

Meeting Minutes

Kelp Harvesting - Stakeholder Consultation

Date: 1 February 2023 (09:00 – 12:00)

Venue: MFMR Boardroom

Meeting Type: Hybrid (in-person + virtual - ZOOM)

Meeting Context: Stakeholder Consultation (*washed-up kelp harvesting, Lüderitz*: process, monitoring, control, access benefit sharing, data collection, regulation and compliance)

Meeting Participants: (17)

Full name	Affiliation	Attendance
Kolette Grobler (chairperson)	Ministry of Fisheries & Marine Resources - MFMR	In-person
Riaan Arendse	Ministry of Fisheries & Marine Resources - MFMR	In-person
Anja Kreiner	Ministry of Fisheries & Marine Resources - MFMR	Virtual
Latoya Shivute	Ministry of Fisheries & Marine Resources - MFMR	Virtual
Erich Maletzky	Ministry of Fisheries & Marine Resources - MFMR	In-person
Kauna Schröder	Ministry of Environment, Forestry & Tourism - MEFT	Virtual
Eddy Nyambe	Ministry of Environment, Forestry & Tourism - MEFT	In-person
Johannes Hambia	Ministry of Environment, Forestry & Tourism - MEFT	In-person
Martha Kambidhi	Ministry of Environment, Forestry & Tourism - MEFT	In-person
Natalia Heita	Office of the Attorney General - OTAG	Virtual
Rassie Erasmus	Benguela Wealth - BENGUELA	In-person
Johan Strauss	JL Marine Merchants - JLMM	In-person
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Herman Theron	Hangana Abalone - HANGANA	In-person
Miguel Galaca	Hangana Abalone - HANGANA	In-person
Maxine Körner	Sperrgebiet Diamond Mining - SDM	In-person
Linea Shitenga	Sperrgebiet Diamond Mining - SDM	In-person

Meeting Progression:

- The Chairperson opened the meeting, welcomed participants and gave a PowerPoint presentation to set the context for the meeting. The Chair started by noting that the current meeting formed part of a series of meetings initiated after two local Lüderitz companies received approval from the Minister of MFMR to collect beach-cast kelp from beaches along the Namibian coastline, for commercial purposes. As the approval was granted without consultations with scientists on the ground, it did not include any conditions. This would have made controlling and enforcement very difficult. During an informal meeting between MFMR and the two company owners, at the Lüderitz office, in December 2022, only one verbal condition was raised by MFMR staff: that the two companies adhere to operational or harvesting procedures agreed to with the MFMR and MEFT (as the regulatory bodies for this experimental right granted for a period of two years from the date of commencement), and this harvesting procedure should entail that only dry kelp are harvested, and that any fresh kelp washing up onto the beaches need to be hauled up higher onto the beach and left to dry for 2-3 weeks, before harvesting. It was agreed during this meeting, that the companies could go ahead with harvesting, and that further evaluations would be done a month later (January 2023). As harvesting proceeded, various complaints and concerns were raised by locals as well as visitors during the ensuing weeks. It was thus deemed necessary that further discussions were needed between MFMR, MEFT and the owners/representatives of all three companies involved with

beach-cast kelp harvesting (two commercial, one non-commercial). The Chair further noted that the harvesting of washed-up kelp (especially at commercial scale) is new a development under both MFMR and MEFT (the harvest area between the low and high water mark falls within the jurisdiction of both Ministries), and that processes for securing this resource are still in the early stages of formalization in terms of the MFMR mandate.

