent 1980). The Balfour Formation is distinguished from the Middleton Formation by the lack of 'red' mudstone and is ± 2 150 m. thick, whereas the Middleton Formation is ± 1 600 m. thick (sheet info, Kent 1980). The Abrahamskraal and Teekloof Formations form part of the Adelaide Subgroup in the west (Snyman 1996) with the Member Poortjie at the top of the Teekloof Formation. Chert is present in the Abrahamskraal Formation. The Adelaide Subgroup has a maximum thickness of 1750 m. in the south (Visser 1989).

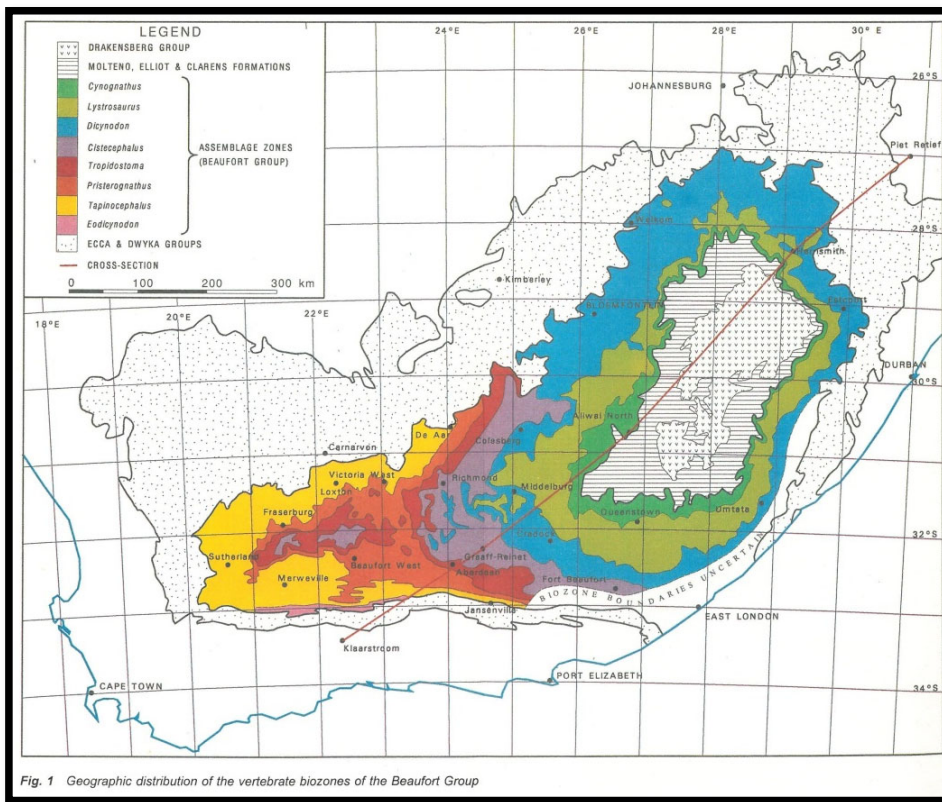


Figure 4: Geographic distribution of the vertebrate biozones of the Beaufort Group (Rubidge 1995).

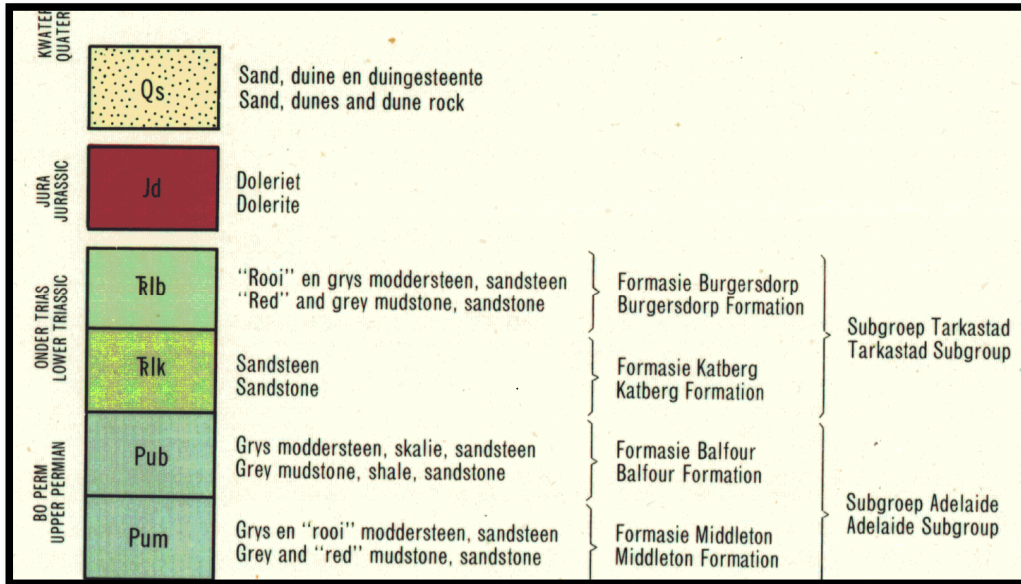


Figure 5: Lithostratigraphic column of the Karoo Supergroup in development area (Johnson 1976).

