

Save Langebaan Lagoon  
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7357

6<sup>th</sup> July 2018

Chief Directorate: Aquaculture and Economic Development

Department of Agriculture, Forestry and Fisheries

**Re: Environmental Authorisations and Appeal Decision conditions for Saldanha Bay ADZ**

Please submit written feedback regarding the following queries concerning the concomitant conditions of the environmental authorisations for the ADZ, as specified by the Department of Environmental Affairs (14/12/16/3/3/1/1728 and 14/12/16/3/3/1/1728/2) and by the Minister: Environmental Affairs, in her Appeal Decision (Reference LSA169576), to this email address.

**The Appeal Decision refers:**

**Point 4.18:** "...size of ADZ will be reduced to 420 hectares".

1. Page xi SRK Consulting: Saldanha ADZ Final Basic Assessment Report Executive Summary (May 2017) refers: Please indicate at what stage during the environmental authorisation application process the total size of the ADZ was reduced from 884 hectares to 420 hectares?
2. When and how were I&APs notified of such change?
3. When were new maps issued for commentary by I&APs, showing how the reduced footprint of 420 hectares is distributed across the receiving area?

**Point 4.10:** "alternative land based ADZ was assessed during the pre – feasibility stage"

1. Why was this not referred to in the proposed alternatives in the BAR?
2. When, where and how was this alternative assessment conducted? By whom?
3. Where are these assessments?
4. What were the findings?
5. Were current South African land-based facilities referred to in the assessment?
6. Was the global experience re land-based facilities referred to?

**Point 4.12:** “The Minister notes concern raised regarding lack of defined thresholds for environmental parameters in EAs” and requires the establishment of two management bodies: ACM Aquaculture Monitoring Committee & Consultative Forum.

1. What is the remit of both bodies?
2. What is their authority? Legal construct?
3. To whom do they report?
4. How are they capacitated and resourced?
5. What is the membership selection criteria for both bodies?
6. Have these bodies already been constituted. If so, copies of MOUs/ Constitutions?
7. Level of independence of members?
8. How do both bodies assess their efficacy?

**Point 4.13:** “DAFF to appoint specialist to draft sampling and monitoring plan which will be used to monitor ADZ “

1. Who is this specialist?
2. Selection criteria?
3. Level of independence?
4. Peer oversight of plan?

**Point 4.13:** “...thresholds for environmental parameters are determined after baseline monitoring has been initiated “

1. What is the definition of environmental parameter thresholds?
2. What is included and excluded in baseline monitoring of this specific development?
3. Where will this monitoring take place? What are the determinants for this choice?
4. What is the minimum period for capturing / recording baseline monitoring results?
5. Who will conduct the monitoring / capturing / recording of these results? Who pays for this?
6. Who determines the performance criteria of those responsible for conducting the baseline monitoring and determining thresholds?
7. What oversight mechanisms are in place to assess performance and ensure outcomes are met timeously?
8. How soon after “baseline monitoring” has been initiated will thresholds be determined?
9. When will the results of the baseline monitoring and the environmental parameter thresholds be made public and through what formal communication channels?

**Point 4.14:** Benthic mapping under area prior to commencement

1. Who will do the benthic mapping? To what standards? Who pays for this?
2. How many “floor bed samples” will be taken, over what period of time and how frequently?
3. What are the determinants for selection of the area for benthic mapping?
4. Will benthic mapping be conducted in the MPA areas?
5. Who reviews performance of those responsible for the benthic mapping?
6. When will results be made available after each mapping period?

7. How will these results be made available and to whom? What peer-review mechanism is in place?

**Point 4.14.3:** Predictive dispersion models must be developed within two years of new aquaculture activities commencing

1. Define Predictive Dispersion Models.
2. Which Predictive Dispersion Models will be used? Where else in the world have these models been used and with what peer-reviewed success?
3. Has the selection of the models been independently peer reviewed as the most appropriate for the type and scale of activity planned?
4. Who will customise these models for the specific conditions?
5. Who pays for this?

