

## National SEA for Aquaculture Development in South Africa

### Meeting Notes

## National Strategic Environmental Assessment for Aquaculture

## Development in South Africa

### Focus Group Meeting #5

**Date:** 07 October 2016

**Venue:** EC DEDEA Boardroom, Port Elizabeth

**Focus areas:** Eastern Cape

#### Attendees

Name	Organisation	Email
Alan Southwood	EC DEDEA	Alan.Southwood@dedea.gov.za
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#### Apologies / Invited but did not attend

Name	Organisation	Email
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#### List of acronyms

ADZ	Aquaculture Development Zone
COEGA DC	Coega Development Corporation
COEGA IDZ	Coega Industrial Development Zone
CSIR	Council for Scientific and Industrial Research
DAFF	Department of Agriculture, Forestry and Fisheries
DEA	Department of Environmental Affairs
DRDLR	Department of Rural Development and Land Reform
DWS	Department of Water and Sanitation
EC BCP	Eastern Cape Bioregional Conservation Plan
EC DEDEA	Eastern Cape Department of Economic Development and Environmental Affairs
EIA	Environmental Impact Assessment
EL IDZ	East London Industrial Development Zone
EMPR	Environmental Management Programme
GMO	Genetically Modified Organisms
KOC	Knysna Oyster Company (Pty) Ltd
NEMA	National Environmental Management Act 7 of 1998
NMBM	Nelson Mandela Bay Municipality
RDPs	Resource Development Plans
RU	Rhodes University
SAIAB	South African Institute for Aquatic Biodiversity

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SANParks	South African National Parks
SDF	Spatial Development Framework
SEA	Strategic Environmental Assessment
SPLUMA	Spatial Planning and Land Use Management Act 16 of 2013
SUN	Stellenbosch University
TNPA	Transnet National Ports Authority

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#### 1. Overview of Aquaculture SEA – approach, objectives, scope, key outputs & stakeholder engagement

- Presentation by Lizande Kellerman (CSIR)
- Ricky Hannan (EC DEDEA) asked if the SEA is considering the Nile Tilapia, *Oreochromis niloticus* and the Mozambican Tilapia, *Oreochromis mossambicus*.
  - Lizande Kellerman (CSIR) responded stating that both these Tilapia species will be considered during the SEA process.
- Ricky Hannan (EC DEDEA) stated that stakeholders were asked to comment on a DAFF-funded pilot study on Barramundi (Asian sea bass), European catfish and Siberian sturgeon. He asked why these species are not included in the SEA.
  - Asanda Njobeni (DAFF) responded stating that there are other projects happening concurrently with the SEA process and that this SEA does not stop other projects and development from going ahead. It will be business as usual until the SEA outputs are implemented.
- Ricky Hannan (EC DEDEA) commented stating that *Cherax* species should be included in the list of species considered during the SEA as there is a large viable industry in the country for this freshwater crayfish species.
  - Michelle Pretorius (DAFF) responded stating that a decision had to be made on which species to include in the SEA to ensure the goals of the project will be achieved within approximately 18 months.
- Jeff Govender (EC DEDEA) asked what does the term “incentivize” mean. Does it imply that DEA and DAFF will be securing environmental authorisations for the aquaculture industry?
  - Simon Moganetsi (DEA) responded that government is trying to be pro-active and streamline the current authorisational processes looking to stimulate the development of the aquaculture industry in South Africa.
  - Asanda Njobeni (DAFF) responded that this SEA is directly linked to the legislative reform process that has come out of recommendations from Operation Phakisa. It aims to develop a screening or pre-assessment tool to be used by regulating authorities (e.g. DEA and DAFF) to avoid proposing development in areas that are not suitable for aquaculture. This will help the governing authorities to make informed decisions and be investment enablers of the industry.
- Quintus Hahndiek (EC DEDEA) asked if the term “incentivize” includes marketing aspects.
- Jeff Govender (EC DEDEA) asked if this will be a ‘plug and play’ solution – once you have your norms and standards you will only have to do certain things.
- Thembinkosi Tyali (EC DEDEA) stated that there was a big drive for aquaculture in the 1980s, but it seems the industry has never really picked up since. He asked what the causes of these failures are. He further stated that there is a need to feed the nation, and most of the aquaculture species being considered during the SEA will not be easily accessible to the people who really need it, it will only be accessed by a few.