Field Observation - Fieldwork was done in January. The area is covered in vegetation amongst a tree, lush grass and bushes. The area is small and fairly flat. Outcrops are difficult to see because of the lush vegetation, but there are three areas where the soil was disturbed and the mudstone can be seen. No fossils were found.



Figure 6: View towards east from circle road.



Figure 7: Lush vegetation in view towards the north.



Figure 8: Disturbed area showing mudstone on site.



Figure 9: Area in middle of site with pine tree.



Figure 10: View of Main Road and traffic circle.

G. Background to Palaeontology of the area

Summary: When rock units of moderate to very high palaeontological sensitivity are present within the development footprint, a desk top and or field scoping (survey) study by a professional palaeontologist is usually warranted. The main purpose of a field scoping (survey) study would be to identify any areas within the development footprint where specialist palaeontological mitigation during the construction phase may be required (SG 2.2 SAHRA AMPHOB, 2012).

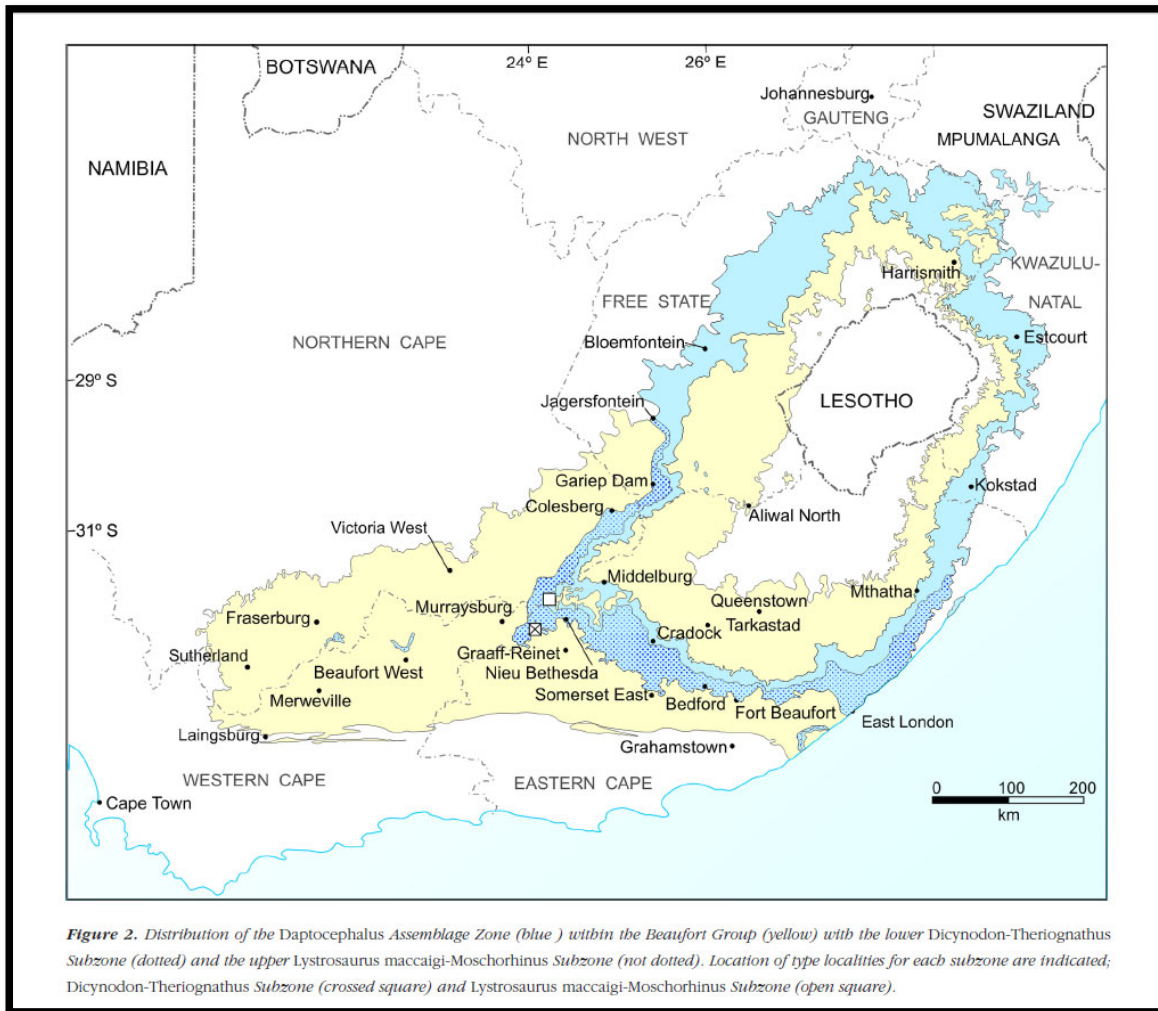


Figure 11: Extent of the Karoo Supergroup and position of *Daptocephalus* Assemblage Zone (Viglietti 2020).

