

Black Mountain Mining

BMM-HSE-ENV-SOP-0017 Biodiversity Clearance Procedure

VZI Doc #	SBU Doc #	Document Type	Review Status
BMM-HSE-ENV-SOP-0012	BMM-HSE-ENV-SOP-0017	Standard Operating Procedure	Approved
Version	Confidentiality Level	Audit Standard	HOD
2.0	Internal (C3)	ISO 14001	Catharina Kotze

Effective Date	Review Date	Review Cycle	Next Review Date
15 April 2021	8-5-2025	2 Years	8-5-2027

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❖ Change History

Modified Date	Version	Modified by	Description of change
15/02/2021	1.0	AM Cloete	New Document
15/07/2025	2.0	AM Cloete	Review

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❖ Definitions and Abbreviations

Word / Phrase / Abbreviation	Definition
PEME	PEME is an acronym used in Black Mountain Mining and has the following meaning: - People, - Equipment, - Materials, - Environment, The use of this in written documentation helps to comply with Resources Clause 7 – ISO 9001, ISO 14001 and ISO 45001. It is advisable to include in all written documentation.
BMP - V:	Biodiversity Management Plan, Version V (read with all Annexures);
CAMP:	Conservation Area Management Plan (2022);
Conservation translocation:	Is the intentional movement and release of a living organism where the primary objective is a conservation benefit: this will usually comprise improving the conservation status of the focal species locally or globally, and/or restoring natural ecosystem functions or processes;
CBP:	Contract Business Partner;
DFFE:	Department of Forestry, Fisheries and Environment (previously Department of Environmental Affairs);
DAERL:	Northern Cape Department of Agriculture, Environmental Affairs, Rural Development and Land Reform (formerly DENC);
DMPR:	Department of Minerals Petroleum Resources;
EA:	Environmental authorization according to the National Environmental Management Act, 1998 (Act No. 107 of 1998);
IUCN:	International Union for Conservation of Nature;
Translocation:	Is the human-mediated movement of living organisms from one area, with release in another;
Listed Species:	Species listed in terms of International published species lists (IUCN, CITES), National (NEMBA) and/or Provincial (NCNCA) legislation;
MPRDA:	Mineral and Petroleum Resources Development, 2002 (Act No. 28 of 2002)
NEMA:	National Environmental Management Act, 1998 (Act No. 107 of 1998);
NEMBA:	National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);
NCNCA:	Northern Cape Nature Conservation Act, 2009 (Act No. 9 of 2009);
NFA:	National Forest Act, 1998 (Act No. 84 of 1998);
NWA:	National Water Act, 1998 (Act No. 36 of 1998);
Offset:	Measurable conservation outcomes resulting from actions designed to compensate for significant adverse biodiversity

Revisions of this document are controlled electronically. Treat hard copies as uncontrolled. Refer to the latest online version.

Word / Phrase / Abbreviation	Definition
	impacts arising from project development and persisting after appropriate avoidance
TOPS:	Threatened or Protected Species
WUL:	Water Use Licence

1. POLICY STATEMENT

BMC's standard procedures (SOP's) shall be written in a clear concise manner, communicated to all employees and applied accordingly.

2. OBJECTIVE

The objective of the Biodiversity Clearance Procedure is to provide guidance on activities that has a potential to disturb the ambient environment specifically relating to the removal of soil and vegetation. The procedure is applicable to small scale operations/projects and is not intended to cover new and extensive disturbance, these would require EIA's/EA's/EMPR's and other legislative procedures.

3. SCOPE

This procedure applies to all soil and vegetation activities undertaken at both Black Mountain and Gamsberg mining operations. The procedure is especially applicable in those areas identified as being of high biodiversity value (BMC-HSE-ENV-0015), which includes, but is not limited to, the national vegetation types (Mucina & Rutherford, SANBI updated version 2018) and the vegetation associations (plant communities) described in the Conservation Area Management Plan (CAMP, 2022)

4. STANDARDS AND RULES

The following legislation/procedures and standards/best practices are applicable to this procedure:

Legislation/Procedures:

- National Environmental Management: Biodiversity Act (Act 10 of 2004);
- National Forests Act (Act 84 of 1998), including the annual publication of protected tree species under Section 12;
- National Environmental Management: Biodiversity Act: Threatened or protected terrestrial species, read together with the regulations pertaining to Prohibited and exempted activities (2023)
- National Environmental Management: National Biodiversity Offset Guideline (2023)
- Northern Cape Nature Conservation Act, 2009 (Act No. 9 of 2009)
- National Norms and Standards for the remediation of contaminated land soil quality (2014)
- Gamsberg Search Rescue and Translocation Protocol (Endemic Vision, 2018);

