Biodiversity Offsets: Changing Attitudes in a Changing Landscape

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The Biodiversity Sector Perspective of the “Problem”

- Transformation of landscapes is happening too rapidly
- Biggest loss of CBAs (Western Cape) → cultivation
- Mining and residential expansion having increasing impact
- Habitat fragmentation and “Death by a thousands cuts”/roads/pivots
- Standard mitigation e.g. rehabilitation not sufficient
- Developer (polluter) pays principle not being consistently applied
The Developers Perspective of the “Problem”

- Landowners, especially farmers, have limited options for expansion to their own property.
- Mining is restricted to where mineral resources are located.
- Selection of the site depends on various factors and resources, such as a willing landowner, electricity, road infrastructure, settlements, labor, and water. 

![Images of landscape and infrastructure]
• The processes required to obtain the necessary authorisations can be expensive → even a “Basic Assessment” can cost 100s of Gs.
• Farmers investment in new cultivated areas can take 8 years or more to start paying off.

Additional costs and considerations required

Establishment Costs
• (Possibly) having to purchase land
• Land survey, title deed changes, legal fees
• Drawing up management plan
• Equipment and materials (e.g. fencing, vehicles, etc)
• Rehabilitation/ restoration work

Management Costs
• Staff salaries
• Fire/ veld/ game management
• Monitoring and reporting
• Admin and insurance
All the legislation, restrictions, requirements and costs involved that a landowner/applicant needs to know about can be overwhelming!

Many lacking knowledge of NEMA – never mind offset policy/guidelines. Even companies with resources have had a long process to get it right...
Case Study: Afrisam Saldanha Bay

Proposed Construction of the Afrisam Cement Factory, Mine and Associated Infrastructure in Saldanha, Western Cape: Locality Map

Legend
- Proposed Conveyor System
- Proposed Construction of Private Road

Scale 1:50 000

Figure 1

aurecon

CapeNature
Application was initially objected to

- In Critical Biodiversity Area (CBA)
- Vegetation type has small remaining extent
- Irreplaceable features i.e. many SCC with very limited distribution
- Alternative sites not fully discussed
- Relatively large footprint
- Long term impact (> 80 years)

*Ferraria densepunctulata*
• After all objections a biodiversity offset study was conducted
• Added 13 months to process
• Detailed offset report produced (von Hase & Brownlie) and amended EIR provided for comment (Jan 2015)
• Extensive consultation with local experts and CapeNature
• CapeNature no longer objected subject to successful implementation of offset
• Offset properties were concurrently investigated
Initial Challenges:

• Getting past initial expectations of applicant
• Getting the right properties at the right price (artificial property price inflation)
• Timeframes for implementation

Remaining Challenges:

• EA issued mid-2015 and properties and rezoning and proclamation still in process
• Competing land uses
• Competing offset requirements
Current attitudes and approach

“I’m making a decision! Stop confusing me with facts!”

“My job is to make decisions. Your job is to make them good decisions.”
Applicants are turning the mitigation hierarchy on its head

Assume authorisation will be successful if they find an offset (without realising the complexities and costs involved)
Opinions & Suggestions from key role-players  
(arising from TMF funded project on developing capacity for offsets)

• Currently very few offsets are being implemented successfully due to the complexity and costs of finding suitable receiving areas.
• There needs to be more frequent, strategic and robust dialogue between key role players.
• EAPs need to comply with a standard that sufficiently describes how the mitigation hierarchy was adhered to.
• EIA timeframes are highly problematic for securing offsets.
• Socio-economic impacts of offsetting not truly addressed.
• Need increased State capacity especially for monitoring and compliance.
• A clear monitoring framework for Offset Nature Reserves is required. (Must not default to METT III as this is not working for Stewardship Management Authorities and private landowners or land owner associations)
Opinions & Suggestions from key role-players
(arising from TMF funded project on developing capacity for offsets)

- We need to grow the capacity within the consulting sector to facilitate offset implementation and draw up management plans.
- We need to develop entities willing and able to perform the Management Authority role.

We need more partnerships
A change in attitude is needed if offsets are to support and supplement the PAES

Offsets are not being satisfactorily implemented. There is currently a growing negative attitude towards offsets on one hand whilst still expecting them to be a “quick fix” on the other. This cannot continue.

So what next?

- We must acknowledge that options in the landscape are running out.
- We must not have a purely reactive approach to biodiversity offsetting.
- Municipalities with high growth pressure (industrial / housing i.e IDZ’s) should have a strategic approach to offsets – identification of no-go areas, trigger and receiving areas done at a landscape level, not site by site.
- Strategic offsetting can be “sold” by using it as development facilitation.
- Land-banking may be only option to come anywhere near targets and ratios required by guidelines.
- Developer pays principle must still apply (they may just pay later)
We still have a long road ahead of us
Thank you.
Questions?

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