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- Godfrey Murrel (NMBM) stated that when considering aquaculture there is a split into food production and economic viability in terms of job creation. Food production could be done with low impact, low cost catfish or tilapia species, but if one wants to focus on the economic aspects of the industry then consider high value species, exports, etc. These two approaches are very different.
  - Lizande Kellerman (CSIR) responded stating that the SEA aims to capture information available re: economies of scale of existing facilities, thus both these aspects will be considered.
- Ricky Hannan (EC DEDEA) mentioned that ranching processes are involved with both abalone and various other species e.g. freshwater mullet, and that natural water bodies in South Africa are being used for ranching of indigenous fish species. He asked if ranching included in the SEA process.
  - Lizande Kellerman (CSIR) responded to confirm that ranching is considered in the SEA process.
- Jeff Govender (EC DEDEA) commented posing a scenario where one individual have an aquaculture authorisation and another individual wants to start a new project, but the person with the existing authorisation sees the new project as a threat and then appeals by default. He suggested that the SEA needs to address a way on how to facilitate conflicting industries in the same space.
- Jeff Govender (EC DEDEA) mentioned that regarding additional inputs into the SEA stakeholder database, objections received from the Interested and/or Affected Parties (I&APs) on the EIA application for an aquaculture facility by DAFF in Algoa Bay should be considered during the SEA process as it is a good start for collecting stakeholders from a wider range of sectors.
- Ricky Hannan (EC DEDEA) commented that Dr. Dawood at DRDLR, who deals with import and export requirements for aquaculture species/products should be included as a stakeholder; however, this perhaps applies more to some species that currently fall outside of the scope of the SEA process e.g. Barramundi and European catfish.
- Mari Wolmarans (CDC Consultant) asked if the SEA is also considering the feed suppliers for the aquaculture industry.
  - Lizande Kellerman (CSIR) responded that feed suppliers will also be included in the stakeholder engagement process.
- Margantha Cox (DWS) wanted to know why some aquaculture facilities are unsuccessful and subsequently failed.
  - Lizande Kellerman (CSIR) responded stating that failed and/or decommissioned projects will be investigated to determine the reasons/criteria for closure.
- Aban Padayachee (SANParks) queried if the SEA process will consider the farming of more than one species at a particular facility at the same time e.g. abalone and fish fry raising. He also questioned if hydroponics together with aquaculture (i.e. aquaponics) will be

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considered during the SEA process.

- Rosa Blaauw (NMBM) suggested that the following stakeholders be included in the stakeholder database:
  - Animal rights traditional organisations / leaders;
  - Fishermen association groups;
  - Local business groups (generally beneficiary communities).

#### **2. Legislative context for the Aquaculture SEA**

- Presentation by Lizande Kellerman (CSIR)
- Jeff Govender (EC DEDEA) confirmed that permitting requirements for marine aquaculture in the Eastern Cape also includes a coastal discharge permit.
- Ricky Hannan (EC DEDEA) offered to provide the SEA team with copies of the Eastern Cape Nature Conservation Ordinance 19 of 1974 and Nature Conservation Act 10 of 1987.
- Ricky Hannan (EC DEDEA) further mentioned the existence and applicability of the Seashore Act 21 of 1935, as amended, for extracting seawater or pipes crossing the high tide line.
- Jeff Govender (EC DEDEA) mentioned the impact of SPLUMA on the development of the aquaculture industry due to the way it is structured as an applicant needs to have every single permit that it required to plan, construct and operate an aquaculture facility before he/she goes to the tribunal.
  - Simon Moganetsi (DEA) responded that DEA will screen proposed projects very early on to identify minimum information requirements that will be included in the SPLUMA SDFs. This will take effect through SPLUMA, not NEMA. This is another attempt to streamline and be pro-active about environmental decision-making.
- Paul Martin (Coega IDZ Eco) conveyed to the SEA team that generic norms and standards, conditions of approval streamlining (i.e. integrated authorisations) and a generic EMPR are supported. However, at project level there will still be a requirement for an EIA type process and public participation to take the project specific impact mitigation into account. He urged the team to make documents available for comments, because local knowledge can fill gaps e.g. existing development plans for different aquaculture projects.
- Rosa Blaauw (NMBM) commented on the following local municipal legislation that is relevant to the SEA process:
  - Public Permits By-Law;
  - Boat Launch Permit.
- Ricky Hannan (EC DEDEA) stated that there was a request for information regarding applicable legislation in the Eastern Cape. Apart from the normal requirements in terms of National Legislation such as the EIA Regulations, NEMBA Alien & Invasive Species Regulations and the coastal discharge permits required in terms of the NEM: ICMA,