Standards/best practice:

- IUCN: Guidelines for determining when and how ex-situ management should be used in species conservation (2014);
- IUCN: Guidelines for reintroductions and other conservation translocations (2013);

5. ACTIVITIES LIKELY TO CAUSE DISTURBANCE OF SOIL AND VEGETATION

The following are examples of activities that cause soil and vegetation disturbance and would trigger this procedure. Where the potential impact of an activity is unclear/uncertain, contact the Environmental and/or Biodiversity departments for clarification:

- When vegetation clearance and ground preparation for civil work activities needs to be carried out within the authorized development footprint areas as per EA, as required by the NEMA; approved WUL as per NWA and environmental approval by the DMRE according to the MPRDA;
- Infrastructure development where civil works, pits, etc. are to be constructed;
- Drilling site identification and establishment;
- Heavy machinery equipment entering areas not designated for driving (off road);
- Removal of trees from housing areas that pose a risk to infrastructure;
- When the translocation of listed species of conservation value within the mining, exploration and associated infrastructure development footprints is required and for which an Integrated Flora Permit has been approved and issued by DAERL;
- Translocation and/or destruction of protected trees within the mining, exploration and associated infrastructure development footprints are required and for which a Protected Tree Permits has been approved by DFFE; and
- Change in the existing land use of an area, such as extending the mining footprint.

6. CLEARING PROCESS

6.1 Pre-clearance Requirements

- The site user (CBP's and their employees/BMC employees/ employees using the yard) must obtain and complete, a Clearance Report form (CHL-004), from the Environmental and/or Biodiversity Department, prior to any vegetation and/or soil clearance;
- The site user must notify the surveying and Environmental/ Biodiversity Department about the proposed site clearance and planned construction activities. Prior notification, of at least two weeks, is required prior to clearance activities commencing;
- Relevant surveyor department must delineate the proposed site (maps and visual demarcation) and end-user must ensure the same is communicated to the Environmental/ Biodiversity Department;
- The Environmental/Biodiversity departments will assess the site and activity in order to determine conservation importance and site sensitivity. The assessment needs to consider conditions of the EMPR, BMP and CAMP;
- Deviations observed during the site inspection are to be reported to the Biodiversity Manager;

- The Biodiversity/Environmental Officer will inspect the proposed site prior to the clearing activity and inspect the site, including a 50 m buffer surrounding the delineated area, for the presence of the following:
 - o Threatened or Protected Species (NEMBA TOPS);
 - o Protected species (NCNCA);
 - o IUCN Red Data species list; and
 - o Protected trees (NFA).

Table 1: Trees listed as protected under various legislation

Protected Trees				
Species	Common Name	IUCN	NCNCA	DDFE - NFA
<i>Ozoroa dispar</i>	Namaqua Resin Tree	Least Concern	Specially Protected	
<i>Aloidendron dichotomum</i>	Quiver Tree	Vulnerable	Specially Protected	
<i>Boscia albitrunca</i> var. <i>albitrunca</i>	Shepherd's tree	Least Concern	Protected species	Yes
<i>Boscia foetida</i> subsp. <i>foetida</i>	Smelly Shepherd's tree	Least Concern	Protected species	
<i>Vachellia erioloba</i>	Camel thorn	Least Concern		Yes

- The site inspection/assessment must additionally include capture of the following data:
 - o dominant species (CAMP 2022),
 - o canopy cover, and
 - o dominant growth form type (trees, grasses, herbs, shrubs etc)..
- Disturbance, removal, translocation or destruction of any listed or otherwise protected species is not allowed unless an approved Integrated Flora/Fauna permit or Protected Tree permit has been obtained for the specific activity;
- Further general requirements include the following:
 - o Fires are prohibited;
 - o Unnecessary vegetation and/or topsoil clearing should be avoided; and
 - o Activities with potential impacts in identified no-go/set-aside areas are prohibited.

6.2 Site Clearance

- During a site visit by the site supervisor, end user, surveyors and biodiversity department all clearing limits will be confirmed before commencement of work;
- Clearing is to occur only on the mapped area within the clearing limits only;

- The Environmental/Biodiversity Officer will ensure that the necessary permits relating to clearance have been obtained (Integrated Flora and Protected tree);
- Species rescue and relocation needs to be implemented according to the search, rescue and translocation protocol. All rescue and translocation is the responsibility of the Environmental/Biodiversity Officer;
- In the case of observed injured fauna, the officer will contact the state veterinary for remedial action;
- The use of earth moving equipment is discouraged due to soil compaction and impacts; and
- Only designated roads and tracks must be used to access the site.

