

LEGAL NOTICE NO. 323

REPUBLIC OF TRINIDAD AND TOBAGO

THE ENVIRONMENTAL MANAGEMENT ACT, 2000

NOTICE

MADE BY THE ENVIRONMENTAL MANAGEMENT AUTHORITY UNDER SECTION 41 OF THE ENVIRONMENTAL MANAGEMENT ACT, 2000, AND UNDER RULES 3, 4 AND 5 OF THE ENVIRONMENTALLY SENSITIVE AREAS RULES, 2001

THE ENVIRONMENTALLY SENSITIVE AREA (MATURA NATIONAL PARK) NOTICE, 2004

1. This Notice may be cited as the Environmentally Sensitive Area Citation (Matura National Park) Notice, 2004.

2. In this Notice—

“Act” means the Environmental Management Act, 2000;

“animal” means any member of the animal kingdom, whether alive or dead in any stage of biological development, and any part or product of these;

“Authority” means the Environmental Management Authority established under section 6 of the Act;

“ecosystem” means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit;

“endangered” means the status of a species in which population numbers have fallen, for whatever reasons, to levels which place the species at risk of extirpation from parts of its range or extinction from its entire range;

“Environmental Officer” means a person authorized under section 33 of the Act;

“Environmentally Sensitive Area” means the portion of the environment so designated in clause 3;

“Environmentally Sensitive Species” means any species of living plant or animal so designated under section 41 of the Act;

“explosive” has the meaning assigned to it in section 2 of the Explosives Act;

Interpreta-
tion
Act No. 3 of
2000

“Management Plan” means the Draft Management and Physical Plan and Additional Studies—Final Report, September 1998, Caribbean Forest Conservation Association (CFCA) as amended;

“National Park” means an area requiring—

- (a) protection of the ecological integrity of one or more ecosystems for present and future generations;
- (b) the exclusion of exploitation or occupation inimical to the purposes of designation of the area; and
- (c) the provision of a foundation for spiritual, scientific, educational, recreational and visitor opportunities, all of which are environmentally and culturally compatible;

“natural resources” means the living plants, animals, organisms and other biological factors within the environment, and the geologic formations, mineral deposits, renewable and non-renewable assets and the habitat of the living plants, animals, organisms and other biological factors;

“plant” means any member of the plant kingdom, whether alive or dead, in any stage of biological development, and any part or product of these;

“rare” means infrequently occurring species whose rarity may or may not be on account of human activity;

“Relevant Authority” means the Authority and any other governmental entity with jurisdiction under existing law;

“Rules” means the Environmentally Sensitive Areas Rules, 2001;

“threatened species” means a species that is rare, vulnerable or endangered;

“vulnerable” means the state of a species whose life history is such that makes it prone to population depletion and consequent endangerment by human activity; and

“wise use” means the permitted activities listed in Part IV.

Designation
Part I

3. The Authority hereby designates as an Environmentally Sensitive Area (“ESA”) the portion of the environment described in Part I, hereinafter known as the Matura National Park.

- 4. This Notice does not apply to private land in the ESA. Application
- 5. The reason for the designation is to meet the objectives set out in Part II. Reason for designation
Part II
- 6. The limitations on use of and activities within the ESA with which compliance is required are as specified in Part III. Limitations on use and activities
Part III
- 7. Subject to rule 6 the wise use of the ESA is permitted and the mitigating measures to be undertaken are as specified in Part IV. Permitted use and mitigating measures
Part IV

PART I

DESCRIPTION OF THE ESA

Boundary Description of Matura National Park

Bounded on its Northern Side

Proceeding Direction	From: Northing Easting	To: Northing Easting	Description
North-west	C 1195830 717850	D 1196570 713960	From the South-East end of Private Parcel (PP) 8 along the Northern Range (Plan P G 71), the North side of State Parcel (SP) 4 to the Zagaya Road, along the Zagaya Road passing the Paria Main Road, across the Grande Riviere River, passing Isabella Trace to SP5.
South-west	D 1196570 713960	E 119580 712220	Along the East side of SP5, the East and South sides of SP6, the East and South sides of PPs 8, 9, 10 and 11, the South side of PP12, the East side of PP13, the West side of SP7, the South side of PP17 across and along the Grande Riviere Road, along the North side of the SP8 and SP9, across and along the Estate Trace, and along the East and North sides of PP18.
North-west	E 119580 712220	F 1197030 709510	Along the East side of the State Land, along the North side of the State Land along Howard Trace, along Mahaut Trace, along the East and South sides of PP19, across and along Mahaut River along the North side of the State Land and along the South side of PP20.
South-west	F 1197030 709510	G 1196620 708850	Along the North side of the State Land, across Shark River and along the South side of PP21.

