ECC – APP2896

REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

ENVIRONMENTAL CLEARANCE CERTIFICATE

ISSUED

In accordance with Section 37(2) of the Environmental Management Act (Act No. 7 of 2007)

TO

Mr. Timo Smit
P. O. Box 81307, Windhoek

.....

TO UNDERTAKE THE FOLLOWING LISTED ACTIVITY

The Continuation Mining of Blue Sodalite Dimension Stones and Semi-Precious Stones near Otjimuhaka, withing Mining Claim (MC) 70783 and 70784, Epupa Constituency, Kunene Region.

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM
Private Bag 13306
WINDHOEK, NAMIBIA
03 NOV 2022
ENVIRONMENTAL COMMISSIONER
REPUBLIC OF NAMIBIA

Issued on the date: 2022-11-01

Expires on this date: 2025-11-01

(See conditions printed over leaf)

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ECC –

CONDITIONS OF APPROVAL

1. This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office
2. This certificate does not in any way hold the Ministry of Environment, Forestry and Tourism accountable for misleading information, nor any adverse effects that may arise from these activities. Instead, full accountability rests with the proponent and its consultants
3. This Ministry reserves the right to attach further legislative and regulatory conditions during
4. the operational phase of the project
5. All applicable and required permits are obtained and mitigation measures stipulated in the EMP are applied particularly with respect to management of ecological impacts.
6. Strict compliance with national heritage guidelines and regulations is expected throughout the life-span of the proposed activity, therefore any new archaeological finds must be reported to the National Heritage Council for appropriate handling of such.

REPUBLIC OF NAMIBIA

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM

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Namibia

OFFICE OF THE ENVIRONMENTAL COMMISSIONER

NOTIFICATION OF DECISION

REF NUMBER: ECC-APP2896 **DATE OF ISSUE: 01 NOVEMBER 2022**

DETAILS OF PROPONENT:
Mr. Timo Smit
P. O. Box 81307
Windhoek
Namibia

Dear Sir/ Madam

SUBJECT: NOTIFICATION ON APPLICATION FOR ENVIRONMENTAL CLEARANCE TO UNDERTAKE THE PROPOSED LISTED ACTIVITY: The Continuation Mining of Blue Sodalite Dimension Stones and Semi-Precious Stones near Otjimuhaka, withing Mining Claim (MC) 70783 and 70784, Epupa Constituency, Kunene Region.

Notice is herewith given in accordance with section 37(2) of the Environmental Management Act, Act 7 of 2007 and Environmental Impact Assessment Regulations of 2012 (GG 4878): that a decision in respect to your application No. **APP 2896** for Environmental Clearance Certificate to undertake a listed activity has been reached.

DECISION
An Environmental Clearance Certificate (ECC) to undertake the listed activities specified in the environmental assessment report and draft management plan dated December 2021, is granted (**ECC-APP2896**). The applicant / proponent is therefore advised to comply with conditions of approval set out in **Section C** of this notification.

A. **DETAILS OF THE PROPOSED ACTIVITY**

A1: TITLE OF THE PROPOSED ACTIVITY

The Continuation Mining of Blue Sodalite Dimension Stones and Semi-Precious Stones near Otjimuhaka, withing Mining Claim (MC) 70783 and 70784, Epupa Constituency, Kunene Region.

A2: DETAILS OF ASSESSMENT PRACTITIONER

Geokey cc, Consultant
Oliver Krappmann
Cell: 0812899718
Tell: 061 225826
Email: oliver@gecko.na

A3: LOCATION OF PROPOSED ACTIVITY

(Annexure A – proposed site map)

B. RELEVANT LISTED ACTIVITIES

Legislation	Description of Listed Activity	Relevance to Proposed Activity
Regulation 29(sub-regulation 5) of Government Notice No. 29 of 2012	MINING AND QUARRYING ACTIVITIES 3.1 The construction of facilities for any process or activities which requires a licence, right or other form of authorisation, and the renewal of a licence, right or other form of authorisation, in terms of the Minerals (Prospecting and Mining Act), 1992. 3.2 Other forms of mining or extraction of any natural resources whether regulated by law or not. 3.3 Resource extraction, manipulation, conservation and related activities. 3.4 The extraction or processing of gas from natural and non-natural resources, including gas from landfill sites. 3.5 The extraction of peat.	The Continuation Mining of Blue Sodalite Dimension Stones and Semi-Precious Stones near Otjimuhaka, withing Mining Claim (MC) 70783 and 70784, Epupa Constituency, Kunene Region.

C. CONDITIONS

C1: Conditions of Approval

1. This certificate does not in any way hold the Ministry of Environment, Forestry and Tourism accountable for misleading information, nor any adverse effects that may arise from these activities. Instead, full accountability rests with the proponent and its consultants.

