



**EZEMVELO  
KZN WILDLIFE**

Conservation, Partnerships & Ecotourism

The changing landscape  
for biodiversity planning  
implementation  
Are EIAs nearing their  
conclusion?  
If so where to next



An Implementation  
Perspective

# Overview

- EIA limitations (investigation in particular at the specific property and not at a landscape level)
- Increasing political pressure
- Reduced staff complements
- Changing legislation, leading to higher impacts required prior to EIA trigger
- Is EIA still a good tool to secure biodiversity, or to mitigate threat to biodiversity loss?
- What other alternatives are there?

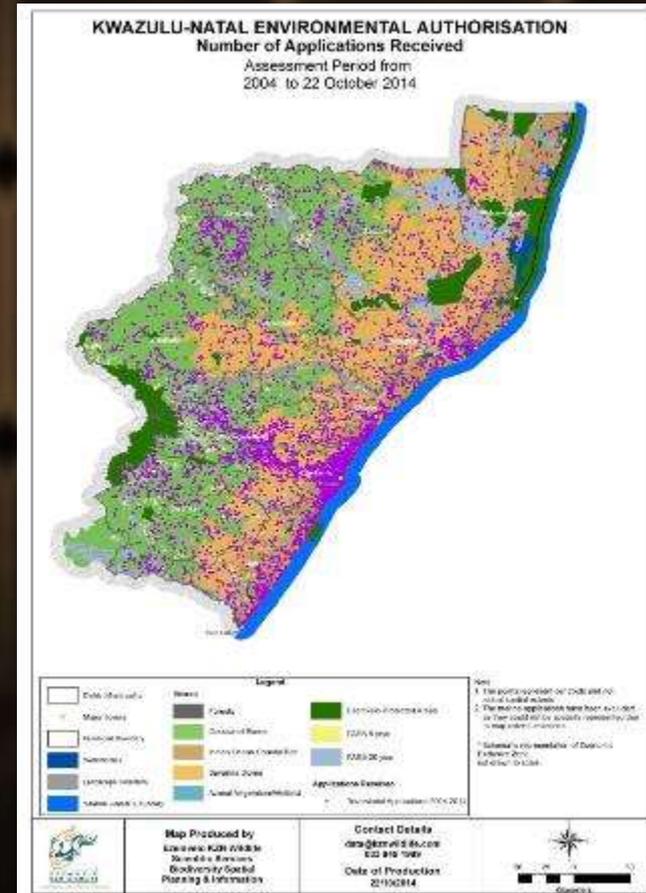
Some provisos:

- These are partly my own views (not based on scientifically rigorous methods)

# Implementation Overview

## What is Ezemvelo IEM's role in Land Use Change

- Ezemvelo undertakes detailed reviews of **ALL** land-use change applications (Not only EIAs), provides advice and engages with relevant government departments, NGOs and the private sector (e.g. consultants and developers) on biodiversity issues and attends various inter-departmental forums that promote integrated decision making to safeguard biodiversity.
- Interpretation of various conservation plans and projects to ensure decision making does not negatively impact on biodiversity in the province, and that Ezemvelo meets its conservation goals and targets.
- Ensure that trends in threats to biodiversity loss in the province are mitigated through various land-use change application processes.
- Provide expert biodiversity advice to the various competent authorities.
- Implementation of various new and updated conservation plans through the Land Use Change processes.



## EIA “Limitations”

- Commenting authorities use various scale data to try to implement large scale plans at the cadaster or erven level – Erosion of trust in the conservation products and plans when features not located on the site after investigation.
- Hesitation from authorities to consider an application in the greater context, given the applicants right to apply for their development rights on their property – Possibly a limited understanding of the concept of limits of acceptable loss.
- Good quality data collected, but often poorly incorporated into the decision.
- “Tick Box” approach to authorisations, eg EMP<sub>r</sub> (not site specific, but meets the requirements in NEMA, therefore acceptable)
- Environmental Management Frameworks (EMF), not being adopted so therefore information overlooked.

## Increasing Political Pressure

- EIAs seen to delay development. Political pressure mounts to make decisions without completely assessing environmental impact, and shortcuts are taken to fast-track implementation.
- Political pressure mounts with municipal developments particularly around election years, or where an Organ of State has been openly criticized of project delays.
- Focus gets shifted in terms of biodiversity conservation priority projects to making a political figurehead look good in terms of their commitment to individual developers or projects. The use of the word “Game-Changer”, particularly in press releases or state of the province addresses adds political pressure for decisions to become a foregone conclusion. Focus-shift causes commenting authorities to be forced to engage on projects which would ordinarily not be biodiversity priority applications.

## Reduction of Staff Complements

- It may be a familiar perpetual cry, but that makes it no less true.
- Government has committed itself to not fill vacant posts, unless they are funded and considered critical. Similar concerns are raised in the competent authority offices, that they are under-capacitated to deal with the volume of applications.
- Adjustments have to be made at some point to stay relevant. Difficult decisions are made to either reduce the quality of input and focus on maximizing output of comment letters, or radically adjust criteria to which applications are considered priority, and get to the rest when there is time.