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detailed below is a list of Provincial Legislation that may have an impact on any aquaculture venture in the Eastern Cape:

- Nature & Environmental Conservation Ordinance, 1974 (Ordinance 19 of 1974)
- Nature Conservation Act, 1987 (Act 10 of 1987 – former Ciskei)
- Environmental Decree, 1992 (Decree 9 of 1992 – former Transkei).

He explained that the above legislation largely deals with placing of organisms into impoundments & rivers, catching of fish in both impoundments and rivers, in other words any aquaculture that uses impoundments and rivers. In both the former Transkei and Ciskei there is a declared “Coastal Conservation Area” extending along the entire coast, from the high water mark of the sea and tidal rivers 1000m inland and any activity that disturbs the soil or vegetation, including driving off a proclaimed road requires a permit from this Department. In addition to the above, most mariculture ventures will also require permits in terms of the following legislation if there is any infra-structure (pipelines, etc.) that will extend below the high water mark:

- Sea Shore Act, 1935 (Act 21 of 1935)
- Ciskei Nature Conservation Act , 1987 (Act 10 of 1987 – former Ciskei)
- Transkei Sea Shore Act, 1979 (Act 17 of 1979 – former Transkei).

He stated that both the Sea Shore Act and the Nature Conservation Act are administered by this Department; however, it is not clear who is responsible for administering the Transkei Sea Shore Act as EC DEDEA has no record of it ever having been assigned to the Province to administer. He noted that Michelle Pretorius (DAFF) is well aware of this problem as it is a major stumbling block for the Qolora Mariculture project.

### **3. Data capture and mapping exercise for aquaculture facilities**

- Presentation by Luanita Snyman-van der Walt (CSIR).
- Jeff Govender (EC DEDEA) suggested that one of the siting criteria be the power requirements of an aquaculture facility i.e. which facilities would require electricity and which would not?
- Ricky Hannan (EC DEDEA) commented that the Eastern Cape sits in a no-man's land that is too warm for optimal cold water species, and too cold for some warm water species. He asked if appropriate temperature zones for optimal aquaculture will also be mapped.
- Ricky Hannan (EC DEDEA) enquired about the types of aquaculture facilities which have been mapped in the Eastern Cape. He also asked if the SEA will also consider the failed projects, as well as the state-owned hatcheries.
- Jeff Govender (EC DEDEA) commented that the SEA should consider provincial infrastructure capacity for aquaculture e.g. Karoo facility that has been managed very closely to ensure compliance with environmental mitigation measures, because there is a need to understand the current status of the infrastructure on the ground.