The rocks of the Karoo Supergroup are internationally acclaimed for their richness and diversity of fossils. The rocks of the Beaufort Group of South Africa cover approximately one-third of the land surface and have yielded an abundance of well-preserved therapsids and other tetrapods which have been used to subdivide this Group into eight faunal Assemblage Zones.

The Adelaide Subgroup comprises the *Daptocephalus* Assemblage Zone and possibly the underlying *Cistecephalus* Assemblage Zone. The dicynodont *Lystrosaurus curvatus* is restricted to the uppermost strata of the *Daptocephalus* Assemblage Zone and lowermost strata of the *Lystrosaurus* Assemblage Zone of Triassic age, and as such, acts as a biostratigraphic marker for the Permo-Triassic boundary (Groenewald 2012).

Zones present in the study area are the *Daptocephalus* Assemblage Zone and the *Lystrosaurus* Assemblage Zone including the Teekloof Formation and the Balfour Formation, and is characterised by the abundance of *Dicynodon* in association with *Emydops*, *Pristerodon* and *Dinanomodon*; *Palemydops*, *Aulacephalodon* and *Oudenodon*; *Diictodon*, and several Therocephalia such as *Theriongnathus* and the Cynodont *Cynosaurus* amongst others (Rubidge 1995). Plant fossils such as *Glossopteris* and silicified wood are also present. In this area the biozone boundaries are uncertain. The *Daptocephalus* Assemblage Zone overlies the *Cistecephalus* Assemblage zone.

Well preserved fossils of therapsids occur in mudrock horizons, and are usually found as dispersed, isolated specimens associated with an abundance of calcareous nodules. An abundant and varied therapsid fauna as well as amphibian and fish fossils have been recovered from the lower half of the stratigraphic levels assigned to the *Daptocephalus* Assemblage Zone in the main Karoo basin. However, in the upper levels the fauna shows a marked decrease in diversity (Rubidge 1995).

Fossils in South Africa mainly occur in rocks of sedimentary nature and not in rocks from igneous or metamorphic nature. Therefore, if there is the presence of Karoo Supergroup strata the palaeontological sensitivity is generally **LOW** to **VERY HIGH**, but here locally **VERY HIGH** for the Balfour Formation.

Table 1: Taken from Palaeotechnical Report (Groenewald 2012) (1cA).

Adelaide (Pa / Pne)		Deltaic and fluvial sequences of sandstone and green-grey mudstone	<i>Dicynodon</i> and <i>Lystrosaurus</i> assemblage zones. Fish, amphibians, reptiles, therapsids and vertebrate burrows
	Harrismith	Lacustrine environment. Fine-grained brightly coloured siltstone	<i>Lystrosaurus</i> Assemblage zone. Fish, amphibians, reptiles, therapsids and vertebrate burrows
Normandien (Pn)	Schoondraai	Meandering river channel sandstone	<i>Dicynodon</i> Assemblage Zone
	Rooinek	Meandering river channel sandstone	<i>Glossopteris</i> tree fossils and insect wings

Table 2: Criteria used (Fossil Heritage Layer Browser/SAHRA) (1cB):

Rock Unit	Significance/vulnerability	Recommended Action
Jurassic Dolerite	Very Low	No action required
Adelaide Subgroup	Very High	Field assessment and protocol for finds are required

Databases and collections: Ditsong: National Museum of Natural History. Evolutionary Studies Institute, University of the Witwatersrand (ESI).

Impact: **VERY HIGH** for the Adelaide Subgroup, Beaufort Group, Karoo Supergroup. There are significant fossil resources that may be impacted by the development (mudstone, shale) and if destroyed are no longer available for scientific research or other public good (Almond, *et al.* 2009).

The Project includes one locality Option (see Figure 2) with a **VERY HIGH** sensitivity (1j):

Option 1: A roughly square area pinned in green located in Gonubie on Main Road close to the N2 National Road intersection. The approximate size of the site is 0,67 hectares.

H. Description of the Methodology (1e)

The palaeontological impact assessment field study was undertaken in January 2022 during the official Level 1 of the Covid-19 lockdown. A Phase 1: Field Study includes a survey of the affected portion with photographs taken (in 7.1 mega pixels) of the site with a digital camera (Canon PowerShot A470). Additionally, a Global Positioning

System (GPS) (Garmin eTrex 10) is used to record fossiliferous finds and outcrops (bedrock) when the area is not covered with topsoil, subsoil, overburden, vegetation, grassland, trees or waste. The survey did identify the Karoo Supergroup. A literature survey is included and the study relied heavily on geological maps.