*The Co-ordinated Values for the Northings and Eastings are provided to the nearest ten (10) metres.

Bounded on its Southern Side

Proceeding Direction	From: Northing Easting	To: Northing Easting	Description
West	H 1183780 715060	A 1183980 716090	Along the North side of SP10, the West side of SP10, across the Salibia River, along the West and North sides of SP10 along the Matura Trace, along the East side of SP10, along the North and East sides of the Salibia River to the Toco Main Road, along the Toco Main Road across Matura Trace, across Knaggs River, to the Western corner of Knaggs Trace and the Toco Main Road.

*The Co-ordinated Values for the Northings and Eastings are provided to the nearest ten (10) metres.

Bounded on its Eastern Side

Proceeding Direction	From: Northing Easting	To: Northing Easting	Description
North	A 1183980 716090	B 1187110 716590	Corner of Knaggs Trace and Toco Main Road, along the South, West and the North sides of PP1, the West and North sides of PP2, the North side of PP3, the West side of SP1, the West side of PP4, the South side of PP5, to Knaggs Trace, along Knaggs Trace, along the South side of PP6, the East side of PP7, along Tabateau Trace to Corral Trace, along Corral Trace and along the West sides of SPs 2 and 3.
North	B 1187110 716590	C 1195830 717850	Along the ridgeline in the Matura Forest Reserve across the Rio Seco Trace, across the Ward Boundary, across the St. David Forest Reserve, across Zagaya Road, into the Northern Range Reserve and to the South side of PP8.

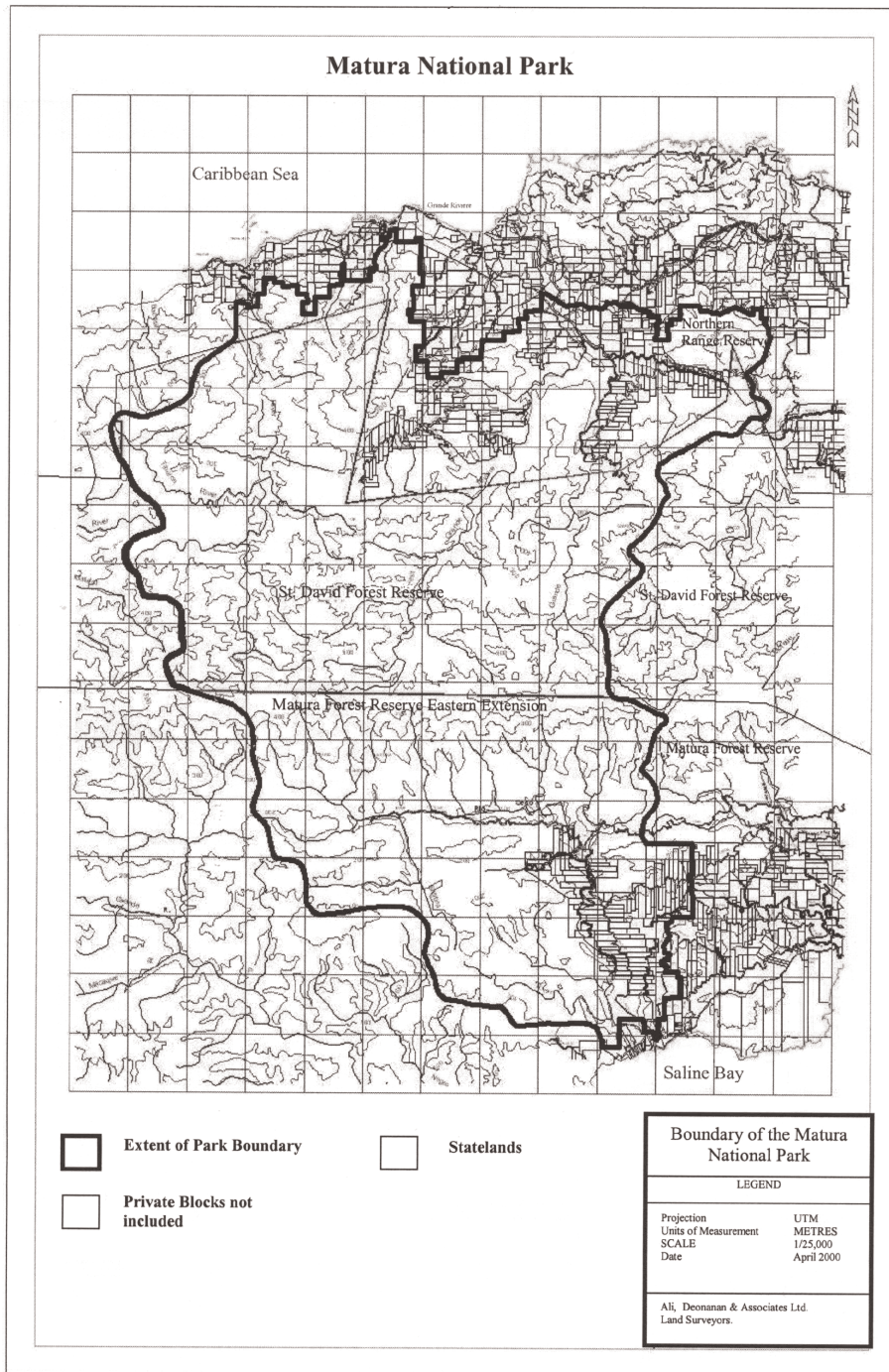
*The Co-ordinated Values for the Northings and Eastings are provided to the nearest ten (10) metres.