- The first meeting occurred on 25 January 2023 with representatives from MFMR, MEFT, OTAG and Sperrgebiet Diamond Mining (as they also received requests for harvesting of beach-cast kelp on beaches in the diamond mining areas south of Lüderitz). During this meeting it was decided that a site visit was required, and that both the legal and scientific aspects of beach-cast kelp harvesting need to be revisited by both MFMR and MEFT, so that clear guidelines and conditions could be determined, not only for the present situation, but also considering that more companies may apply for beach-cast kelp harvesting rights in future. It was also decided that a meeting with the relevant companies is required in order to address the concerns and problems with them.
- The site visit occurred on the morning of 31 January 2023, during which Lüderitz based staff members from both MFMR and MEFT as well as a team from the Environmental Commissioner's office in Windhoek took part. The focus was on the three main beaches in Lüderitz that are targeted by beach-cast kelp harvesting activities: Grosse Bucht, Guano Bay and Diaz Point. A meeting occurred between the site-visit members, on the afternoon of the same day, during which the findings of the site visit was evaluated, and options and suggestions considered to mitigate impacts on the beaches and to ensure that legal aspects are covered by any government approval for such harvesting activities. These were then to be discussed with the relevant industry members during a separate meeting.
- The follow-up meeting occurred on 01 Feb 2023, this time with representatives from all three companies attending, as well as staff from MFMR, MEFT and OTAG (representatives from Sperrgebiet Diamond Mining also attended as observers). During this meeting the Chairperson presented an overview of the findings during the site visit (which focused on beaches where the main kelp harvesting activities occurred), and list suggestions for mitigating measures. Various issues and concerns (with possible solutions) were then discussed relevant to beach-cast kelp harvesting activities on the Lüderitz beaches, and the potential of expanding these activities to areas in the mining-areas.

Site Visit Issues & Concerns

- During the site visit it was clear the largest impact was on Grosse Bucht, as the site producing the largest yields of beach-cast kelp and thus the main target area by all three companies. The observations included:
 1. *Access Routes:*

During the site visit observations of newly formed (freshly laid) vehicle tyre tracks were clearly evident at multiple points leading towards the beach at Guano Bay. This is a concern in that off-road or dune driving is a well-known and long-standing regulation for National Parks and protected coastal areas – the rule being that vehicles should remain on existing (i.e. previous established) access routes. On the Lüderitz beaches driving through the hummock dunes contributed to erosion and undermining of these dunes, and destroy nests and fledglings of coastal birds using these areas as breeding sites.
 2. *Beach Cleaning / Stripping:*

At some of the beaches, particularly Grosse Bucht, the impact on the beach ecosystems by kelp harvesting activities were distinct (*see photos in presentation*). This impact includes the virtual complete removal of washed-up kelp from the beaches, with one company leaving behind only the cut-off holdfasts of the kelp plants. This left especially Grosse Bucht in an unnaturally clean (barren) state after harvesting. Beach-cast kelp (along with other washed-up seaweed species) plays an important role in the coastal ecosystem (i.e. providing food and shelter for a multitude of coastal species), and completely removing the washed-up kelp alters the natural balance of the beach ecosystem and its associated ecological processes.
 3. *Damage to hummock dunes:*

At Grosse Bucht it was additionally observed that the removal of protective kelp ridges (i.e. deeply compacted kelp layers) near the upper extent of the beach resulted in the undercutting (by waves) of centuries old hummock dunes that mark the upper-most limit of the beach. This is a concern in that these protective kelp ridges serve as natural barriers that shield the hummock dunes against the high-energy corrosive action of the waves, and in so doing creates a stable (but species-rich) habitat at this terrestrial-marine interface. The hummock dunes not only serve as breeding areas to species such as white-fronted plovers, but also protect the areas further inland, which at Grosse Bucht include salt flats that serves as important breeding areas for Damara terns (a threatened coastal bird species according to the Red Data Species list). Destruction and/or removal of the kelp ridges thus undermine the stability

of the beaches, hummock dunes and associated habitats.

4. *Harvesting methods & Equipment used:*

At one of the sites workers from one of the kelp harvesting companies were encountered while in the process of harvesting. These workers had machetes with which they were cutting off the holdfasts of kelp and then only removing the stipes with fronds of the kelp while leaving the holdfasts on the beach where they were cut off. At another site grooves from a previous harvesting event, where a tractor with a mechanical landscape rake was utilized to unearth buried kelp for harvesting, were still visible in the beach profile. This is a concern in that only non-mechanical and non-destructive harvesting methods should be used for washed-up kelp harvesting.