SAHRA document 7/6/9/2/1 requires track records/logs from archaeologists not palaeontologists as palaeontologists concentrate on outcrops which may be recorded with a GPS. Isolated occurrences of rocks usually do not constitute an outcrop. Fossils can occur in dongas, as nodules, in fresh rock exposures, and in riverbeds. Finding fossils require the experience and technical knowledge of the professional palaeontologist, but that does not mean that an amateur can't find fossils. The geology of the region is used to predict what type of fossil and zone will be found in any particular region. Archaeozoologists concentrate on more recent fossils in the quaternary and tertiary deposits.

Assumptions and Limitations (1i):-

The accuracy and reliability of the report **may be** limited by the following constraints:

1. Most development areas have never been surveyed by a palaeontologist or geophysicist.
2. Variable accuracy of geological maps and associated information.
3. Poor locality information on sheet explanations for geological maps.
4. Lack of published data.
5. Lack of rocky outcrops.
6. Inaccessibility of site.
7. Insufficient data from developer and exact lay-out plan for all structures.

A Phase 2 Palaeontological Impact Assessment: Mitigation will include:

1. Recommendations for the future of the site.
2. Description of work done (including number of people and their responsibilities).
3. A written assessment of the work done, fossils excavated, not removed or collected and observed.
4. Conclusion reached regarding the fossil material.
5. A detailed site plan.
6. Possible declaration as a heritage site or Site Management Plan.

The National Heritage Resources Act No. 25 of 1999 further prescribes.

Act No. 25 of 1999. National Heritage Resources Act, 1999.

National Estate: 3 (2) (f) archaeological and palaeontological sites,

(i)(1) objects recovered from the soil or waters of South Africa, including archaeological and palaeontological objects and material, meteorites and rare geological specimens,

Heritage assessment criteria and grading: (a) Grade 1: Heritage resources with qualities so exceptional that they are of special national significance;

(b) Grade 2: Heritage resources which, although forming part of the national estate, can be considered to have special qualities which make them significant within the context of a province or a region; and (c) Grade 3: Other heritage resources worthy of conservation.

SAHRA is responsible for the identification and management of Grade 1 heritage resources.

Provincial Heritage Resources Authority (PHRA) identifies and manages Grade 2 heritage resources.

Local authorities identify and manage Grade 3 heritage resources.

No person may damage, deface, excavate, alter, remove from its original position, subdivide or change the planning status of a provincially protected place or object without a permit issued by a heritage resources authority or local authority responsible for the provincial protection.

Archaeology, palaeontology and meteorites: Section 35.

(2) Subject to the provisions of subsection (8) (a), all archaeological objects, palaeontological material and meteorites are the property of the State.

(3) Any person who discovers archaeological or palaeontological objects or material or a meteorite in the course of development or agricultural activity must immediately report the find to the responsible heritage resources authority, or to the nearest local authority offices or museum, which must immediately notify such heritage resources authority.

Mitigation involves planning the protection of significant fossil sites, rock units or other palaeontological resources and/or excavation, recording and sampling of fossil heritage that might be lost during development, together with pertinent geological data. The mitigation may take place before and / or during the construction phase of development. The specialist will require a Phase 2 mitigation permit from the relevant Heritage Resources Authority before a Phase 2 may be implemented.

The Mitigation is done in order to rescue representative fossil material from the study area to allow and record the nature of each locality and establish its age before it is destroyed and to make samples accessible for future research. It also interprets the evidence recovered to allow for education of the public and promotion of palaeontological heritage.

Should further fossil material be discovered during the course of the development (*e. g.* during bedrock excavations), this must be safeguarded, where feasible *in situ*, and reported to a palaeontologist or to the Heritage Resources authority. In situations where the area is considered palaeontologically sensitive (*e. g.* Karoo Supergroup Formations, ancient marine deposits in the interior or along the coast) the palaeontologist might need to monitor all newly excavated bedrock. The developer needs to give the palaeontologist sufficient time to assess and document the finds and, if necessary, to rescue a representative sample.

When a Phase 2 palaeontological impact study is recommended, permission for the development to proceed can be given only once the heritage resources authority has received and approved a Phase 2 report and is satisfied that (a) the palaeontological resources under threat have been adequately recorded and sampled, and (b) adequate development on fossil heritage, including, where necessary, *in situ* conservation of heritage of high significance. Careful planning, including early consultation with a palaeontologist and heritage management authorities, can minimise the impact of palaeontological surveys on development projects by selecting options that cause the least amount of inconvenience and delay.

Three types of permits are available; Mitigation, Destruction and Interpretation. The specialist will apply for the permit at the beginning of the process (SAHRA 2012).

I. Description of significant fossil occurrences

All Karoo Supergroup geological formations are ranked as **LOW** to **VERY HIGH**, and here the impact is potentially **VERY HIGH** for the Beaufort Group.

The Jurassic Dolerite does not contain fossils.

Well preserved fossils of therapsids occur in mudrock horizons, and are usually found as dispersed, isolated specimens associated with an abundance of calcareous nodules. An abundant and varied therapsid fauna as well as amphibian and fish fossils have been recovered (Rubidge 1995).

