



mineral resources
& energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

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Ref: (WC) 30/5/1/1/3/2/1/10425PR
Directorate: Mine Environmental Management

Aqua Marine Diamonds 12 (Pty) Ltd
P.O Box 127
Port Nolloth
8280

Attention: Mr. J. van der Westhuizen

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Cell: 079 499 4743

Email: mineralprospects@telkomsa.net

cc: helene@groenbergenviro.co.za

ACKNOWLEDGMENT RECEIPT OF AN APPLICATION FOR ENVIRONMENTAL AUTHORISATION LODGED IN TERMS OF SECTION 24 OF NATIONAL ENVIRONMENTAL MANAGEMENT ACT (NEMA), 1998 (ACT 107 OF 1998) AS AMENDED READ IN CONJUNCTION WITH REGULATION 19 OF THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED BY (GN 326), FOR A PROSPECTING APPLICATION WITHOUT BULK SAMPLING FOR DIAMOND (ALLUVIAL), DIAMOND AND DIAMOND (GENERAL) ON SEA CONCESSION 12C; IN THE MAGISTERIAL DISTRICT OF VAN RHYNSDORP: WESTERN CAPE REGION

1. I refer to the abovementioned matter and confirm that your application for an Environmental Authorisation herein referred to as "EA" lodged on **01 September 2022** is hereby acknowledged.
2. In accordance to Regulation 19(1) *"If Basic Assessment Report, must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority a Basic Assessment Report, inclusive of Specialist reports, an EMPr and where applicable a closure plan, which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority".* Therefore, *Basic Assessment Report*, must be uploaded onto SAMRAD online system and submit one (1) hard copy to the regional office. The Basic Assessment Report must be in accordance with **Appendix 1** of the 2014 EIA Regulations.
3. Public participation must be conducted in accordance with Chapter 6 of the NEMA: 2014 EIA Regulations as amended. Comments received from all the interested and affected parties (**including State Organs, beach users and coastal communities that will be affected**) must be presented in a tabular format that includes the EAP's response to all the issues raised.

4. In terms of Regulation 7(2) as amended "the competent authority or EAP must consult with every organ of state that administers a law relating to a matter affecting the environment relevant to that application for an environmental authorisation when such competent authority considers the application and unless agreement to the contrary has been reached the EAP will be responsible for such consultation".
5. The EAP is therefore requested to consult draft Basic Assessment Report with every organ of state that administers a law relating to a matter affecting the environment as stipulated on regulation 7(2) of 2014 EIA Regulations as amended and to notify the Department of such consultation with the organ of state.
6. Please note that acknowledgement of your application does not grant you permission to commence with mining activities. Commencement of a listed activity without an environmental authorisation constitutes an offence in terms of Section 49A (1) (a) of NEMA, 1998 (Act 107 of 1998) as amended and upon conviction for such an offence, a person is liable to a fine not exceeding R10 million or to imprisonment for a period not exceeding ten years, or to both such fine and such imprisonment.
7. **NB: Regulation 45 of 2014 EIA Regulations as amended stipulates that "an application in terms of these Regulations lapses and a competent authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless extension has been granted in terms of Regulation 3(7)."**
8. Please note that the timeframes are triggered by an acceptance letter issued in terms of the Minerals and Petroleum Resources Development Act (MPRDA), for an application for a Prospecting Right. Should your application be accepted, your environmental assessment must focus on properties and commodities indicated in the acceptance letter. However, should the application for a Right be rejected, administration of your EA application will be discontinued.
9. Templates for the above-mentioned documents can be obtained on the Department of Mineral Resources and Energy website (www.dmre.gov.za) or from this regional office on request.

Kind Regards,

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REGIONAL MANAGER: MINERAL REGULATION
WESTERN CAPE REGION
DATE: 06.07.2008