



South African Wind Energy Association
w w w . s a w e a . o r g . z a

Wildlife & Energy Programme
Endangered Wildlife Trust
011 486 1102
082 444 8919
jons@ewt.org.za

20th April 2011

Re: South African Wind Energy Association (SAWEA) comments on the EWT-BLSA 'Best practice guidelines for avian monitoring and impact mitigation at proposed wind energy development sites in southern Africa'

Dear Jon Smallie,

The South African Wind Energy Association (SAWEA) thanks the Wildlife & Energy Programme of the Endangered Wildlife Trust (EWT) & Bird Life South Africa (BLSA) for this opportunity to comment on the guidelines. The guidelines are an important document and it is critical that they are fit for purpose, practical and put into good practice as soon as possible.

We appreciate the significant effort of EWT and BLSA that has already been applied and do not wish to delay the launch of the guidelines. In order to streamline the process for receiving comments on this document SAWEA board has undertaken to submit one document containing the combined comments of the companies represented.

Formed in 1998, SAWEA is the leading trade and professional body representing the wind industry in South Africa. As the voice of South Africa's wind industry, SAWEA's primary purpose is to promote the sustainable use of wind energy in South Africa acting as a central point of contact for information for its members, and as a group promoting wind energy to government, industry, the media and the public.

SAWEA members comprise of national and international developers, manufacturers, and stakeholders working in the energy industry, and aggregate a substantial amount of knowledge and expertise in a wide range of areas.

Yours faithfully on behalf of the board of SAWEA,

Duncan Ayling
Board Member
South African Wind Energy Association

1. General comments

- i. The guidelines are a comprehensive document that retains flexibility and is pragmatic to fit a broad framework to specific sites. We are grateful for the time and effort that the Birds & Wind Energy Specialist Group (BAWESG) has put into creating this document. It is particularly encouraging to see that a number of leading bird experts have been involved in the creation of this document, and that they support the proposed methodology.
- ii. The name 'Birds & Wind Energy Specialist Group' implies that wind energy specialists are involved in the group. As this is not the case it is important that an alternative name is used.
- iii. We note for the record that there is an inherent conflict in avifauna specialists creating guidelines that will dictate the demand for their services going forward. This is particularly noteworthy given the acute current shortage of experienced avifauna specialists in South Africa and the laws of demand-supply economics can create un-capped fees. Quotes already received are 2-3 times that which is normal for equivalent studies in Europe. We request therefore that BAWSEG propose distinct measures to address this issue such as proposals for training and for the fast-track accreditation of appropriately qualified international avifauna specialists.
- iv. We are pleased to see that the guidelines do not recommend a blanket survey effort for all sites, but that the level of monitoring work required will be tailored to the site-specific conditions. As the level of effort required will be determined by a specific ornithological specialist advisor, there is potential for different advisors to have different perspectives on what constitutes the required level of effort. We propose that the BAWESG will be able to act as a 'proxy independent advisor' should there be any situations where the developer requests confirmation that the level of effort proposed for their site is comparable to the effort recommended for similar sites or by different specialist advisors.

A system of arbitration should be considered for the situation whereby a developer and a bird specialist cannot reconcile their differing opinions and either party believes the other is being unreasonable. It would be unfair to any individual or company to be held to ransom by any one individual without some form of accountability. As above, either BAWESG could act as a 'proxy independent advisor' or another independent bird specialist, whether from South Africa or elsewhere, could be employed to arbitrate.

- v. It is noted that all Scoping Reports and Environmental Impact Reports (EIR) have to date included avifauna reports from the very specialists who are now creating the guidelines. "Stage 1: Reconnaissance (Scoping)" is already part of the Scoping and already makes recommendations as to what further monitoring should be undertaken as part of the EIR phase. "Stage 3: Post-construction monitoring" and mitigation measures have also already been imposed as part of the Environmental Authorisations (EA) granted.

The only real change that is being proposed in the BAWESG guidelines is the introduction of the "Stage 2: Baseline Monitoring (EIA)" as part of the EIA. This will create material delay if 12 months data is required prior to filing of the EIR with the Department for Environmental Affairs (DEA). It is likely the conclusions will remain very vague until such time as the experts have had the opportunity to observe the impact of an operational wind farm on avifauna. We therefore recommend limiting the pre-operational observations as they will provide little useful information beyond that which is already included in the Scoping Reports and EIRs that have been compiled.