Further to the lithostratigraphy, the Beaufort Group is divided into biostratigraphic units. Zones present in the study area are the *Daptocephalus* Assemblage Zone including the Teekloof Formation and the Balfour Formation, and is characterised by the abundance of *Dicynodon* in association with *Emydops*, *Pristerodon* and *Dinanomodon*;

Palemydops Aulacephalodon and *Oudenodon*; *Diictodon*, and several Therocephalia such as *Theriognathus* and the Cynodont *Cynosaurus* amongst others (Rubidge 1995). Plant fossils such as *Glossopteris* and silicified wood are also present. In this area the biozone boundaries are uncertain. The *Daptocephalus* Assemblage Zone overlies the *Cistecephalus* Assemblage zone.

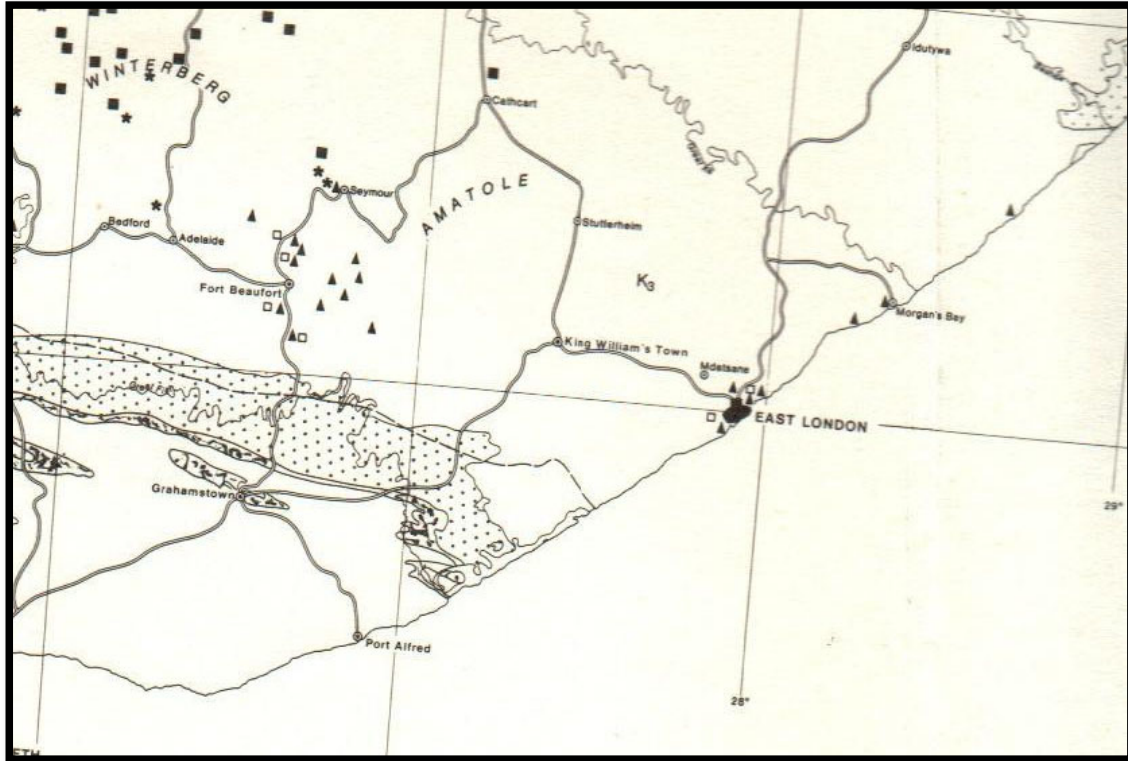


Figure 16: Map to show fossil localities close to Bulwer (Kitching 1977). ▲ – Cistecephalus/Tropidostoma Zone, ○ – Pristerognathus/Tapinocephalus Zone, Kg – Beaufort.

Details of the location and distribution of all significant fossil sites or key fossiliferous rock units are often difficult to be determined due to thick topsoil, subsoil, overburden and alluvium. Depth of the overburden may vary a lot.

The threats are:-

- Earth moving equipment/machinery (front end loaders, excavators, graders, dozers) during construction,
- The sealing-in or destruction of fossils by development, vehicle traffic, and human disturbance. See Description of the Geological Setting (F) above.

J. Recommendation (1o,1p,1q)

- a. There is no objection (see Recommendation B) to the development, it was necessary to request a Phase 1 Palaeontological Impact Assessment: Field Study to determine whether the development will affect fossiliferous outcrops as the palaeontological sensitivity is **VERY HIGH**. If chance fossils are found during construction a Phase 2 Palaeontological Assessment: Mitigation is recommended. Protocol is attached (Appendix 2).
- b. This project may benefit the economy, the life expectancy of the community, the growth of the community and social development in general.
- c. Preferred choice: Only one locality Option is presented and possible.

