



August 2013

DEALING WITH MAJOR DEVELOPMENT THREATS TO IMPORTANT BIRD AREAS

Introduction

Habitat loss remains one of the biggest threats to birds and the environment in South Africa. Development is taking at a rapid pace, in contrast to government's pronouncements about sustainable development, and industry sees this as a last opportunity to grab land and exploit South Africa's natural resources, thus jeopardising our country's water and food security. It is a race against time, with development hampering our country's ability to meet international targets (such as carbon emission reduction targets, reduction in rate of biodiversity loss, poverty reduction, etc.) made under the various Multilateral Environmental Agreements.

The campaigns listed below highlight some of BirdLife South Africa's work to conserve and protect the habitats which are important for birds, people and the greater environment.

Groenvlei/Lakenvlei mining threat (Steenkampsberg IBA SA016 Mpumalanga):

The area is once again being threatened by a coal mining application by the landowner WP Bower. They aim to mine 2 000 000 tons of coal over a period of five years. BirdLife South Africa registered as an IAP in February 2011 and is of the strong opinion that mining is a no-go option for this area. BirdLife South Africa is partnering with Mpumalanga Tourism & Parks Agency (MTPA), landowners and other environmental NGOs in the area to obtain formal protected area status for parts of the Steenkampsberg IBA. A Section 49 application (in terms of the Minerals & Petroleum Resources Development Act 2002) was submitted to the Minister of Mineral Resources for the Steenkampsberg IBA and there has, to date, not been any feedback from the DMR. Section 49 provides interim protection to the area pending finalization of the pending Biodiversity Stewardship application.

BirdLife South Africa was informed of drilling that started on site in January 2013, and the contractors advised that WP Bower is in possession of a mining right. BirdLife South Africa and the MTPA immediately started making enquiries with the Department of Minerals Resources Regional office in Mpumalanga about this mining right. There was no response and on 4 March 2013 we received an email from the MTPA confirming that the mining right was issued to WP Bower on 10 December 2012. None of the Interested & Affected Parties had been informed of this decision until early March 2013. BirdLife South Africa immediately approached the Centre for Environmental Rights (CER) for assistance and they agreed to represent BirdLife South Africa in all aspects of this matter. The CER has submitted an internal appeal on the mining right and they are currently submitting general comments on the current Water Use Licence application (WULA).

The Water Use Licence (WUL) application is a critical part of this application and, if the WUL is declined, it could halt any mining from proceeding in this area, in spite of the existing mining permit.

Mining will negatively impact on the Lakensvleispruit wetland and we could end up losing this wetland which includes the very important Middelpunt Vlei, which is one of few sites in South Africa used by the *Critically Endangered* White-winged Flufftail.

Proposed Letseng Wind Farm in Lesotho

PowerNET Developments is planning to build the Letseng wind farm on the north-eastern escarpment of the Drakensberg in Lesotho largely to increase power generation and distribution in the small mountain kingdom.

The proposed facility is likely to impact on globally significant populations of Bearded and Cape vultures. Other significant populations of birds, including the Southern Bald Ibis and Black Stork, and localized endemics such as Drakensberg Rockjumper and Mountain Pipit, will also be affected. It is anticipated that the impacts will be of high to very high significance.

The regionally *Endangered* Bearded Vulture occurs in two isolated populations in Sub-Saharan Africa, one in the Ethiopian Highlands and the other in South Africa and Lesotho (primarily in the Lesotho Highlands and the surrounding escarpment of South Africa).

As the Bearded Vulture population in South Africa and Lesotho is continuous, severe impacts on birds in Lesotho will drive the remaining 40% of the population in South Africa to levels below a viable population size and will equate to a major loss in genetic diversity of this unique population in southern Africa, possibly leading to the extinction of the local population.

BirdLife South Africa, the RSPB (Royal Society for the Protection of Birds), BirdLife International and other local partners have lodged comments on the Environmental Impact Statement (EIS). This matter has also been placed on the priority list of sites on the African Sites Casework on Emerging Threats Taskforce (ASCET) agenda. ASCET is responsible for coordinating site casework in Africa.

BirdLife South Africa issued a media statement on this application on 24 January 2013. We are currently waiting for a decision by the Lesotho Government in this matter, but we have started planning our campaign strategy to take appropriate steps to appeal an unfavourable decision.

Mapungubwe mining threat (Limpopo)

Limpopo Coal (a subsidiary of CoAL of Africa) obtained a 25 year mining right for coking coal for the Mapungubwe area in February 2010. Even though the area demarcated for the mining falls outside of the Vhembe Nature Reserve (IBA SA001) and the Mapungubwe National Park in the Limpopo Province, the impact of mining in this area will have a detrimental effect on the Greater Mapungubwe Transfrontier Region. The Greater Mapungubwe Region is the only area outside the greater Kruger National Park in South Africa that supports viable breeding populations of Kori Bustard, Lappet-faced Vulture, Martial Eagle, Saddle-billed Stork, Pel's Fishing Owl and Southern Ground Hornbill.

In November 2011 the Coalition decided to enter into formal negotiations with CoAL of Africa. The main aim of negotiations was to set a benchmark for best practice and protocol to manage and mitigate the impacts of coal mining and related activities on the environment, not only for Vele Colliery, but for all other future coal mines in South Africa. A Memorandum of Understanding (MoU) was signed between the Coalition partners and CoAL of Africa in November 2011 and there was mutual agreement to temporarily suspend all legal and administrative actions pending the outcome of negotiations.

In October 2012 the Coalition decided to become a full member on the Vele Colliery Environmental Management Committee and the two sub-committees and in early December the Coalition officially withdrew from the negotiations with CoAL of Africa as it was decided that we could add more value to all the processes as members of the EMC.

BirdLife South Africa currently represents the Coalition in the Vele Colliery EMC Water Monitoring Sub-Committee.

Middelpunt Vlei/Lakensvleispruit diamond mining threat (Steenkampsberg IBA SA016 Mpumalanga):

This site is one the few sites in the world where the *Critically Endangered* White-winged Flufftail is occasionally recorded and has been threatened on numerous occasions by diamond mining applications. Richmond Mining & Exploration (Ibhubesi Ore) has reapplied for a prospecting right after its Water Use Licence (WUL) Application was declined by the Regional Department of Water Affairs (DWA) in April 2011. BirdLife South Africa registered as an I&AP for the new prospecting application in November 2011 and the application is currently pending decision from the Regional Department of Mineral Resources in Witbank, Mpumalanga.

BirdLife South Africa has heard from reliable sources that drilling on site has commenced with permission from the DWA. BirdLife South Africa has supported one of the affected landowners in drafting correspondence to DWA questioning their decision to allow the drilling to proceed while the Water Use Licence appeal is still pending. There has been no response from the DWA to date.

Prospecting threat Greater Soutpansberg Project (Soutpansberg IBA SA 003/Vhembe Nature Reserve IBA SA 001 Limpopo):

Rio Tinto Minerals & Development Limited and Kwezi Mining sold shares to Keynote Trading & Investment 108 Pty (Ltd) (Keynote is a subsidiary of CoAL of Africa Limited). This included six prospecting rights for coking coal (near Makhado) in the Limpopo Province. This application involves an application for amendment of the prospecting rights to obtain permission for additional drilling holes. Once the drilling and environmental baseline studies have been completed (envisaged to be towards mid-2013), the companies will determine the areas feasible from an economic, social and environmental point of view at which point they will apply for New Order Mining Rights and will undertake detailed Environmental Impact Assessments for those areas.

This application would impact on the Soutpansberg and Vhembe IBAs which hold globally threatened and nationally threatened birds. This application is still pending.