



mineral resources & energy

Department:
Mineral Resources and Energy
REPUBLIC OF SOUTH AFRICA

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Enquiries: Willry van Breda **EAPASA:** Registration No. 2021/4134

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Sub-Directorate: Mine Environmental Management

Fish By The Sea (Pty) Ltd
PO Box 8037
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1406

Attention: Charl van Wyk

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Cc email: bernard@enviroafrica.co.za

ACCEPTANCE OF SCOPING REPORT LODGED IN TERMS OF SECTION 24 OF THE NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998 (ACT 107 of 1998) AS AMENDED, READ WITH REGULATION 21 OF THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REGULATIONS, 2014 AS AMENDED, FOR A PROSPECTING RIGHT APPLICATION FOR DIAMONDS (ALLUVIAL), DIAMONDS (GENERAL) AND DIAMONDS ON A PORTION OF PORTION 4 OF RIETFontein EXTENSION 151, PORTION OF PORTION 4 OF GRAAUWDUINEN 152 WITH THE INCLUDING ADJACENT SURFZONE UP TO LOW WATER MARK BUT EXCLUDING THE AREA 31.49 METERS BELOW THE LOW WATER MARK, SITUATED IN THE MAGISTERIAL DISTRICT OF VAN RHYNSDORP: WESTERN CAPE REGION.

1. Your Scoping Report submitted on 19 February 2024 was examined by the Department and found that it meets the requirements stated in the Environmental Impact Assessment Regulations of 2014 as amended. Therefore, it is accepted and you are advised to continue with the tasks contemplated in the plan of study for environmental impact assessment.
2. You must within 106 days of the acceptance of the scoping report submit an environmental impact report inclusive of any specialist reports, and an environmental management programme, which must have 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. Please note that this is inclusive of weekends but exclusive of public holidays and the period from 15 December 2020 to 05 January 2021.
3. The following information are required to be included in the EIR & environmental management programme (EMPr):

- a) The EMPr must include how the quantum for financial provision for remediation and rehabilitation was calculated and the method of financial provision;
 - b) Specialist studies mentioned in the Plan of Study consisting of:
 - Terrestrial Biodiversity Study;
 - Marine Ecology Impact Assessment;
 - Paleontology Impact Assessment;
 - Archeological and Cultural Impact Assessment;
 - c) Locality maps of the area and illustrates the **exact location (with coordinates)** of the proposed **twenty prospecting pits and access roads** to be used for prospecting activities;
 - d) Closure plan in accordance to appendix 5 of the NEMA EIA Regulations, 2014 as amended;
 - e) Possible impacts and effects of the development on the surrounding environment;
 - f) A operational phase in the EMPr to include mitigation and monitoring measures;
4. Public participation must be conducted in accordance to Chapter 6 of the 2014 Environmental Impact Assessment Regulations as amended. In terms of Regulation 7(2) "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 environmental impact report inclusive of specialist reports, and an EMPr/closure Plan 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 Mineral Resources of such consultation with the organ of state and include all the comments from all relevant stakeholders and must be presented in a tabular format that includes the EAP's response to all the issues raised. Should you be unable to obtain comments, proof of the attempts that were made to obtain comments must be enclosed in the EIR to be submitted to the department.
6. With regards to the submission of the EIR; in a case where there are significant changes in the information that was previously submitted; you will need to notify the Department in writing of such changes within the 106 days stated above and submit an environmental impact report within 156 days of acceptance of the scoping report by the Department.

7. Please ensure that the EIR includes the A3 size locality maps of the area and illustrates the exact location (with coordinates) of the proposed prospecting pits. The maps must be of acceptable quality and indicate access roads, associated infrastructure and sensitive environmental features;
8. Should an application for Environmental Authorisation be subjected to any permits or authorisations in terms of the provisions of any Specific Environmental Management Acts (SEMAs) and other legislations, proof of such application will be required.
9. You are requested to upload the EIR and EMPr onto SAMRAD online and submit two (2) hard copies of the EIR and EMPr including an electronic copy to this Regional Office.
10. Your attention is brought to Section 24F of the NEMA which stipulates "that no activity may commence prior to an environmental authorisation being granted by the competent.

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)."

Hope you find the above in order, for any clarity please do not hesitate to contact me.

Kind Regards



Regional Manager: Mineral Regulation

Western Cape Region

Date: 04/04/2021