- d. The following should be conserved: if any palaeontological material is exposed during clearing, digging, excavating, drilling or blasting SAHRA must be notified. All construction activities must be stopped, a 30 m no-go barrier constructed, and a palaeontologist should be called in to determine proper mitigation measures.
- e. No consultation with parties was necessary.
- f. This report must be submitted to SAHRA together with the Heritage Impact Assessment.

Sampling and collecting (6m,6k):

Wherefore a permit is needed from the South African Heritage Resources Agency (SAHRA / PHRA).

- a. Objections: Cautious. See heritage value and recommendation.
- b. Conditions of development: See Recommendation.
- c. Areas that may need a permit: Yes, if a fossil is found.
- d. Permits for mitigation: **Needed from SAHRA/PHRA prior to Mitigation.**

K. Conclusions

- a. All the land involved in the development was assessed and none of the property is unsuitable for development (see Recommendation B).
- b. All information needed for the Palaeontological Impact Assessment was provided by the Consultant. All technical information was provided by Kantey and Templer Consulting Engineers.
- c. Areas that would involve mitigation and may need a permit from the South African Heritage Resources Agency are discussed.
- d. The following should be conserved: if any palaeontological material is exposed during digging, excavating, drilling or blasting, SAHRA must be notified. All development activities must be stopped and a palaeontologist should be called in to determine proper mitigation measures.
- e. Condition in which development may proceed: It is further suggested that a Section 37(2) agreement of the Occupational, Health and Safety Act 85 of 1993 is signed with the relevant contractors to protect the environment (fossils/dongas) and adjacent areas as well as for safety and security reasons.

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Declaration (1b)

I, Heidi Fourie, declare that I am an independent consultant and have no business, financial, personal or other interest in the proposed development project for which I was appointed to do a palaeontological assessment. There are no circumstances that compromise the objectivity of me performing such work.

I accept no liability, and the client, by receiving this document, indemnifies me against all actions, claims, demands, losses, liabilities, costs, damages and expenses arising from or in connection with services rendered, directly or indirectly by the use of the information contained in this document.

It may be possible that the Palaeontological Impact Assessment may have missed palaeontological resources in the project area as outcrops are not always present or visible while others may lie below the overburden of earth and may only be present once development commences.

This report may not be altered in any way and any parts drawn from this report must make reference to this report.

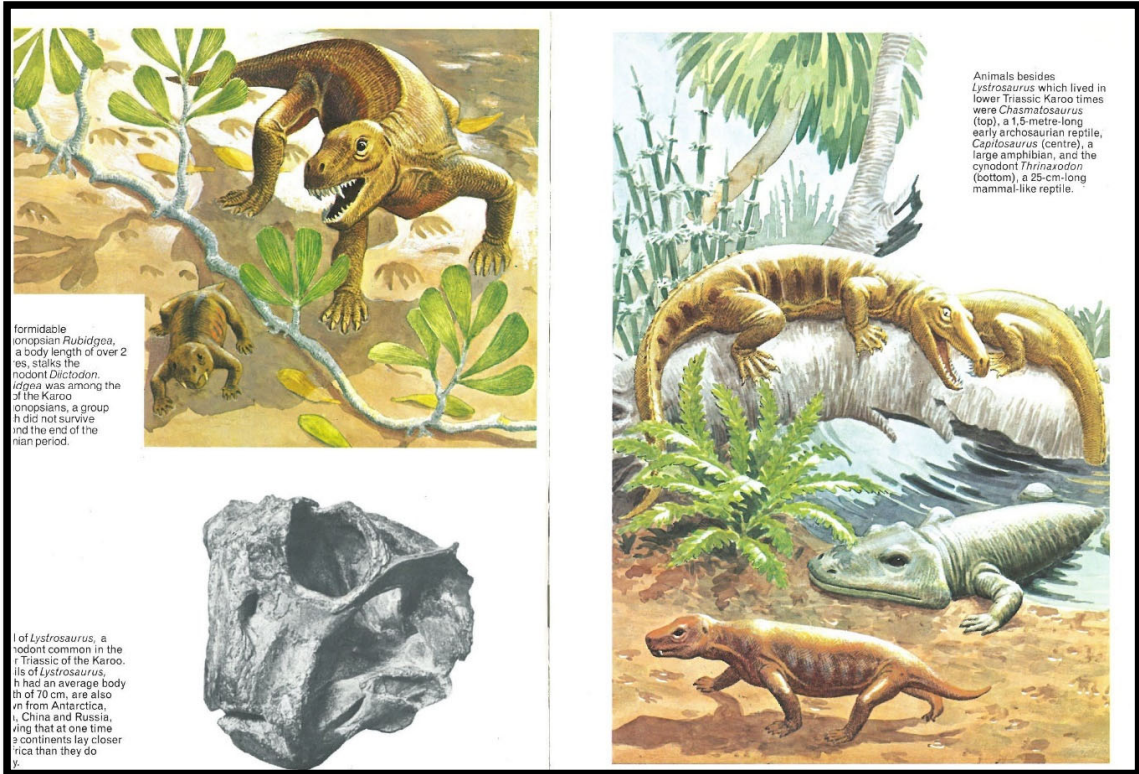
POPI Act 2013 Statement

It provides that everyone has the right to privacy and includes a right to protection against the unlawful collection, retention dissemination and use of personal information contained in this document and pertains to the phone and contact details, signature and contents.

