



agriculture, forestry & fisheries

Department:
Agriculture, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Directorate: Sustainable Aquaculture Management, Department of Agriculture, Forestry and Fisheries
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To whom it may concern,

RE: ALGOA BAY SEA BASED AQUACULTURE DEVELOPMENT ZONES, PORT ELIZABETH, EASTERN CAPE

The national Department of Environmental Affairs (DEA) has granted authorisation for the construction and operation of the Algoa 1 Option 1 (North) Aquaculture Development Zone (ADZ), off Port Elizabeth in the Eastern Cape.

Please refer to the attached letter from Cape EAPrac providing the details of the authorisation.

Yours sincerely

MR ASANDA NJOBENI

DIRECTOR: SUSTAINABLE AQUACULTURE MANAGEMENT

DATE: 2014-8-14



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20 August 2014

Our Ref: NMM101/29

DEA Ref: 12/12/20/2181

NEAS Ref: DEA/EIA/0000687/2011

Dear Registered Stakeholder

Via E-mail, Fax or Post

RE: ENVIRONMENTAL AUTHORISATION FOR THE ALGOA BAY SEA BASED AQUACULTURE DEVELOPMENT ZONES, PORT ELIZABETH, EASTERN CAPE

Cape Environmental Assessment Practitioners (*Cape EAPrac*) were appointed by the national **Department of Agriculture, Forestry and Fisheries (DAFF)** to facilitate the legally required Scoping & Environmental Impact Reporting (S&EIR) process in terms of the National Environmental Management Act (NEMA, Act 107 of 1998, as amended) for the proposed development of Sea-based Marine Aquaculture Development Zones (ADZs) in Algoa Bay near Port Elizabeth in the Eastern Cape province.

On behalf of the DAFF you are hereby notified that the national Department of Environmental Affairs (DEA) has issued an Environmental Authorisation (EA), **granting Authorisation** for the proposal as submitted in terms of the NEMA.

This Environmental Authorisation (EA) was *signed* on **9th July 2014** and *issued* on the **13th August 2014**.

PROPOSAL APPROVED

The development of sea-based Aquaculture Development Zones (ADZs) in Algoa Bay near Port Elizabeth, Eastern Cape. The infrastructure associated with this facility includes:

- A plant not exceeding 1000 ton / annum; and
- Sea-floor footprint of 30ha and a surface envelope of 2.5ha (inclusive of safety equipment).

NEMA ACTIVITIES APPROVED

Government Notice R544, Activity 18 and R545, Activities 7, 13, 14 & 16.

CONDITIONS OF APPROVAL

The EA issued by the Department is subject to various **Conditions of Approval**. Conditions specific to pertinent issues raised during the EIA process have been highlighted below. Please ensure that you obtain a complete copy of the EA to familiarise yourself with all conditions and requirements of the EA. The **complete** EA is available on request from this office. In addition, the EA has been published on the *Cape EAPrac* website at www.cape-eaprac.co.za.

Condition 1: The preferred site, Algoa 1 (the northern portion) Option 1, with a pilot plant not exceeding 1000 tons per annum in production capacity and with a sea-floor footprint of 30ha and a surface envelope of 2.5ha is approved.

Condition 2: Any increase to the authorised size of the proposed development will be subject to an environmental impact assessment process, which will take into consideration all the monitoring information and all data gathered during the operational phase of Phase1.

- Condition 3: The Department will only consider any expansion application after 12 months of operation of Phase 1 on condition that there is sufficient data available to make an informed decision.
- Condition 6: The activities authorised may only be carried out at the property as described in the EA.
- Condition 14: The Environmental Management Programme (EMPr) submitted as part of the application for EA must be amended and submitted to the Department for written approval prior to commencement of the activity. The recommendations and mitigation measures recorded in the EIA dated July 2013 and this EA must be incorporated as part of the amended main EMPr. Once approved, the main EMPr must be implemented and adhered to.
- Condition 16: Each operator must have its own individual EMPr, which is aligned to the main EMPr.
- Condition 18: The holder of the authorisation must appoint a suitably qualified and experienced independent Environmental Control Officer (ECO) for the construction phase of the development that will have the responsibility to ensure that the mitigation / rehabilitation measures and recommendations referred to in this authorisation are implemented and to ensure compliance with the provisions of the EMPr.
- Condition 33: Each farmer must maintain a comprehensive and detailed register of the quantities of chemicals, antibiotics, antifoulants and hormones, etc. that are utilised. Environmental concentration should be measured at the edge of the zone of expected impact (50m from the cage group) in water and sediment samples.
- Condition 34: The stock must be monitored on a monthly basis for diseases and parasites and treatment of adjacent cages must occur simultaneously.
- Condition 35: Nets must be kept clean and sufficient fallowing time must be allowed to ensure low environmental levels of intermediate hosts and pathogens.
- Condition 36: Prior to any development on the site, a hydrodynamic modelling exercise of waste dispersal using detailed current profiling data must be conducted. There must be modelling of different levels of ADZ development and predicted waste discharge to ensure that waste plumes do not impact on sensitive habitat such as the Algoa Bay shoreline and Island group.
- Condition 37: There must be detailed monthly water quality and benthic monitoring, including baseline survey at control and impact sites. Should the environmental quality indicator be exceeded outside the accepted sacrificial footprint, the carrying capacity of Algoa 1 must be reduced.
- Condition 38: There must be a log of all cetaceans recorded in the vicinity of the fish farms including behavioural observations. A cetacean monitoring programme must be established in order to detect potential changes in cetacean habitat use in the broader Algoa Bay.
- Condition 39: Suitable predator nets (sufficient strength, visibility and mesh size above and below the water line) must be installed and maintained. Visual deterrents must also be installed.
- Condition 40: Minimal blood and offal must enter the water during harvesting of stock. Injured and dead fish must be removed from cages immediately upon identification.