**Point 4.15:** ADZ level monitoring for wider spatial and cumulative impact of farms, including monitoring further afield and at controlled sites, to determine the ADZ footprint and inform expansion of aquaculture within approved limits or boundaries

1. What is defined by “further afield” and what are the co-ordinates of the controlled sites.
2. Does further afield extend into the Lagoon and the other MPAs?
3. Over what period of time will cumulative impacts be monitored?
4. What is meant by “inform expansion of aquaculture within approved site”? Does this refer to the authorised EMPr’s phased-in strategy, or does it mean that the ADZ can expand beyond this footprint at later stage, and with what sanction?
5. When referring to “wider spatial and cumulative impact of farms”, does this mean that baseline samples have to be taken in these “further afield” areas and will also be taken prior to commencement of farming activities? i.e. Samples of Lagoon /other MPAs / and areas not within footprint of the ADZ will also be taken and recorded as baseline conditions prior to commencement?
6. Who will conduct this monitoring? Who will pay for it?
7. What independent oversight will there be of the results?
8. What sanction will be applied to the development if the results show high risk of harm to the both the receiving environment and areas adjacent thereto?
9. What do the results need to show before further expansion is contemplated?
10. How will the results of the monitoring be made available to the public and in what timeframe post the findings?
11. Will development expansion be suspended until results of the monitoring have been thoroughly and independently evaluated? If so, how will this be enforced?

**Point 4.17:** “The potential impact to RAMSAR site was adequately considered during EIA process”; “Impacts are deemed to be low to medium impacts with the implementation of the recommended mitigation measures “

1. What are these mitigation measures for the Ramsar site?
2. How will they be implemented?
3. Who will implement these mitigating measures?
4. Who will pay for this implementation?

5. Who will be responsible for enforcement / monitoring / assessment of mitigation measures?
6. Who will conduct oversight of the results of the mitigation measures?
7. Do these mitigation measures and monitoring standards meet with the approval of the Ramsar Secretariat? If so, please provide evidence of this approval.
8. Have the local representatives of Ramsar been consulted regarding the monitoring and the mitigation measures?
9. What sanctions are in place if the results do not meet with the approval of Ramsar? How soon will these sanctions be applied after the results show harm to the Ramsar site?
10. Who is responsible for informing / updating and communicating with the Ramsar Secretariat with regards to the potential impacts, the planned mitigation thereof, the results of the monitoring and the response to the results?
11. What has been the response from the Ramsar Secretariat regarding the ADZ development?

**Point 4.18:** "...after the said reduction, no further objections were raised regarding socio-economic impacts."

1. Please refer to pages 2 to 4 of the SLL's Letter of Objection to SRK's Final Basic Assessment Report, timeously submitted and for which receipt thereof was formally acknowledged. Please confirm that said letter was submitted to the DEA as part of DAFF's final application for environmental authorization of the ADZ, as the Minister statement in Point 4.18 is factually incorrect.

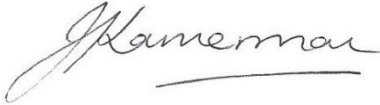
**General:**

1. When will the baseline monitoring commence and over what period of time?
2. Mitigation measures as per SRK's FBAR refers: How will these mitigating measures be implemented, monitored, enforced, and financed?
3. Will the mitigation measures be implemented prior to the commencement of farming activity?
4. Will all the mitigation measures identified by SRK be implemented concurrently?
5. Who will ensure that the mitigation measures are implemented for all farming activity in a standardised manner and to best practice? Who will conduct independent oversight of this process?
6. Molapong's Pilot Project
  - What will now happen with Molapong's fin-fish trial cages, as their siting falls outside the ADZ coordinates?
  - What is the time-period allowed in terms of their permit in which to run a pilot project?
  - What does the permit allow in terms of the scale of the pilot project – number and type of cages, tonnage?
  - Cages used in the pilot project are different from those authorised in terms of their FBAR. Who will ensure that the pilot project cages are not moved into their lease area within the ADZ?
  - How long has the pilot project been operating? What kind of monitoring has been conducted thereon? What have the results shown? Which independent body or expert has reviewed the results? What action has been taken regarding the results?

- What is the depth of the water in which the current trial cages are situated? How does this compare to Molapong's allocated area for fin-fish farming operation within the ADZ?

We would appreciate a response regarding the above by 31<sup>st</sup> July 2018.

Yours Sincerely

A handwritten signature in cursive script that reads "Jennifer Kamerman". The signature is written in black ink and is positioned above a horizontal line.

Jennifer Kamerman  
On behalf of Save Langebaan Lagoon  
[www.savelangebaanlagoon.co.za](http://www.savelangebaanlagoon.co.za)