6.3 Topsoil stockpiling

- Stockpiling of topsoil should consider the following:
 - o Reduce heap size to between 1 to 2 m high making use of a front-end loader;
 - o Locate the stockpiles in an area where they will not be required to be moved due to development;
 - o Stockpile location must be sign posted "TOPSOIL STOCKPILE"
 - o Topsoil stockpiles must not be used for the construction of roads, berms or bunds. Any requirement for topsoil must be directed to the Environmental/Biodiversity departments.

7. SUMMARY OF PROCEDURE FLOW

8. RESPONSIBILITY

- The Environmental/Biodiversity officer shall implement, review and maintain this Procedure;
- The HOD shall ensure that this standard procedure is applied with due diligence;
- Deviations from this standard procedure shall be effected via approved "Deviations from Standard" documentation; and
- Should additional precautions, due to special circumstances unique to that Department/Section, over-and-above the requirements of the procedure are necessary, then the HOD shall ensure that, in consultation with the relevant specialists, such requirements are specified in writing, conveyed over to the end users and recorded as such.

9. REVISION HISTORY

Version 1 of SSD-ENV-SOP-017 Biodiversity Clearance Procedure dated 15 February 2021 includes.

- Amendment and update document into new format of document to be in alignment with BMM document format.
- Update document to change new document numbering in relation to the document control in place at BMC.

Version 2 of SSD-ENV-SOP-017 Biodiversity Clearance Procedure dated July 2025 includes:

- Document Number change to new format – BMM-HSE-ENV-SOP-0017
- Added protected trees table
- Updated the flowchart
- General update for procedure to reflect current BMP and CAMP requirements

10. DISTRIBUTION AND ACCESS

The latest revision of this document is available as a read only on the document on the Intranet.

The Environmental Officer shall maintain an authorised hard copy of this policy/procedure in the relevant location.

Line Managers, who have staff reporting to them that do not have access to the Intranet, shall ensure that these personnel are adequately guided and informed.

11. VALIDITY AND DOCUMENT MANAGEMENT

11.1 Document Validity

This SOP is effective from 2021/04/15 and was last reviewed on 05-08-2025. This SOP will be reviewed every 2 Years.

11.2 Document Management

- 11.2.1 This SOP replaces any other SOP issued earlier by BMM to the extent specifically covered here. This SOP should be followed in letter and spirit.
- 11.2.2 BMM is committed to continuously reviewing and updating policies and procedures, based on the Entity's risk assessment and shall incorporate for any regulatory requirement which is required to do so.
- 11.2.3 Any amendment to this SOP or issue of any guidance or circular etc. under this procedure must be approved in writing by the approving authority as listed in this document.
- 11.2.4 BMM reserves the right to withdraw, modify or revise the SOP as a whole / partial without providing any justification for the same. On revision, it should be duly communicated to the personnel involved.
- 11.2.5 If compliance with this SOP ever conflicts with the applicable law, regulation, directives issued by the statutory and or regulatory authority, then compliance must be ensured with the law.

- 11.2.6 In order to ensure compliance or to address any known conflicts with the law or to address any specific local requirements, BMM may adopt local sub-procedures which shall be by way of addendum to this SOP and which shall be approved by the approver of this SOP. Proposing of such addendum shall be the responsibility of the respective Entity's competent authority who is at an equivalent level with the SOP owner as set out in this document.

11.3 Violation of Sop

- 11.3.1 BMM follow a "Zero Tolerance Policy" with respect to non-compliance with this SOP and/or any other SOP / guidance issued by BMM and its constituent Entities.
- 11.3.2 Violation of this SOP is subject to appropriate disciplinary actions which may include but not limited to termination of employment. This determination will be based on the facts and circumstances of each situation. Any accused of violation of this SOP will be given an opportunity to present their case prior to any determination of appropriate disciplinary actions. Violation of this SOP may also be subject to substantial civil damages, criminal fines and prison terms.
- 11.3.3 Each employee is responsible for ensuring that their conduct and the conduct of anyone reporting to them shall fully comply with this SOP. Compliances, both personal and by subordinates, will be a factor in periodic performance appraisals.

11.4 Disclaimer

- 11.4.1 This SOP issued by BMM is for internal compliance and does not create, nor shall it be construed to create, directly or implicitly, any rights, duties or obligations of BMM to any person, body or legal Entity.
- 11.4.2 This document and its contents are the copyright property of BMM. The release of this document to any third party outside BMM is strictly prohibited without prior consent.

12. REVIEW AND APPROVAL

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This document was approved (in sequence) by the individuals above using electronic approval in our Document Control System.

Final approval status: **Approved**

Approvals were done electronically.

❖ **Annexures / Appendix**