



The Director General
National Environment Management Authority (NEMA)
P O Box 67839, 00200
Nairobi, Kenya

28 April 2010

Dear Dr Mwinzi,

**EIA Study Report for the proposed setting apart of 50,000 hectares of Trust Land for Jatropha cultivation in Bungale Area, County Council of Malindi, Kenya:
Comments on behalf of the Royal Society for the Protection of Birds**

The RSPB has analysed the EIA report for the proposed Jatropha cultivation project proposed by Kenya Jatropha Energy Limited and has discussed this proposal with colleagues within Kenya.

We do not generally comment on specific proposals in other countries, these will be matters for our partner organisations, in this instance Nature Kenya (the East Africa Natural History Society). However in view of the potential impact of this project on biodiversity and natural resources of recognised international importance, we feel it appropriate to object to this project. Kenyan organisations naturally know the situation on the ground better than we do and **we fully support the comments submitted by our Partner Nature Kenya in their letter of 22 April 2010. We would urge you to give these detailed consideration.**

The Royal Society for the Protection of Birds (RSPB) is the UK partner in BirdLife International and has over one million members. We have provided assistance to conservation in East Africa for the past 15 years, primarily through our BirdLife International partner organisations. This has included collaboration with NEMA and other Government institutions through for example training for officers involved in site and species monitoring programmes.

BirdLife International is a global Partnership of conservation NGOs in over 100 countries, with around 10 million members and supporters worldwide. The BirdLife Africa Partnership comprises NGOs in 22 African countries with a Secretariat based in Nairobi. BirdLife's work is built on a strong scientific foundation: we provide

authoritative information on the status and conservation of bird species, and are the IUCN Red List Authority for birds.

Summary of our objection

The Dakatcha Woodland is an Important Bird Area and is of international importance for biodiversity conservation. A number of birds found there are recognised by the International Union for Nature Conservation (IUCN) as threatened at the global scale, for example the Southern Banded Snake Eagle, Fischer's Turaco, Sokoke Pipit and Clarke's Weaver. Dakatcha appears to hold substantial populations of both Sokoke Pipit and Clarke's Weaver, which may also breed in the site.

Dakatcha is the only site outside the Arabuko-Sokoke Forest where Clarke's Weaver is known to occur.

Despite its importance for these bird species, and in its own right as one of the last patches of relatively intact coastal woodland, Dakatcha has no formal protected status and is already suffering some damage from uncontrolled logging and clearing. Because of its importance, we believe that the site should be gazetted as a Forest Reserve to protect its outstanding biodiversity and allow sustainable use of its timber and other forest products.

In support of Nature Kenya's comments and in light of the high biodiversity value of the site we object to the proposed Kenya Jatropha Energy Limited project on the following grounds:


1. The project proponent has shown lack of accountability and transparency by starting to clear land and cut indigenous trees before the EIA was advertised for comments.
2. The site has not yet been mapped and agreed with stakeholders to indicate areas necessary for conservation and areas suitable for plantation development. A very large part of the project area seems to be within the Dakatcha Woodland Important Bird Area.
3. The risk of soil erosion, hydrology disruption and species extinction is greater than the benefit of having one additional source of revenue for the local people.
4. Cultivating Jatropha at this site may produce more greenhouse gases than it will save as a fuel substitute.
5. *Jatropha curcas* is an invasive species. To mitigate this, the EIA proposes intercropping. However, there is no scientific proof that this will work. The proposed mitigation is in conflict with the precautionary principle as it ignores the science and experiences in South Africa where Jatropha is considered and treated as invasive and Australia where it is considered a weed whose farming is completely banned.
6. Feasibility studies for Jatropha suitability in Dakatcha Woodland have never been done.

In conclusion, the RSPB believes that this project if implemented would have a significant and detrimental impact upon the biodiversity and conservation status of

the Dakatcha Woodland. It would remove the majority of the semi-natural habitat within a recognised Important Bird Area, which is important for globally threatened bird species including Clarke's Weaver. **We would therefore urge NEMA to reject this project and to facilitate the production of a plan for the sustainable development of the area that respects both its vital biodiversity and the livelihoods of local people.**

Thank you for considering our comments.

Yours sincerely



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Global Country Programme Manager, RSPB, UK



Dr Helen Byron
Senior International Site Casework Officer, RSPB, UK

cc

Mr Paul Matiku, Executive Director Nature Kenya

Dr Julius Arinaitwe, Head of the BirdLife International Africa Secretariat, Nairobi, Kenya

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