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AFRICAN BIRD OF PREY SANCTUARY

16 December 2016

Dear Paul

African Bird of Prey Sanctuary comment on the DEIAR of the proposed Isundu 765/400 KV
Sub-station and turn-in transmission lines.

From the findings of the draft EIA report prepared by ACER (Africa) Environmental Consultants it is understood and agreed that the bulk of the African Bird of Prey Sanctuary (ABOPS) activities could not continue adjacent to a substation of such proposed scale and proximity. In summary of the factors that would threaten Sanctuary operations and in fact necessitate project relocation, the following points remain relevant:

- 1) The eight proposed transmission lines will make it impossible to safely conduct our daily free-flying raptor displays and therefore remove our primary source of income. This would be due to :
 - a. the increased risk of collision and electrocution for the flying birds, and
 - b. interference from the electrical transmission on the tracking devices making it difficult to track their progress and ensure their safety.
- 2) ABOPS is currently custodian to three critically endangered Bearded vultures; these are the only birds of their kind in captivity globally. The last 100-odd breeding pairs occur naturally in the Maluti-Drakensberg mountains. This iconic raptor is one of the few animals significant enough to warrant a biodiversity management plan (BMP) to govern its conservation. The aim of this legislated BMP is to provide a cohesive management mechanism to try and prevent the extinction of the species. The BMP was gazetted in South Africa in 2014 (published 8 May 2014 Government Gazette Notice No. 37620) and the plan is aligned with the National Development Strategy in Lesotho.

The African Bird of Prey Sanctuary is recorded in the BMP as the implementing agent of the captive breeding operations. The long-term objective of such a captive breeding program is to firstly establish a captive genetic reservoir of 20 to 30 breeding birds and thereafter to be able to produce viable chicks for reintroduction, to bolster the in-situ populations. Our responsibility has been further highlighted by European Union representatives of the Vulture Conservation Foundation (VCF) now endorsing our operations and proposed breeding plan for the species. The *critically endangered* conservation status of the Bearded vulture in the regional red data book is such that the precautionary principal must be applied to all aspects of its management, as there is no room for error. It would, therefore, not be acceptable

practice to establish a breeding program immediately alongside a substation of the proportions that is proposed.

- 3) The draft EIA findings also concede that noise will have a negative impact on the long-term captive raptors and blasting disturbance is also of high concern especially for breeding birds as the chance of nest abandonment would increase markedly. In fact the construction phase should not commence before the bearded vultures have been safely moved.
- 4) We still maintain, and wish to record, that while the draft report states that calculated EMF levels will not present any harm to birds, we believe there has been insufficient research into long term effects on avian species to conclude this and the risk should not be investigated on Red Data Book species.
- 5) Raptors rely very heavily on their sense of sight, so light and any disturbance through visual stimulus remains a concern.
- 6) The aesthetic impact of the substation and its radiating lines will also have a marked, negative effect on the natural vistas and ambiance in the area, thus reducing our visitor enjoyment and numbers.

The draft report implies that the 'no-development' option has been exhausted and that moving ABOPS to a new location would be an effective mitigation measure. At our present site of operation we have in fact successfully positioned ourselves to perform our conservation functions in a sustainable manner. So, we reiterate, that although our relocation might solve one of Eskom's development challenges, for the Sanctuary it is a high risk venture. If not undertaken with enough resources, care and planning, relocation will jeopardise our project sustainability. The inherent risks arising from the move process itself include the following:

- Loss of income, disrupted activity and reputational damage
- Translocation mortalities (not all the birds will survive the move)
- A percentage of the flying birds will not adapt to the new location and there is an increased risk of the birds flying away when flown at a new venue
- Loss of specifically trained staff if they can't relocate with the Sanctuary
- Loss of client base from the primary KZN commuter zone
- A decade of premises awareness and goodwill is not easily replaced over-night and the reputational damage of a complete location change can't be discounted as a minor consideration but actually poses a major threat to ABOPS revenue stream.
- It cannot be assumed that birds currently breeding will automatically breed at the next venue. Best case scenario they will miss a season, worst case scenario, they will never breed again.
- Climatically, a new location at a different longitude, will not necessarily suit all species, so some may have to be re-homed.
- The actual task of relocating birds will have to be undertaken in-house, as there are no other qualified operators with the skills, resources and authorization to translocate these listed raptor species. The physical burden of translocation will fall squarely on ABOPS shoulders and thus prevent our ability to simultaneously earn an income over this period. This must be recognised and compensated for.
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Subsequent to the meeting with Eskom representatives held on the 8th of December at ABOPS, and the likelihood of the substation becoming a reality, certain considerations come to light. Conceptually we are not just negotiating the relocation of a single home, but are in fact, coordinating the relocation of over 100 homes. But these are the homes of specially protected and highly sensitive raptors, each which will respond differently to the move. The standard relocation procedures and valuation methodology applied to residential and commercial operations may not be suitable in this case. Getting the initial planning and evaluation phases right will be integral to the success of not only the relocation phase, but in order to achieve project sustainability thereafter.