5. *Beach litter:*

The written approval from MFMR indicated that the companies were also supposed to remove litter from the beaches during their beach-cast kelp harvesting activities, but litter were still observed on the beaches. Although owners of the companies indicated that they do remove litter, it is not clear to what extent this occurs.

6. *Sites used for drying kelp:*

It was not clear where most of the freshly harvested kelp were taken. Instead of drying it higher up onto the beaches (above the high water mark), drying sites were observed at and behind both ends of the beach at Grosse Bucht, and along the road between Guano Bay and Dias Point. However, the amount of kelp accumulated at these drying out sites, seemed very limited compared to the perceived volumes harvested, thus it was not clear if one or both companies also carted off fresh kelp from the harvest areas.

In summation, the site visit indicated that the kelp harvesting companies did not seem to be in compliance with the agreed conditions as defined by the MFMR and in the Free Entry Permits. It was agreed that the issues observed should be address by guidelines or regulations to be drafted by the MFMR in collaboration with the MEFT. The current meeting had very little time to thoroughly formulate guidelines for the abovementioned concerns, but did put forward suggestions on how these issues may be addressed in the regulations (still to be drafted).

Other Issues & Concerns:

- Various concerns were raised by stakeholders pertaining to the kelp harvesting operations at the aforementioned beaches. These included:

Sperrgebiet Diamond Mining (SDM):

- The mining company expressed its concerns about allowing the kelp harvesting companies into its mining license area (between Grosse Bucht and Elizabeth Bay) on the grounds of environmental and security compliance requirements placed on the mining company by its regulators. Due to the various concerns raised around beach-cast kelp harvesting activities on Lüderitz beaches, the mining company decided to not allow kelp harvesting companies access to the SDM mining areas until issues pertaining to kelp harvesting procedures, conduct at the harvesting site and security gate entrance issues have been resolved and clearly defined (i.e. operating procedures set in place).

MEFT Parks Warden:

- The Park Warden expressed concerns after onsite observations were made where kelp collecting workers were seen standing in the shallow waters during kelp harvesting activities. As collecting kelp below the low water mark could tempt workers to start cutting live kelp in the nearest kelp beds, this is a cause for concern. An additional concern was raised about one of the companies who was creating kelp drying patches beyond the limits of the beach (e.g. in open areas between and/or behind the hummock dunes) which also goes against the agreed procedures for harvesting of washed-up kelp. Lastly, it was also noted that the kelp harvesting companies were not adhering to the Free Entry Permit conditions on only accessing the park from sunrise to sunset.

HANGANA:

- Representatives from HANGANA noted that washed-up kelp is a very limited resource with only a few beaches where this resource can be harvested in Lüderitz – therefore caution should be applied on how the resource is allocated to new entrants. They also noted that the raw product HANGANA requires (i.e. wet kelp fronds) is different from those the commercial companies require (i.e. dried stipes + fronds); and that HANGANA also does not export the kelp harvested but merely uses it as the main food source for its own commercial product (abalone). The representatives also expressed their dismay at the recent social media revelations where the HANGANA brand name was implicated in the kelp harvesting issues related to the two commercial kelp harvesting companies.

JLMM and BENGUELA:

- There were complaints lodged by BENGUELA, with the MFMR, about the uncooperative behaviour of JLMM. BENGUELA noted that it employs a kelp harvesting process where washed-up kelp is hauled up higher onto the beach and left to dry for later collection; but that this product would be removed by JLMM by the time the BENGUELA workers return to harvest the product that they prepared for drying. BENGUELA further noted that they cannot access the same beaches as the JLMM company since all the washed-up kelp would have been completely stripped from the beach by the time the BENGUELA workers got to the beach.
- JLMM in turn echoed the same sentiment as BENGUELA in that there are too few beaches for the company to harvest sufficient product for its commercial operations. A complaint was also raised against SDM for not allowing JLMM access to beaches in the Elizabeth Bay area for kelp harvesting purposes.