If the Stage 2 monitoring is imposed on new EIAs then it would be preferred that the EIA process is not delayed by the monitoring but rather the consultants work with the project sponsors throughout

the monitoring period to a) advise of any red flags which could jeopardise the project so that the sponsor can make an informed decision on project viability and b) refine the final post ROD layout based on the finding of the monitoring.

- vi. SAWEA strongly opposes the retrospective application of these guidelines to projects that already have either scoping or full environmental approval. An environmental authorisation that is conditional on monitoring dependencies is tantamount to only receiving the authorisation after monitoring.
- vii. Due to the significant affects on the EIA process we request confirmation from BAWESG that the DEA have been suitably engaged with the development of the guidelines. Please provide information on the feedback received from the DEA with regard to the guidelines.
- viii. From over 20 years of experience with bird monitoring internationally we recommend that BAWESG consider how data collected using the agreed survey methods should be used in the assessment process, in order to provide an agreed objective framework.
- ix. To work with the guidelines, we will need a document that provides as much clarity as possible. Please therefore include:
 - a. A 'definitions' section for the various terms used in the report in order to reduce possible to conflict of interpretation and judgment.
 - b. A list of 'references' so that the source of lists/maps or categories of priority species can be recognized.
- x. We suggest that an inclusive working group is formed where wind energy specialists and bird specialists can work together to promote and enable responsible and sustainable wind energy development. An example group for bats and wind energy is 'The Bats and Wind Energy Cooperative' www.batsandwind.org
- xi. An overarching general comment is that the guidelines will be referred to by many different groups of people and it would be worthwhile to emphasize that the bird specialist community and the wind energy industry are committed to the sustainable development of wind energy in South Africa which will in turn help conserve water and reduce the negative effects of carbon based energy production and anthropogenic induced climate change.

In light of this, we politely request a statement of support for a presumption in favour of wind development unless the potential effects are considered especially significant.

2. Specific comments

	Section from the guidelines	Comment
i.	Page 6, paragraph 1	Note that a 'Record of Decision' is now referred to as an 'Environmental Authorisation' under the amended (2010) EIA Regulations and the guidelines should be updated to include this more recent terminology.
ii.	Page 8, 1st paragraph	It isn't always the case that useful monitoring data can only be collected on more common smaller birds. For example comparison of before/after flight activity in raptors can be effective even when the numbers of individuals involved is small.

South African Wind Energy Association comments on the EWT-BLSA Guidelines

iii.	Page 11, 1 st paragraph, Control Sites	It would be useful to note the potential difficulty in identifying suitable control and in the statistical analysis except where comparisons made over several sites (if n=1 wind farm and 1 control). Gradient analysis (especially where before/after comparisons can be drawn) can provide a more powerful way to determine a single site's impact on bird distribution patterns.
iv.	Page 11, Duration and frequency of monitoring	The frequency of assessment is not clear. Although such extensive assessment might be suitable in very sensitive areas ('higher survey effort' in table 1) the frequency should not be made too stringent on lesser sensitive projects. We recommend that: Frequency can be 4 times/year (as in some European countries) Monitoring can start before scoping is approved to avoid delays in completion of the EIA
v.	Page 13, 1st paragraph “...there is currently a dearth of suitably experienced people available to do this monitoring, so the quality of the work done is likely to be limited by capacity shortfalls, at least in the short term”	If these guidelines are approved as such it will create a 'seller's' market, which will inevitably lead to delays in contracting and retaining specialists as well as higher specialist prices. How can BAWESG ensure that SA bird specialists have the capacity to respond to the demand for their services in a fair, rapid and reasonable way? One member stated prices are already 2-3 times the price in France for an equivalent study which also includes bat monitoring.
vi.	Page 18, 2 nd paragraph	Typo error – Scottish Natural History should be Scottish Natural Heritage.
vii.	Page 22, 1 st paragraph	In the discussion of vantage point surveys applied to larger sites, could the surveys not be set up to cover an appropriate sample rather than the whole development site?
viii.	Page 23, 2 nd set of bullet points	Recording flight height. Our experience has been that it is much better to record flight height as accurately as possible (a) to provide flexibility if turbine heights change and (b) to be better able to assess the consequences of observer error around category boundaries.
ix.	Page 24, 1 st paragraph.	It would be useful to point the reader to example avoidance rates e.g. the recent SNH (2010) document on avoidance rates available on their web site
x.	Page 24, point (iii)	Again, gradient analysis can be useful here.
xi.	Page 25	With reference to the use of domestic wildfowl carcasses for determining search efficiency in the field, we are concerned that planting carcasses within the wind farm area or near surrounds during post-construction monitoring may draw collision-vulnerable species into the area, thereby increasing the risk of bird-turbine collision events. We suggest that the assessment of search efficiency and scavenging

