

APPEAL QUESTIONNAIRE

Appellant's contact information:

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Project information:

Project name : Sea Based Aquaculture Development Zone (ADZ) in Saldanha Bay within Saldanha Bay Local Municipality in the Western Cape Province, West Coast District Municipality

Authorisation register number as on environmental authorisation:

Project 1: 14/12/16/3/3/1/1728/ AM2

Authorisation date as on environmental authorisation:

Project : 8th January 2018

APPEAL IN RESPECT OF AMENDMENT OF THE ENVIRONMENTAL
AUTHORISATION ISSUED ON 08 JANUARY 2018 DEA REF
14/12/16/3/3/1/1728/AM2

FOR THE SEA BASED AQUACULTURE DEVELOPMENT ZONE (ADZ) IN
SALDANHA BAY WITHIN SALDANHA BAY LOCAL MUNICIPALITY IN THE
WESTERN CAPE,

1. Are you lodging this appeal as an individual or on behalf of a community/organisation?

	Community/ organisation
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If on behalf of a community or organisation, please provide proof of mandate to do so.

See proof attached: APPENDIX 1: MANDATE

2. Is your appeal based on factors associated with the process that was followed by the applicant in obtaining authorisation?

Yes	<input type="checkbox"/>
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Please provide reasons:

1. Failure to conduct public participation process

It is contended that the Applicants failed to conduct a public participation process prior to the application for amendment of the environmental authorisation. The Consultative Forum was not informed of any proposed amendments to the Saldanha Bay ADZ EA, which violates the requirements set out in the EA and EMPr.

3. Is your appeal based on factors associated with environmental impacts not taken into account by the department in refusing or authorising the application?

YES	<input type="checkbox"/>
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Please provide reasons:

1. Reef habitat below designated Saldanha Bay ADZ, Big Bay Precinct
This point is referred to in greater detail in question 7.

2. Waste Management act not assessed in EIA

The question of waste management was excluded in the process of the EIA, as it was stated that this is a Sea-based project and application for land based processing activities would have to apply separately for waste management. The effects of aquaculture activity in terms of waste on the Sea-bed needs to be addressed.

4. Would you agree to the activity proceeding if your concerns can be addressed by rectifying the process or mitigating or eliminating the impacts of the activity?

	No
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Please provide reasons:

1. Exclusion of Consultative Forum with regard to future changes to EMPr.

The amendment states that the applicant does not require approval from DEA&DP prior to effecting changes. The widening of the authority of the AMC to make unilateral decisions suggests an intentional withdrawal of transparency by DEFF-Fisheries, which will fatally damage the tenuous trust between the parties that has been hard won through the stakeholder engagement process of the Consultative Forum.

5. Are you fundamentally opposed to any development activity on the site?

Yes	
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Please provide reasons:

The Saldanha Bay ADZ borders on a Marine Protected area as well as an Internationally recognised RAMSAR site. Globally scientific research has shown that open water FIN FISH farming causes irreparable damage to the marine ecology. This updated international data should be considered with regards to the Saldanha bay ADZ.

6. Do you have an objection in principle against the development?

Yes

Please provide reasons:

1. Refer to Save Langebaan Lagoon first appeal submitted ,dated 05 February 2018 – Appendix 3
2. Reef habitat below designated Saldanha Bay ADZ, Big Bay Precinct
This point is referred to in greater detail in question 7.
3. Failure to clarify factually correct coordinates of authorised ADZ site.
Currently geographic coordinates of Saldanha bay ADZ and Molapong Aquaculture Pilot Phase site appear incorrect on maritime charts, and charts are not being updated, this is a threat to navigation.

7. Does your appeal contain any new information that was not submitted to the environmental consultant or department prior to the department's consideration of the application?

Yes	<input type="checkbox"/>
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If the answer above is yes, please explain why it should be considered by the Minister and why it was not made available to the environmental consultant or department during the application process.

1. New Scientific Evidence of Reef habitat below Saldanh Bay ADZ :

On 14 September SLL received an email from the ADZ CEO informing us that a new independent benthic study had been undertaken in Saldanha Bay. The DEFF: Branch Fisheries Management had appointed Anchor Research and Monitoring for a 6-month contract to conduct part of the monitoring requirements as per the Sampling Plan. This report was released to DEFF: Branch Fisheries in June 2020 and forwarded to the Consultative Forum members on 14 September 2020.

The report provides new scientific information that is critical in addressing the receiving environment and the impact that the ADZ will have on the Big Bay Precinct (one of the 4 precincts / aquaculture zones that are being developed).

The report highlights the discovery of a reef habitat below the area, that is being developed. The report states that no assessment was done in the Basic Assessment Report (BAR) /EIA with regard to this reef and no factors considered as to how the marine ecology of the reef will be affected by aquaculture activity and specifically the Fin Fish farms directly above the reef habitat.

SLL does not know why the existence of the reef was excluded in the EIA.

SLL does not know why the applicant failed to mention the new scientific information in their application for amendments of the EA submitted to DEFF on 30 July 2020 when the report is dated June 2020 and thus the applicant should have been aware of the new information.

8. **DECLARATION:**

I declare that the contents of this submission are to the best of my knowledge the truth and I regard this declaration as binding on my conscience.

APPELLANT: SAVE LANGEBAAN LAGOON

Per: Clifford Wright – Chairman Save Langebaan Lagoon

DATE: 06 October 2020