After lengthy deliberations on the aforementioned issues (and concerns), the meeting participants brainstormed possible solutions to address these issues. It was agreed, that going forward, certain *monitoring and regulatory changes will have to be implemented* to ensure minimal impact on the environment and the harmonious continuance of access to the beach-cast kelp resource. The key suggestions and solutions from the meeting are outlined in the following section.

Meeting Resolutions:

1. *Given the increased undercutting of hummock dunes by wave action observed during the site visit, it was agreed that the removal of compacted kelp ridges at the base of the hummock dunes at ALL beaches should be discontinued with immediate effect (no harvesting of kelp within a distance of 4 meters in front of hummock dunes); and that rehabilitation should start on the dunes where wave damage has already occurred. As part of the rehabilitation, and as an interim solution, it was agreed that the commercial companies will use a proportion of the newly washed-up kelp (intended for harvest) as back-fill to the remaining kelp ridges to ensure speedy recovery of affected kelp ridges to their initial "undisturbed" state. Practical steps to implement this still need to be determined, with guidance from local MFMR scientists.*
2. *Pertaining to the access routes, Free Entry Park conditions, beach litter and beach cleaning it was agreed that kelp harvesting companies will only stick to existing (previously established and identified) routes when trying to access the beach for kelp harvesting purposes. It was further agreed that the companies will adhere to the Free Entry Permit conditions and only access the beaches during day light hours (sunrise to sunset); and that the companies will also take extra care in removing all tools, PPE (and/or other potential man-made waste) when the harvesting has been concluded. Lastly, it was agreed that the companies will ensure to not completely strip the beach of all newly washed-up kelp but will leave a portion of this kelp on the beach for ecological processes to ensue naturally. Steps for the practical executing of this will need to be agreed on by the relevant stake holders.*
3. *With regard to the harvesting methods & equipment used, it was agreed that only non-mechanical kelp harvesting methods (using hand tools such as rakes, gardening forks and wheel burrows) will be employed by both companies. Furthermore, harvesting should be limited to a single 4-wheel drive pick-up vehicle and one trailer per company per day - to ensure the quantity of kelp harvested is kept at an environmentally sustainable rate. Also creation of drying patches, between or behind hummock dunes, will be discontinued and both companies will be allowed to dry the kelp intended for harvest at their respective processing facilities. The meeting also agreed that kelp harvesting companies will not be granted access to restricted mining license areas until all concerns and problems around harvesting on Lüderitz beaches have been addressed and solved, and a standardized harvesting procedure has been drafted and implemented for kelp harvesting operations inside and outside the mining license areas.*
4. *On the monitoring and regulatory changes, as an interim solution, both companies agreed to notify the MFMR and MEFT (in advance) of when and where kelp harvesting operations are planned to take place. The meeting agreed that a reporting and data recording protocol, designed by the MFMR, will be implemented to assist in the drafting of pragmatic guidelines and regulations for the kelp harvesting operations going forwards. It was further agreed that all entities intending to make use of the beach-cast kelp resource are obligated to obtain the applicable clearances and/or permits (e.g. ABS, ECC etc.) in fulfilment of the national legal requirements for access to natural and biological resources in Namibia. MEFT (specifically the Environmental Commissioners Office) to give guidance on this. Both companies also agreed to stop all commercial kelp harvesting operations (excluding the removal of already dried kelp from the beach) for 1-2 weeks starting Monday 6 February 2023, to allow time for the MEFT process via the Office of the Attorney General to be finalized and for conditions attached to harvesting activities, to be finalised by both MFMR and MEFT. MEFT will inform companies when kelp harvesting activities may resume.*

Against these discussions the meeting was adjourned until further notice – with meeting participants to be notified of key developments pertaining to the kelp harvesting operations at the beaches around Lüderitz.