Bounded on its Western Side

Proceeding Direction	From: Northing Easting	To: Northing Easting	Description
South	G 1196620 708850	H 1183780 715060	Along the ridgeline through the St. David Forest Reserve, across the Ward Boundary between the Ward of Toco and Matura, along the ridgeline through the Matura Forest Reserve Eastern Extension to the SP10.

*The Co-ordinated Values for the Northings and Eastings are provided to the nearest ten (10) metres.

The size of the Matura National Park is approximately 9,000 hectares.



PART II

OBJECTIVES OF DESIGNATION

- I. Protection of the actual or prospective habitat of an Environmentally Sensitive Species.
- II. In furtherance of Schedule I of the Rules, compliance with Government's international obligations under the following Conventions:
 - (a) The Protocol concerning Specially Protected Areas and Wildlife to the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean (the SPAW Protocol) which entered into force in Trinidad and Tobago on 26th May, 2000;
 - (b) The United Nations Convention on Biological Diversity (the Biodiversity Convention) which entered into force in Trinidad and Tobago on 1st August, 1996; and
 - (c) The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which entered into force in Trinidad and Tobago on 18th April, 1984.
- III. In furtherance of Schedule II of the Rules—
 1. Conservation of natural resources and protection of the environment including—
 - (a) maintenance of the significance of the area in the national, regional and international context;
 - (b) preservation of the biological diversity of the area including—
 - (i) protection of the largest and most intact representation of Mora Forest (*Mora excelsa*) in Trinidad and Tobago;
 - (ii) the protection of rare or threatened species and their habitat, including—
 - (A) Trinidad Piping-guan or Pawi (*Pipile pipile*);
 - (B) Ocelot (*Leopardus pardalis*);
 - (C) Yellow-crowned Parrot (*Amazona ochrocephala*);
 - (D) Parakeet, Green-rumped Parrotlet (*Forpus passerinus*);
 - (E) Tayra (*Eira barbara trinitatis*);
 - (F) Red Howler Monkey (*Alouatta seniculus*);
 - (G) Wild Hog, Quenk, Collared Peccary (*Tayassu tajacu*);
 - (H) River Otter (*Lontra longicaudis*);
 - (I) Matte, Banded-tegu (*Tupinambis teguixin*);
 - (J) Iguana (*Iguana iguana*);
 - (K) Orchids (*Orchidaceae spp.*);
 - (L) Rare South American relict fishes in the northern draining rivers having representative Antillean fish fauna dominated by gobies, mountain mullets, cling fishes and several sea-run species; and
 - (M) Red Brocket Deer (*Mazama americana trinitatis*).

