



forestry, fisheries & the environment

Department:
Forestry, Fisheries and the Environment
REPUBLIC OF SOUTH AFRICA

Private Bag X 447· PRETORIA 0001· Environment House 473 Steve Biko Road, Arcadia· PRETORIA

DFFE Reference: 14/12/16/3/3/1/1728/AM3

Enquiries: Ms Thulisile Nyalunga

Telephone: (012) 399 9405 E-mail: Tnyalunga@dfffe.gov.za

Mr Asanda Njobeni
Department of Agriculture, Forestry and Fisheries
Sustainable Aquaculture Management
Private Bag X2
VLAEBERG
8001

Telephone Number: 021 402 3065
Cell phone Number: 082 924 0101
Email Address: ANjobeni@dfffe.gov.za

PER MAIL / EMAIL

Dear Mr Njobeni

AMENDMENT OF THE ENVIRONMENTAL AUTHORISATION ISSUED ON 08 JANUARY 2018 FOR THE SEA BASED AQUACULTURE DEVELOPMENT ZONE (ADZ) IN SALDANHA BAY WITHIN SALDANHA BAY LOCAL MUNICIPALITY, WESTERN CAPE PROVINCE

The Environmental Authorisation (EA) issued for the above-mentioned application by this Department on 08 January 2018, the amendments dated 10 July 2019 and 16 September 2020, your application for amendment of the EA received by the Department on 27 March 2024, and the acknowledgement letter dated 10 April 2024, refer.

Based on a review of the reason for requesting an amendment to the above EA, this Department, in terms of Chapter 5 of the Environmental Impact Assessment Regulations, 2014 as amended, has decided to amend the EA dated 08 January 2018 as amended, as follows:

Amendment 1: List of approved species on page 7 of the EA

From:

Seaweed: Gracilaria gracilis

To:

Indigenous seaweed species

Amendment 2: Condition 16 on page 13 of the EA

From:

The AMC must be consulted before the appointment of the project ECO, to ensure that they are suitably qualified and have the relevant expertise to monitor and ensure compliance with the conditions of the EA and EMPr.

M.S

To:

The AMC must review and provide input into the specifications for the appointment of the project ECO, to ensure that a suitably qualified ECO who has the relevant expertise is appointed to monitor and ensure compliance with the conditions of the EA and EMPr.

The reason for the amendment is as follows:

The removal of the specific reference to the seaweed species *Gracilaria gracilis* and replacement with the words "indigenous seaweed species" the current reference to only one specific indigenous seaweed species (i.e. *Gracilaria gracilis*) is restrictive and prevents the ADZ from farming other indigenous species common to the area such as Kelp and future indigenous species as the market determines.

Seaweed farming was assessed during the EIA process and *Gracilaria gracilis* was put forward at the time as the only seaweed species that had been farmed in the area in the past as an aquaculture species. The market and environment have changed, as the industry has since shown interest in farming other indigenous seaweed species within the ADZ.

General

This EA amendment letter must be read in conjunction with the EA dated 08 January 2018, as amended.

In terms of the Promotion of Administrative Justice Act, 2000 (Act No 3 of 2000), you are entitled to the right to fair, lawful, and reasonable administrative action; and to written reasons for administrative action that affects you negatively. Further, your attention is drawn to the provisions of the Protection of Personal Information Act, 2013 (Act no. 4 of 2013) which stipulate that the Department should conduct itself in a responsible manner when collecting, processing, storing, and sharing an individual or another entity's personal information by holding the Department accountable should the Department abuse or compromise your personal information in any way.

In terms of Regulation 4(2) of the Environmental Impact Assessment Regulations, 2014, as amended (the EIA Regulations), you are instructed to notify all registered interested and affected parties, in writing and within 14 (fourteen) days of the date of the EA, of the Department's as well as the provisions regarding the submission of appeals that are contained in the Regulations.

Your attention is drawn to Chapter 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) National Appeal Regulations published under Government Notice R993 in Government Gazette No. 38303 dated 08 December 2014 (National Appeal Regulations, 2014), which prescribes the appeal procedure to be followed. Kindly include a copy of this document (National Appeal Regulations, 2014) with the letter of notification to interested and affected parties in this matter.

Should any person wish to lodge an appeal against this decision, he/she must submit the appeal to the appeal administrator, and a copy of the appeal to the applicant, any registered interested and affected party, and any organ of state with interest in the matter within 20 days from the date that the notification of the decision was sent to the registered interested and affected parties by the applicant; or the date that the notification of the decision was sent to the applicant by the Department, whichever is applicable.

Appeals must be submitted in writing in the prescribed form to:

The Director: Appeals and Legal Review of this Department at the below mentioned addresses.

By email: appeals@dffe.gov.za

By hand: Environment House
473 Steve Biko



Arcadia
Pretoria
0083 or

By post: Private Bag X447
Pretoria
0001

Please note that in terms of Section 43(7) of the National Environmental Management Act, Act No. 107 of 1998, as amended, the lodging of an appeal will suspend the environmental authorisation, or any provision or condition attached thereto. In the instance where an appeal is lodged, you may not commence with the activity until such time that the appeal is finalised.

To obtain the prescribed appeal form and for guidance on the submission of appeals, please visit the Department's website at https://www.environment.gov.za/documents/forms#legal_authorisations or request a copy of the documents at appeals@dffe.gov.za.

Yours faithfully



Mr Sabelo Malaza
Chief Director: Integrated Environmental Authorisations
Department of Forestry, Fisheries and Environment

Date: 08/05/2024