As per the Declaration Section none of the information may be shared without the permission of the author.

The document will be signed as soon as comments are received.

Heidi Fourie
2022/02/05



Appendix 1: Protocol for Chance Finds and Management Plan (also include Section B) (1k,1l,1m)

This section covers the recommended protocol for a Phase 2 Mitigation process as well as for reports where the Palaeontological Sensitivity is **LOW**; this process guides the palaeontologist / palaeobotanist on site and should not be attempted by the layman / developer. As part of the Environmental Authorisation conditions, an

Environmental Control Officer (ECO) will be appointed to oversee the construction activities in line with the legally binding Environmental Management Programme (EMPr). The EMPr already covers the conservation of heritage and palaeontological material that may be exposed during construction activities:

- For a chance find, the protocol is to immediately cease all construction activities, construct a 30 m no-go barrier, and contact SAHRA for further investigation.
- Construction workers must be informed that this is a no-go area. Any fossil find must be placed in a safe area.
- It is recommended that the EMPr be updated to include the involvement of a palaeontologist for pre-construction training of the ECO and possibly during the digging and excavation phase of the development.
- The ECO must visit the site after clearing, excavations, blasting or drilling and keep a photographic record.
- The developer may have to survey the areas affected by the development and indicate on plan where the construction / development may take place. Trenches may have to be dug to ascertain how deep the sediments are above the bedrock (can be a few hundred metres). This will give an indication of the depth of the topsoil, subsoil, and overburden, if need be trenches should be dug deeper to expose the interburden.

Mitigation will involve recording, rescue and judicious sampling of the fossil material present in the layers sandwiched between the geological / coal layers. It must include information on number of taxa, fossil abundance, preservational style, and taphonomy. This can only be done during mining or excavations. In order for this to happen, in case of coal mining operations, the process will have to be closely scrutinised by a professional palaeontologist / palaeobotanist to ensure that only the coal layers are mined and the interlayers (siltstone and mudstone) are surveyed for fossils or representative sampling of fossils are taking place.

The palaeontological impact assessment process presents an opportunity for identification, access and possibly salvage of fossils and add to the few good plant localities. Mitigation can provide valuable onsite research that can benefit both the community and the palaeontological fraternity.

A Phase 2 study is very often the last opportunity we will ever have to record the fossil heritage within the development area. Fossils excavated will be stored at a National Repository.

A Phase 2 Palaeontological Impact Assessment: Mitigation will include (SAHRA) -

1. Recommendations for the future of the site.
2. Description and purpose of work done (including number of people and their responsibilities).
3. A written assessment of the work done, fossils excavated, not removed or collected and observed.
4. Conclusion reached regarding the fossil material.
5. A detailed site plan and map.
6. Possible declaration as a heritage site or Site Management Plan.
7. Stakeholders.
8. Detailed report including the Desktop and Phase 1 study information.
9. Annual interim or progress Phase 2 permit reports as well as the final report.
10. Methodology used.

Mitigation involves planning the protection of significant fossil sites, rock units or other palaeontological resources and/or excavation, recording and sampling of fossil heritage that might be lost during development, together with pertinent geological data. The mitigation may take place before and / or during the construction phase of development. The specialist will require a Phase 2 mitigation permit from the relevant Heritage Resources Authority before a Phase 2 may be implemented.

The Mitigation is done in order to rescue representative fossil material from the study area to allow and record the nature of each locality and establish its age before it is destroyed and to make samples accessible for future research. It also interprets the evidence recovered to allow for education of the public and promotion of palaeontological heritage.

Should further fossil material be discovered during the course of the development (e. g. during bedrock excavations), this must be safeguarded, where feasible *in situ*, and reported to a palaeontologist or to the Heritage Resources authority. In situations where the area is considered palaeontologically sensitive (e. g. Karoo Supergroup Formations, ancient marine deposits in the interior or along the coast) the palaeontologist might need to monitor all newly excavated bedrock. The developer needs to give the palaeontologist sufficient time to assess and document the finds and, if necessary, to rescue a representative sample.

When a Phase 2 palaeontological impact study is recommended, permission for the development to proceed can be given only once the heritage resources authority has received and approved a Phase 2 report and is satisfied that (a) the palaeontological resources under threat have been adequately recorded and sampled, and (b) adequate development on fossil heritage, including, where necessary, *in situ* conservation of heritage of high significance. Careful planning, including early consultation with a palaeontologist and heritage management authorities, can minimise the impact of palaeontological surveys on development projects by selecting options that cause the least amount of inconvenience and delay.

