

LEGAL NOTICE NO. 152

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 AREAS (ARIPO
SAVANNAS STRICT NATURE RESERVE) NOTICE, 2007

1. This Notice may be cited as the Environmentally Sensitive Area Citation
(Aripo Savannas Strict Nature Reserve) Notice, 2007.

2. In this Notice—

Interpretation

“Act” means the Environmental Management Act, 2000;

Act No. 3 of
2000

“alien” or “non-native species” means those species that are not
indigenous to or periodically or permanently resident in
the Aripo Savannas Strict Nature Reserve area;

“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 species” means a species of 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;

Chap. 16:02

“environmentally sensitive species” means any species of living plant or animal so designated under section 41 of the Act;

“ASESA” means the Aripo Savannas Environmentally Sensitive Area designated under clause 3;

“ESA” means an environmentally sensitive area;

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

“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 species” 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;

“Strict Nature Reserve” means an area requiring protection for science that possesses some outstanding or representative ecosystems, geological or physiological features and species, available primarily for scientific research and environmental monitoring;

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

“vulnerable species” means 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.

3. The Authority, hereby designates as an environmentally sensitive area (“ESA”) the portion of the environment described in Part I, hereinafter known as the Aripo Savannas Strict Nature Reserve.

Designation
of area Part I

4. This Notice does not apply to private lands in the ESA.

Application

5. The reason for the designation is to meet the objectives set out in Part II.

Reason for
Designation

6. The limitations on use of and activities within the ESA are as specified in Part III.

Limitations
on use and
activities
Part III

7. Subject to clause 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 THE ARIPO SAVANNAS STRICT NATURE RESERVE

West Perimeter Boundary

The western perimeter boundary commences on the northern boundary of the Trinidad Government Roadway (TGR) Reserve and proceeds along the eastern boundary of the Cumuto Village on a bearing of 347° 45′ for a distance of 177 m. It then follows a bearing of 257° 45′ for a distance of 236 m to the Cumuto Road (includes SCPAS1 at *Northing*: 1171378.18 *Easting*: 695823.16) and thereafter along the eastern boundary of the Cumuto Road Reserve in a northerly direction up to its intersection with the Aripo River (includes SCPAS10 at *Northing*: 1172356.19 *Easting*: 695461.04).

The direction then takes a north-easterly direction following the eastern bank of the Aripo River up to its junction with the Valencia River and thereafter follows the south-eastern bank of Valencia River up to survey station AS6/11 which is the south-west corner of the parcel of land to be excised from the original Aripo Savanna Strict Nature Reserve holding (includes SCPAS9 at *Northing*: 1173745.34 *Easting*: 696546.51 and SCPAS8: at *Northing*: 1175603.60 and *Easting*: 696357.10 and SCPAS7 at *Northing*: 1176935.26 *Easting*: 696490.23).

North Perimeter Boundary

On the basis of the recent survey of the adjusted northern boundary of the Reserve, the survey line then proceeds in an easterly direction as follows:

From survey station AS6/11 (*Northing: 1177151.048 Easting: 696637.676*) at a bearing of 91° 00' first to a concrete monument at AS6/10 at a distance of 18.89 m and then on the same bearing at a distance of 117.33 metres to a concrete monument at AS6/5A and thereafter to a concrete monument AS6/5 at a further distance of 130 m.

From AS6/5 (*Northing: 1177146.402 Easting: 696903.858*) at a bearing of 55° 30' and a distance of 130 m to a concrete monument at AS6/4A and then along the same bearing to concrete monument AS6/4 at a further distance of 131.72 m AS6/4 which is the boundary of the Eastern Main Road Reserve.

AS6/4 (*Northing: 1177292.849 Easting: 697116.937*) is connected across the Eastern Main Road (The Long Stretch) to control station AS6/3 which is connected to SCP AS6 *Northing: 1177093.20 Easting: 697202.35*.