		rates using artificial carcasses should be undertaken at the control site only.
xii.	Page 25, last paragraph	A key point with regard to collision monitoring is to ensure these surveys are focussed on key species at risk where useful data will be collected.
xiii.	3. Inputs to the Environmental Management Plan, Page 27	<p>Some important point of process:</p> <p>It should be noted that input into the EMP can only happen at the end of the pre-construction monitoring. The reason being is that the guidelines specifically indicate that the "Baseline Monitoring" (which is the 12 months pre construction monitoring) should be what feeds into the Environmental Authorisation. This implies that the Baseline Monitoring must be the Avifaunal input into the EIA process and an EMP is only developed during the EIA process (during which the baseline monitoring is taking place) and only finalised after Environmental Authorisation is given.</p> <p>Given the above, Section 3 needs to be reworked to take out all reference to processes that would take place before the Final EIR is compiled and before the Environmental Authorisation is granted. Examples are to remove:</p> <ol style="list-style-type: none"> a. Getting the monitoring protocols right. I.e. customizing the generic guidelines to suite the specific issues at each site. This should be done during Reconnaissance (Scoping) as the baseline monitoring will follow this as part of the EIA process. b. Securing adequate budget from the developer to cover the costs of monitoring.- again done during Reconnaissance (Scoping) as 12 month baseline monitoring follow Reconnaissance and this is long before any EMP is developed c. Securing the strategic use of radar (should this be required). If this is going to be used during baseline monitoring it needs to be defined in Reconnaissance (Scoping) as EMP only finalised after Environmental Authorisation. d. Selecting and training a good monitoring team. This must be finalised during/ after Reconnaissance (Scoping) and before Baseline monitoring starts but nothing to do with EMP. e. Collecting and collating sufficient accurate baseline survey and monitoring data. This is nothing to do with the EMP as this happens before the EMP is developed. f. Analysing the baseline survey data to inform the final site selection, turbine layout and construction schedule for the proposed WEF. This could be included in EMP for micro-siting after Environmental

		<p>Authorisation is granted. However, if 12 month monitoring has been done pre Environmental Authorisation you would think that all avifaunal data would have been analysed as part of the input into the Environmental Impact Report (EIR) and thus input into turbine layout would have happen at this stage</p> <ul style="list-style-type: none"> g. Appointing an advising scientist and a monitoring agency to conduct pre- and post-construction monitoring. This can only be for post construction but the EMP should not be involved in appointing but maybe setting some framework that needs to be applied. h. Refining the monitoring protocol and determining the extent of radar deployment required. Again, if this is needed for baseline then must be defined in Reconnaissance (Scoping) stage. i. If radar use is warranted, acquiring/hiring hardware, software and relevant expertise including appointing radar technologists to service the project. Again, if this is needed for baseline then it must happen after Reconnaissance (Scoping) but long before EMP j. Starting baseline monitoring. This cannot be part of EMP as it happens long before EMP k. Periodically collating and analysing baseline monitoring data.- this is not part of the EMP but part of Baseline monitoring and feeds into Environmental Impact Report l. Compiling a report reviewing the full year of baseline monitoring, and integrating these findings into the construction EMP and the broader mitigation scheme. The first part of this (compiling report) is part of the Environmental Impact Report (EIR) stage as this will be the substance of the Avifaunal input into the EIR. Details from this can be used to define the avifaunal content of the EMP.
--	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------