Three types of permits are available; Mitigation, Destruction and Interpretation. The specialist will apply for the permit at the beginning of the process (SAHRA 2012).

The Palaeontological Society of South Africa (PSSA) does not have guidelines on excavating or collecting, but the following is suggested:

1. The developer needs to clearly stake or peg-out (survey) the areas affected by the mining/ construction/ development operations and dig representative trenches and if possible supply geological borehole data. When the route is better defined, it is recommended that a specialist undertake a 'walk through' of the entire road as well as construction areas, including camps and access roads, prior to the start of any construction activities, this may be done in sections.
2. When clearing vegetation, topsoil, subsoil or overburden, hard rock (outcrop) is found, the contractor needs to stop all work.
3. A Palaeobotanist / palaeontologist (contact SAHRIS for list) must then inspect the affected areas and trenches for fossiliferous outcrops / layers. The contractor / developer may be asked to move structures, and put the development on hold.
4. If the palaeontologist / palaeobotanist is satisfied that no fossils will be destroyed or have removed the fossils, development and removing of the topsoil can continue.
5. After this process the same palaeontologist / palaeobotanist will have to inspect and offer advice through the Phase 2 Mitigation Process. Bedrock excavations for footings may expose, damage or destroy previously buried fossil material and must be inspected.
6. When permission for the development is granted, the next layer can be removed, if this is part of a fossiliferous layer, then with the removal of each layer of sediment, the palaeontologist / palaeobotanist must do an investigation (a minimum of once every week).
7. At this stage the palaeontologist / palaeobotanist in consultation with the developer / mining company must ensure that a further working protocol and schedule is in place. Onsite training should take place, followed by an annual visit by the palaeontologist / palaeobotanist.

Fossil excavation if necessary, during Phase 2:

1. Photography of fossil / fossil layer and surrounding strata.
2. Once a fossil has been identified as such, the task of extraction begins.
3. It usually entails the taking of a GPS reading and recording lithostratigraphic, biostratigraphic, date, collector and locality information.
4. Using Paraloid (B-72) as an adhesive and protective glue, parts of the fossil can be kept together (not necessarily applicable to plant fossils).
5. Slowly chipping away of matrix surrounding the fossil using a geological pick, brushes and chisels.
6. Once the full extent of the fossil / fossils is visible, it can be covered with a plaster jacket (not necessarily applicable to plant fossils).
7. Chipping away sides to loosen underside.
8. Splitting of the rock containing palaeobotanical material should reveal any fossils sandwiched between the layers.

The South African Heritage Resources Agency has the following documents in place:

Guidelines to Palaeontological Permitting policy.

Minimum Standards: Palaeontological Component of Heritage Impact Assessment reports.

Guidelines for Field Reports.

Palaeotechnical Reports (Eastern Cape, North West, Northern Cape, Mpumalanga, Gauteng, Western Cape, Free State, KwaZulu Natal, and Limpopo)

Appendix 2:

Table 2: Listing points in Appendix 6 of the Act and position in Report (bold in text).

Section in Report	Point in Act	Requirement
B	1(c)	Scope and purpose of report
B	1(d)	Duration, date and season
B	1(g)	Areas to be avoided
D	1(ai)	Specialist who prepared report
D	1(aii)	Expertise of the specialist
F Figure 3	1(h)	Map
F	1(ni)	Authorisation
F	1(nii)	Avoidance, management, mitigation and closure plan
G Table 1	1(cA)	Quality and age of base data
G Table 2	1(cB)	Existing and cumulative impacts
G	1(f)	Details or activities of assessment
G	1(j)	Description of findings
H	1(e)	Description of methodology
H	1(i)	Assumptions
J	1(o)	Consultation
J	1(p)	Copies of comments during consultation
J	1(q)	Information requested by authority
Declaration	1(b)	Independent declaration
Appendix 2	1(k)	Mitigation included in EMPr
Appendix 2	1(l)	Conditions included in EMPr
Appendix 2	1(m)	Monitoring included in EMPr
D	2	Protocol or minimum standard

Appendix 3: Impact Statement

The development footprint is situated on the **Balfour Formation** (Pub) of the Ecca Group, Karoo Supergroup with a **Very High** palaeontological sensitivity. The nature of the impact is the destruction of Fossil Heritage. Loss of fossil heritage will have a negative impact. The extent of the impact only extends in the region of the development activity footprint and may include transport routes. The expected duration of the impact is assessed as potentially permanent. The intensity/magnitude of the impact is high as it is destructive. The probability of the impact occurring will be definite and will occur regardless of preventative measures.

In the absence of mitigation procedures (should fossil material be present within the affected area) the damage or destruction of any palaeontological materials will be irreversible. With Mitigation the impact will be moderate and the cumulative impact is low. Impacts on palaeontological heritage during the construction and preconstruction phase could potentially occur and is regarded as having a high possibility. The significance of the impact occurring will be as below:

S= (2+5+8)5

75 High (>60).