2. This Ministry reserves the right to attach further legislative and regulatory conditions during the operational phase of the project.

3. Regular environmental monitoring and evaluations on environmental performance should be conducted. Targets for improvements should be established and monitored throughout this process.

C2: Clearance Certificate Validity

1. This environmental clearance is valid for a period of 3 (three) years, from the date of issue unless withdrawn by this office.

2. On expiry of the ECC, the proponent is required to submit within a period not exceeding one month, and in the prescribed form and manner an application to the Office of the Environmental Commissioner for the renewal of the ECC.
3. Failure to renew an expired environmental clearance certificate shall result in permanent termination of the environmental clearance certificate.

4. In terms of Section 3 (2)C of the Environmental Impact Assessment, you are instructed to, within 14 days of this notice issuance date, ensure that all registered interested and affected parties (" I&APs") are notified that an environmental clearance certificate has been issued in respect to your application and of their right to appeal

C3: Compliance with authorization under other laws

5. All other applicable and required permits or authorization from relevant competent authorities must be obtained prior to commencing the proposed activities and accordingly adhered to.

C4: Implementation and Monitoring

6. The granting of the Environmental Clearance Certificate (ECC) constitute, an approval for the implementation of mitigation measures proposed in your approved Environmental Management Plan (EMP), hence making the approved EMP legally binding document.

7. The proponent shall appoint a suitably experienced environmental control officer, or site agent where appropriate, before the commencement of any listed activities to ensure compliance with the conditions of approval and mitigation stipulated in the approved EMP

8. A copy of the Environmental Clearance Certificate (ECC), EMP, Environmental Audit and monitoring reports must be kept at the site of the authorized activity and readily available for inspection by officials of the Ministry and registered Interested and affected Parties (I&APs) on request.

9. Should any heritage remains be exposed during excavations or any other actions on the site, these must immediately be reported to the National Heritage Council of Namibia. Heritage remains uncovered or disturbed during earthworks must not be further disturbed until the necessary approval has been obtained from National Heritage Council.

10. Using the best and affordable methodology, the Proponent must ensure that all listed activity's operations footprints are thoroughly rehabilitated prior to closure of the operation. Wherever possible, the Proponent must proceed with the rehabilitation process concurrently with the progression of the project rather than wait until the damage is far beyond the available means of management.

11. The general standard for all rehabilitation processes must at all costs aim at restoring the natural character of the environment to the satisfaction of the Ministry of Environment, Forestry and Tourism. Such rehabilitation processes shall be inspected and certified satisfactory or unsatisfactory by the Ministry of Environment, Forestry and Tourism. Where a certificate of unsatisfactory is issued, the Proponent shall be advised to carry-out certain tasks to meet the requirements. Failure to meet the basic rehabilitation requirements shall be regarded by this Ministry as a breach of this contract and of which serious consequences shall follow.

12. Officials of the environmental commissioner's office may from time-to-time conduct spot-inspection (non-auditing) without prior notice and or Auditing Inspection (dates to be agreed prior to arrival to the site), hence

access to the site and the aforementioned documentation must be granted to any authorized official representing the Office of the Environmental Commissioner and Registered Interested and Affected Parties (I&APs)

13. Any changes to, or deviations from the scope of the alternative described in section B above must be accepted or approved, in writing, by the Office of the Environmental Commissioner before such changes or deviations may be implemented. In assessing whether to grant such acceptance/ approval or not, the Competent Authority may request information in order to evaluate the significance and impacts of such changes or deviations, and it may be necessary for the holder to apply for further authorisation in terms of the applicable legislation.

14. Officials representing the Office of the Environmental Commissioner must be, in possession and or by request and for the purpose of inspection referred to in C4(12) present their staff identification card in order to gain entry to the premises

15. The proponent is required, from the date of commencing implementation of project activities, to compile and submit environmental monitoring reports (on project progress and the environmental management profile) on a bi-annual basis to Office of Environmental Commissioner

16. Any changes to, or deviations from the scope of project activities approved in respect to the assessment received and reviewed for the purpose or granting this ECC Number (**ECC-APP2896**) are subject to an amendment application and approval by the Environmental Commissioner prior to adopting / implementing any such changes / deviations.

17. For the purpose of amending and or transferring the ECC, the proponent submit in the prescribed form and manner an application to the Office of the Environmental Commissioner, clearly indicating the need for amendment and or transfer of the ECC

18. Non-compliance with a condition of this Environmental Clearance Certificate or EMP may render the Proponent liable to criminal prosecution.