For the relocation of ABOPS to be introduced as a mitigation measure, operations would need to be moved to another location in a way that would ensure complete and sustainable continuance of ABOPS functions. If Eskom is not able to adapt their relocation processes to ABOPS needs, then we feel that they will in effect have not achieved their responsibility of successful mitigation as called for in the EIA process. Should the DEA support the ABOPS relocation as a mitigation measure, then we ask that the department hold Eskom to this obligation and commit to the ABOPS relocation in its entirety. Eskom's directive should be to commit to facilitate a structure that would ensure a successful move and a sustainable new facility. This structure must contain enough financial and resource support to provide a buffer offset against the considerable challenges that the Sanctuary is being asked to bear.

For project evaluation to be successful, it needs to take into account the particular factors that we measure our operations by. The Sanctuary is not a straight forward 'bricks and mortar' type operation and there are also certain intangible values that should be considered. It was agreed that these operational criteria of importance will be put forward by ABOPS in the form of listed 'valuation terms of reference' to Eskom by February 2017. Below are listed some of our required location criteria:

- The Sanctuary venue must be peaceful and have 'soul'. This both attracts visitors and is conducive to a decent quality of life for the raptors.
- An aesthetically pleasing venue is important; either a pastoral view or natural backdrop being a drawcard.
- Access to an income generating clientele (for example to have proximity to some sort of compatible income generating activity or client base)
- Access to food sources (large animal red meat, day old chicks, bones)
- Access to relevant target audiences needed to complete our awareness function, either formally with schools or the general public either affected by or affecting raptor conservation issues
- Manageable access to specialist veterinary services is required
- Raptor Rescue requires a site close to PMB or Howick in order to provide emergency access to people bringing in injured birds
- ABOPS would need to be located in a climate conducive for bearded vulture breeding (no further east than our current location)

We need to generate new income structures at the new location to facilitate and maintain operational requirements and these structures will be variable and site specific and will require time, careful planning and resources to identify and implement. Other important factors to take into consideration going forward:

- 1) ABOPS operations are made up of two aspects, namely the bird park and display flying operations and the TOPS (Threatened and Protected Species) conservation breeding programs. Separate, but complementary to these operations, is the onsite dedicated raptor rehabilitation facility (Raptor Rescue). The public side of the operation primarily funds the other non-profit breeding and rehabilitation aspects of the work.
- 2) Partnering these operations, as the landowners from which the Sanctuary holds a 99 year registered lease (Portion 184 of the Farm Vaalkop and Dadelfontein 885), is the Mayebuy Community. Investigation as to how best handle the legal technicalities of land tenure will be integral in concluding a suitable way forward.
- 3) There are very specific time constraints in and around the BV breeding program that need to be taken into consideration. Although the Sanctuary has been advised to proceed as 'business as usual', this seems impractical. To ask funders to commit large amounts of money to create infrastructure, only to have them discarded is most wasteful and will certainly not build donor confidence. Once the breeding birds are in place, every time you disrupt or move them, the chance of breeding success decreases, so if the substation development is to happen it would almost be better to prioritize by identifying a new location asap and setting up a single breeding venue. The critical status of the bearded vultures in the wild and their ongoing decline makes the program urgent and so progress must be implemented each breeding season (June to Nov) in order to try and prevent the birds' extinction. Any relocation activities would have to be planned outside of this period.

In conclusion, any relocation undertaken as a mitigation measure needs to happen in such a way that the African Bird of Prey Sanctuary itself doesn't become a fatality in the process. ABOPS and Raptor Rescue need to be repositioned in a location where they can generate income, as well as keep overheads down to ensure sustainability. EIA approval should be based on the relocation of the ABOPS in such a manner that will not undermine the sanctuary's ability to remain sustainable. If the viability of ABOPS is destroyed in the process, the mitigation measure will, in fact, have failed. Any undue burden on the sanctuary or its staff through process or reputational damage needs to be taken into account and compensated for. The African Bird of Prey Sanctuary and the threatened and endangered birds for which it is custodian should not be asked to pay a price for Eskom's economic saving achieved by this site selection.

Sincerely

A handwritten signature in black ink, appearing to read 'Shannon Hoffman', with a horizontal line underneath.

Shannon Hoffman