East Perimeter Boundary

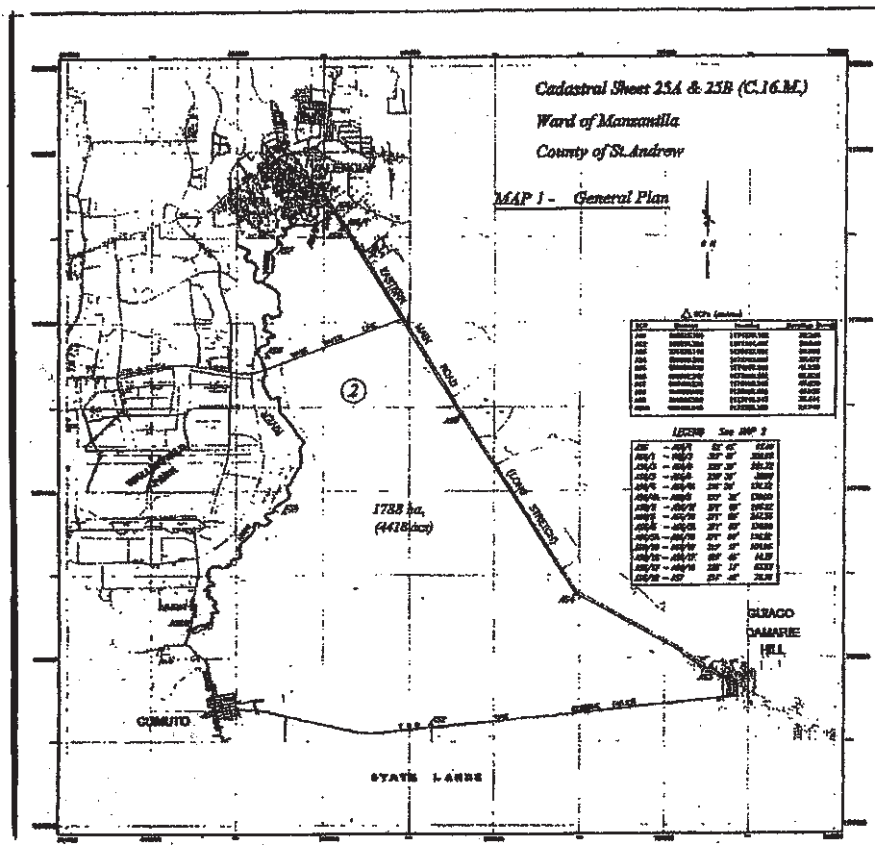
On coming into contact with the Eastern Main Road at survey station AS6/4 the perimeter boundary then follows the western boundary of the Eastern Main Road Reserve (includes SCPAS6 *Northing: 1177093.20 Easting: 697202.35* SCPAS5 *Northing: 1174897.29 Easting: 698608.92* SCPAAS4 *Northing: 1172763.09 Easting: 699966.28*)

And then in a south-easterly direction to its junction with the Damarie Playground as defined on Survey Plan in Bk. 937 Fol. 41 and Bk. 110 Fol. 105 (includes SCPAS3 *Northing: 1171837.63 Easting: 701532.15*).