- Condition 41: Feed with maximum conversion ratio to reduce the volume of excess feed and/or droppings must be used to reduce organic and chemical pollution.
- Condition 42: Weekly visual observations must be undertaken beneath each cage to assess the extent of pellet and faecal deposition beneath the cages, alternatively cylinders must be suspended below each of the cages, close to the sea bed in order to collect faecal and feed waste.
- Condition 44: Should the findings or result of the active operational monitoring reveal that the marine aquaculture for finfish is deemed inappropriate and incompatible with other users and has or has potential to cause detrimental impact on the receiving environment, then appropriate action will be taken to cease the negative impacts, which may result in the decommissioning of the whole project.
- Condition 45: A specialist must be commissioned to conduct shark movement studies within Algoa Bay, more specifically Algoa 1, to enable the monitoring and future quantification of any changes in the residency and behaviour of sharks when the fish farms become operational.
- Condition 47: If monitoring protocols stated in the EMPr are not met during the operation of the pilot plant, operation will be interrupted and further adaptive measures will be implemented and these will be monitored for 3 months. Should there be no improvements after these measures have been implemented, then operations will be stopped and decommissioned.
- Condition 48: An Environmental Monitoring Committee (EMC) must be established by the applicant before commencement of construction activities. *(The EMC must consist of pre-identified stakeholders representative of affected industries i.e. fisheries, tourism, yachting, recreational sports, various Authorities and specialists who must assess and provide regular feedback on monitoring data to their respective organisations and the competent Authority. This is to ensure that stakeholders in general remain informed and involved throughout the operations).*
- Condition 49: The Environmental Monitoring Committee will ensure that the monitoring protocols are adhered to and that the objectives associated with it are implemented and achieved. This committee will have the power to make recommendation to the Competent Authority, based on the findings of the monitoring data received and the outcomes required by the EIA process and this authorisation.

REASONS FOR DECISION

- a) The identification and assessment of impacts are detailed in the EIAR dated July 2013 and sufficient assessment of the key identified issues and impacts have been completed.
- b) Algoa 1 and 5 are already congested with other land uses, including recreational activities, commercial fishery and conservation initiatives (Proposed MPA) and the proposed does offer some further conflicts with other users.
- c) It is noted that there are gaps in knowledge regarding the proposed as it is the first of its kind in South Africa and there is no concrete data in terms of expected impact. However, it is believed that the precautionary approach taken as per the conditions of the EA will be sufficient to mitigate or curb any detrimental impact the proposed might have on the receiving environment.
- d) The procedure followed for impact assessment is adequate for the decision-making process.

- e) The proposed mitigation of impacts identified and assessed adequately curtails the identified impacts.
- f) The information contained in the EIAr dated July 2013 is accurate and credible.
- g) EMPr measures for the pre-construction, construction and rehabilitation phases of the development were proposed and included in the EIAr and will be implemented to manage the identified environmental impacts during the construction process.

APPEAL PROCEDURE in terms of Chapter 7 of the Regulations

As per confirmation with the Department, should any party wish to appeal this decision, a Notice of Intent to Appeal Form must be lodged with the national Minister of Water and Environmental Affairs within **20 calendar days** from the date of *issue* of the EA.

Please note: Due to the difference in dates when the EA was *signed* and *issued*, should any appeals be submitted, appellants are obligated to consult with the Minister's office regarding the technical appeal periods and/or any extensions thereto.

Following the submission of the Notice of Intent to Appeal, the Appellant must submit a formal Appeal Form to the Minister within **30 calendar days** after the lapsing of the 20-day period provided for the lodging of the Notice of Intent to Appeal. All appeal-related forms must be submitted to the Minister, by any of the following methods:

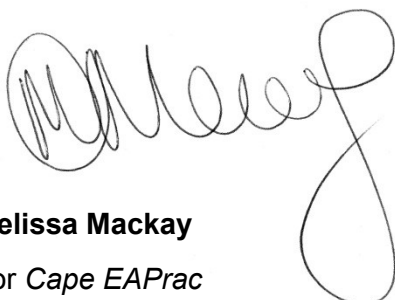
POSTAL:	PHYSICAL:
Private Bag X447	Environment House
Pretoria	473 Steve Biko Road, Arcadia
0001	Pretoria
Tel: (012) 399 9356	0082
E-mail:	AppealsDirectorate@environment.gov.za

Should you require assistance or have any queries regarding the appeal process / procedures, please contact the Appeals and Legal Review Office on 012 399 9356 (Mr Ziyaad Hassam).

The prescribed Notice of Intent to Appeal Form and Appeal Form are obtainable from the Minister's office at telephone and email details provided above. It is a requirement that Appellants provide copies of all related Appeal Forms to the Applicant. Please ensure that this office is also copied on such correspondence.

Thank you for your participation in this Environmental process. For any appeal related queries, you are required to consult directly with the Minister's office.

Kind regards,



Melissa Mackay
For Cape EAPrac