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- Margantha Cox (DWS) commented that orange-rated dams in the Eastern Cape cannot be used for aquaculture. She also stated that no aquaculture activities are allowed within 200m of a dam wall. She mentioned that DWS is in the process of developing Resource Management Plans for Eastern Cape dams with zonings indicating where aquaculture development can take place. She confirmed that further information on this and the RDPs can be obtained from DWS offices.
- Margantha Cox (DWS) asked about impacts/risks associated with aquaculture activities in dams to be used for aquaculture and who will be responsible for the management of these activities. She further stated that it is of noticeable importance how aquaculture structures and associated infrastructure are or will be situated within these dams.
- Margantha Cox (DWS) subsequently commented that in the Western Cape aquaculture activities are typically located close to local communities e.g. Lakensvallei and Klein Plasie (Jonkershoek). She mentioned that Mr Danie Brink (SUN) implementing a pilot study went from research to commercial aquaculture that led to problems in management of said dams.
  - Luanita Snyman-Van der Walt (CSIR) responded to confirm that the SEA will consider land tenure and land zoning during the national/provincial scale mapping exercise, because access to dams is an important siting criteria in the development of the ADZs. She further raised the issue of capacity in DWS for monitoring, evaluation and mitigation.
- Rosa Blaauw (NMBM) commented that the SEA should consider the risks associated with GMOs relating to brood stock, as well as disaster management especially in terms of alien invasive species. Siting criteria is important especially in the coastal zones, location of ocean outfalls, and impact of major natural climatic events e.g. floods and droughts, close proximity to metro areas, and the potential impact of pollution in water bodies. The SDF for NMBM was recently updated with spatial planning considering aquaculture development. She also added stating that locally the MPA and offshore areas in proximity to the Coega IDZ should be excluded from potential development. She urged the use of the NMBM SDF, coastal development / setback lines and bioregional plan during the mapping exercise.
- Margantha Cox (DWS) asked if there will be standardized specifications for a specific aquaculture facility e.g. water quality, quantity, temperature, etc.
  - Asanda Njobeni (DAFF) responded stating that the environmental authorisation will bind an investor to certain requirements.
  - Luanita Snyman-Van der Walt (CSIR) responded saying that during an environmental impact assessment an applicant needs a detailed project description in order for stakeholders and competent authorities are aware of specifications etc.
- Jeff Govender (EC DEDEA) raised the issue of large dams e.g. Vaal Dam with a current water level of approximately 35%; he asked what effect the status of dam water level will have on aquaculture activities in that particular dam.

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- Jeff Govender (EC DEDEA) stated that it is important for the SEA process to consider and understand the legislative requirements in terms of the Integrated Coastal Management Act e.g. when an aquaculture facility is placed in areas within the 5m contour line of wetlands.
- Ricky Hannan (EC DEDEA) mentioned that the DEA Coastal Sensitivity Atlas should be incorporated into the SEA process. This follows from his comments on major issues around suitable sites for aquaculture in the East London area due to the location of marine outfall pipes.
- Godfrey Murrel (NMBM) suggested that colour-shaded icons are used to indicate where small-scale fishing rights have been awarded. This location data can then be overlaid with environmental, economic and social attributes. He commented on the influx of small-scale subsistence fishing in the NMBM area because there is a need for food security (protein) and businesses.
- Zanele Hartmann (Coega IDZ) stated that the Coega IDZ was undertaking an EIA for the development of an ADZ during which spatial planning tools were used to identifying suitable aquaculture areas. She has indicated that this data can be obtained from her office.
- Zanele Hartmann (Coega IDZ) further commented that the ECBCP is currently being reviewed and that the new plan will incorporate information from the IDZ and the bioregional plan.
- Ané Oosthuizen (SANParks) stated that the marine environment is different to freshwater environment and there are currently no regional plans. She suggested that the NBA will be the best source of information on the marine environment for purposes of the SEA process. She indicated that SANParks can share national and marine park plans with the SEA Team.
- Jeff Govender (EC DEDEA) suggested that the CDC Consultants' investor list be used to obtain insight into the user conflicts that arose from the Algoa Bay ADZ EIA process.
- Ané Oosthuizen (SANParks) stated that conservation and the aquaculture industry can co-exist, but conservation only asks for common sense and consideration of the region/habitat where aquaculture activities are proposed for.
- Ané Oosthuizen (SANParks) wanted to know how the SEA process will influence on current EIA applications.
  - Lizande Kellerman (CSIR) responded saying it is business as usual; no one can be stopped from making an application for a new aquaculture facility. In fact, some aspects of developing projects may benefit from the SEA, if timelines are aligned.
  - Simon Moganetsi (DEA) commented that when it comes to implementing the outcomes of the SEA, there will be a transitional arrangement as is the case with all legislation. He reminded the stakeholders that the SEA is only a decision support process, not a decision making process.
- Mari Wolmarans (CDC Consultants) suggested that a list of existing aquaculture facilities, specific requirements and environmental constraints be made available to stakeholders for review and comment.

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- Lizande Kellerman (CSIR) responded confirming that this information will be shared with stakeholders for comments.

End of Meeting