D. DISCLAIMER

1. The decision taken by the Office of Environmental Commission is based mainly on information provided by the proponent or their representative, therefore, it must be noted here that the proponent is accountable for any wrong and misleading information that may have been presented in the environmental assessment documents.

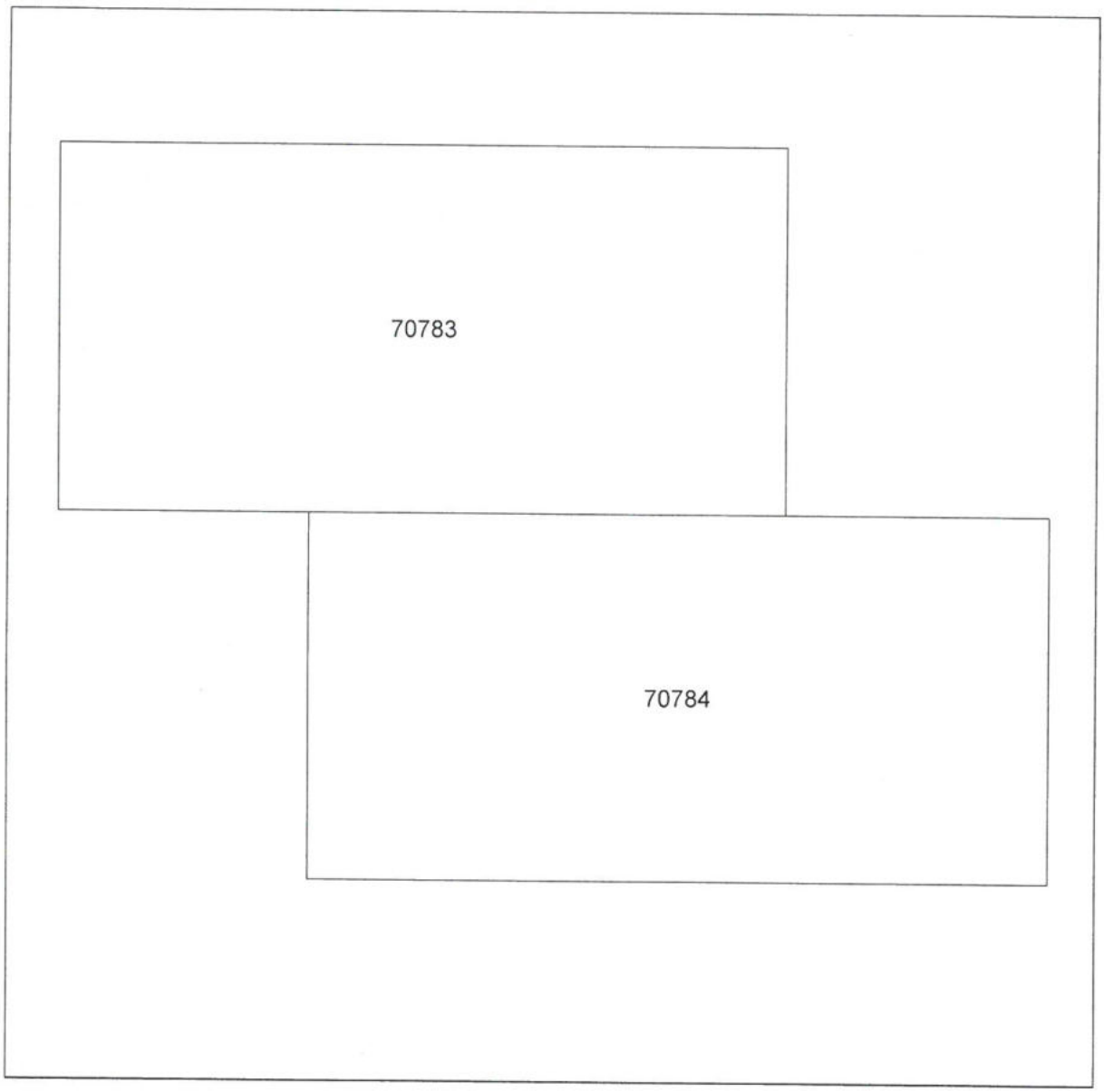
Yours sincerely,

MINISTRY OF ENVIRONMENT, FORESTRY AND TOURISM
Private Bag 13306
WINDHOEK NAMIBIA
03 NOV 2022
OFFICE OF THE ENVIRONMENTAL COMMISSIONER
REPUBLIC OF NAMIBIA

Timoteus Mufeti
ENVIRONMENTAL COMMISSIONER

ANNEXURE A: SITEMAP / SITE LAYOUT

Mining of Blue Sodalite Dimension stones and semi-precious stones near Otjimuhaka, withing Mining Claim (MC) 70783 and 70784, Epupa Constituency, Kunene Region



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