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## Changing legislation

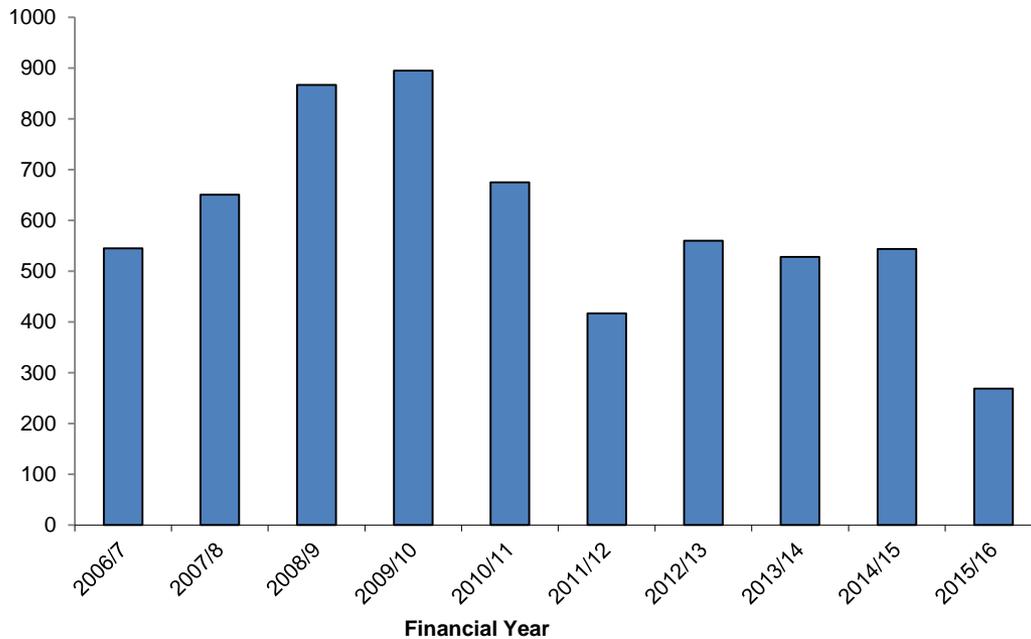
- Due to a lack of capacity, it appears as though the response from Govt is to reduce the number of applications they are required to regulate.
- Sustainable development becomes less of an objective, replaced by a requirement to process applications within legislated timeframes.
- Developments falling under the triggers contribute to a greater cumulative impact since they are less regulated by environmental legislation.

## Is EIA still a good tool?

- The tool itself has not changed in terms of being a great tool for assessing environmental impact.
- The EIA has been an amazing contributor to stemming unsustainable development, and identifying gaps in our knowledge at a fine scale.
- BUT, if the tool is applied to less land use change applications, the cumulative impact, and concomitant potential for unsustainable development becomes potentially disastrous for biodiversity conservation.
- There is an increasing need to ramp up other tools in our arsenal to be more proactive, or reactive, to safeguarding biodiversity on the ground.

## Show me the numbers...

New applications for previous financial years



- EIA numbers can be seen to be dropping, after a rapid increase in the buildup to the 2010 Soccer World Cup. Where the numbers are almost stable was due to an increase in mining activity, not EIAs specifically.
- This is important as it shows a drop not in development activity, but applications for Authorisation



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## Show me more numbers...

- Through the years many land-use applications commented on. Has been a useful tool, with lots of success stories, but also drama.



## What's the issue?

### SO WHAT?

- EIA Planners could continue as they have in the past, adjusting their priorities to match changing needs in the landscape.
- Conservation agencies and other conservation NGOs could maintain their bad reputation in the implementation sector for “delaying” environmental assessments. Legislation now allows for the competent authority to assume that there is not comment if comment has not been issued within a certain timeframe.
- **BUT**, Environmental Authorisations will no longer safeguard biodiversity, as competent authorities have time-frames to respond within, and relying on goodwill between the CA and conservation authorities is no longer enough.

## What's the way forward?

- Need to take a step back and assess our communication strategies within the biodiversity sector. Crucial Aspect....
- Guidelines and norms and standards could be utilized for implementing conservation plans, and for certain development types to alleviate pressure on EIA planners.
- Biodiversity sector plans, with good data. The recommended land use guidelines, preferred land uses, and guidelines for implementation could be a useful tool, but training of the competent authority would be required on how to use these tools for implementation, **and they have to be adopted!**
- Perhaps we can continue as we have before, but then we need to capacitate the implementation component of the competent authority, consultants, specialists through training.

## Is there another way?

- Stop commenting on land-use change applications, and focus on PA Expansion.....?
- Get stuck in to finalizing proposed offsets, and get them proclaimed as part of the Conservation Footprint. Identify other offset receiving areas as an offset banking approach, and allow the Dept to authorise whatever they apply their minds to.
- Protect the boundaries to our Parks. Comment on applications only within a buffer to our PAs.
- Get funding to support an NGO of experts to submit comments on land-use change applications, as a completely independent body.
- Push stewardship as an alternative?

## Are EIAs dead?

- No. But they definitely are not the efficient tool they used to be, and the information coming back to our databases as a feedback loop is drying up a little.
- It is important to remain as a “watchdog” in the landscape, commenting on land-use change applications which are considered priority.
- Competent authorities need training. The tools and concepts we use must be passed on to them, and information management at the district and province level must be dramatically improved, QUICKLY!!!
- If the EAPs use our data, our maps and reduce the development footprint away from sensitive areas before compiling any reports, no need to comment, but our job is done. Sensitive environments buffered, safeguarded and set aside.

# Questions?



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