- (c) protection, preservation, management and rehabilitation of an area that is threatened and degraded;
 - (d) regulation of the use of natural resources contained within the area; and
 - (e) maintenance of a stock of genetic resources in viable populations including the Trinidad Piping-guan or Pawi (*Pipile pipile*); and Ocelot (*Leopardus pardalis*).
2. Sustainable Economic and Human Development.
3. Logistic support such as environmental education and information sharing including—
- (a) development of low impact eco-tourism opportunities;
 - (b) management of visitor use for inspirational, educational, cultural and recreational purposes at a level which will maintain the area in a natural or near natural state;
 - (c) recognition of the needs of local communities in so far as it does not adversely affect the objectives of the Management Plan;
 - (d) facilitation of relevant scientific research and environmental monitoring to improve understanding of the interactions between biotic and abiotic components of the environment, the processes involved and the attributes and potential of the area's resources;
 - (e) dissemination of information particularly to local communities and stakeholders; and
 - (f) development of a database of information relevant to the ESA and maintaining public access to the information.
- IV. In furtherance of Schedule III of the Rules, protection of an area referred to in the following written law:
- A forest reserve, referred to in section 2 of the Forests Act, Chap. 66:01, declared under the Land Regulations (1918) made under the State Lands Act, Chap. 57:01.

PART III

LIMITATIONS ON USE AND ACTIVITIES

1. The following uses and activities are prohibited in the ESA unless otherwise approved by the Relevant Authority in accordance with existing law:
- (a) dumping, littering or polluting, including the discharging or depositing of any refuse, oily liquids, waste acids, deleterious chemicals or any toxic polluting substances of any kind injurious to plants, animals or fish;
 - (b) Conduct or behaviour that unreasonably disturbs other persons in the ESA or unreasonably interferes with their enjoyment of the ESA;
 - (c) any action that will alter or upset the integrity of the natural functioning of the ecosystems of the ESA or causes damage to the natural resources of the ESA;
 - (d) with the exception of environmental officers the possession or use of firearms and other weapons harmful to animals and their habitats;
 - (e) hunting, trading, taking or killing of animals, juveniles and eggs;
 - (f) cutting or extraction of plants, trees, soil or any other material;
 - (g) keeping of domestic animals;
 - (h) introduction of any plant or animal species;
 - (i) use of pesticides, fungicides, insecticides and other chemicals;
 - (j) removal, damage or exportation of animals or plants, soil or any material;
 - (k) quarrying or mining from the surface of the ESA;
 - (l) prospecting and surveying for the purposes of mineral extraction;

- (m) dredging, filling or excavating;
- (n) removing or destroying the natural physical features of the ESA;
- (o) the possession or use of explosives;
- (p) removal, destruction, damaging or defacing of any object, which is of scientific, historical, archaeological, cultural or palaeontological interest;
- (q) any parking or use of vehicles;
- (r) occupation or use of land except as provided for in Part IV, clause 1 (d) below;
- (s) any other activity which results in a negative impact on the physical and biological; and
- (t) socio-economic integrity of the ESA.

PART IV

WISE USE AND MITIGATION MEASURES

1. The following activities are permitted in the ESA subject to existing law:
 - (a) any activity that is in keeping with the enjoyment and experience of the natural and physical features, plants, animals and cultural attractions of the ESA;
 - (b) educational activities;
 - (c) non-destructive scientific research activities approved by the Relevant Authority;
 - (d) activities permitted in Management Plan in specified physical zones of the ESA; and
 - (e) any other activities permitted by the Relevant Authority in accordance with the Management Plan and objectives set out in Part II.
2. The relevant Authority shall implement mitigation measures in the ESA, including—
 - (a) development of public awareness and education programmes;
 - (b) enforcement of existing law;
 - (c) fire prevention and control of squatting;
 - (d) visitor management;
 - (e) training of the Environmental Officers and other persons involved in the management and use of the ESA;
 - (f) community liaison;
 - (g) local community participation;
 - (h) adaptive Management Strategies designed to address present and future challenges to the ESA; and
 - (i) any other mitigation measures prescribed in accordance with the Management Plan.

Dated this 22nd day of October, 2004.

J. AGARD
Chairman,
Environmental Management
Authority