South Perimeter Boundary

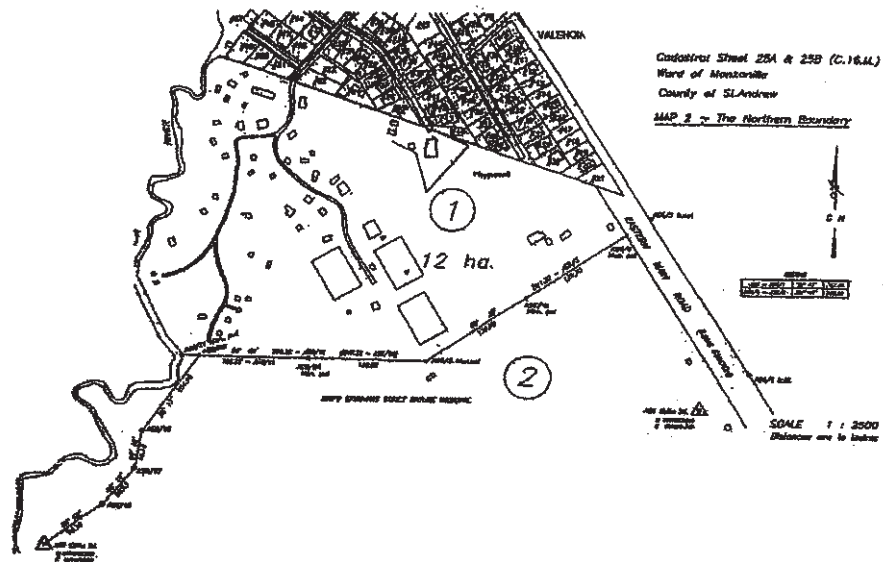
From the Eastern Main Road the boundary follows the western boundary of the Playground on a bearing 179° 40' and a distance of 232.69 m to its intersection with the TGR Reserve. It then follows the northern boundary of the TGR Reserve (includes SCPAS2 *Northing: 1171184.40 Easting: 698254.73* in a westerly direction (includes SCPAS1 *Northing: 1171378.18 Easting: 695823.16*) up to its intersection with the eastern boundary of the property as shown on Survey Plan KU 79 and as defined in the Western Perimeter Boundary description.

The size of the Aripo Savannas Strict Nature Reserve is approximately 1788 hectares.



ARIPO SAVANNAS STRICT NATURE RESERVE

Northern Boundary



PART II

OBJECTIVES OF DESIGNATION

The Objectives of the designation are—

1. Protection of the actual or prospective habitat of any environmentally sensitive species.
2. 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 (the SPAW Protocol), which was ratified by Trinidad and Tobago on August 10, 1999;
 - (b) the United Nations Convention on Biological Diversity (the Biodiversity Convention), which was ratified by Trinidad and Tobago on August 01, 1996; and
 - (c) the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), which was acceded to by Trinidad and Tobago on January 19, 1984.
3. In furtherance of Schedule II of the rules, the objectives of designation are—
 - (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) protection, preservation, management and rehabilitation of an area that is fragile, threatened and degraded;
 - (c) protection of a significant assemblage of threatened species of plant and animal life, which includes—
 - (i) the largest remaining natural savanna ecosystem, which contains flora endemic to Trinidad and Tobago, including—
 - (A) *Rhynchospora aripoensis*;
 - (B) *Xyris grisebachii*; and

- (ii) rare or threatened species of animals and their habitat, such as—
 - (A) Scarlet-shouldered Parrotlet (*Touit huetii*);
 - (B) White-tailed Goldenthrroat Hummingbird (*Polytmus guainumbi*);
 - (C) Savanna Hawk (*Heterospizias meridionalis*);
 - (D) Red-bellied Macaw (*Ara manilata*);
 - (E) Red Brocket Deer (*Mazama americana trinitatis*);
 - (F) Armadillo (*Dasypus novemcinctus*);
 - (G) Porcupine (*Coendou prehensilis*);
 - (H) Matte or Banded-Tegu (*Tupinambis teguixin*);
 - (I) *Otostylis brachystalix*; and
 - (J) *Epistephium parviflorum*;
- (d) protection of the ecological integrity of the marsh-savanna ecosystem;
- (e) protection of an outstanding representation of a naturally-occurring marsh formation;
- (f) protection of the ecosystem and natural features of the area to allow the natural regeneration of the marsh forest and palm-marsh communities;
- (g) prevention of over-exploitation and extraction of natural resources;
- (h) effective control of the watershed of the area for maintaining the water quality and quantity within the Long Stretch Forest Reserve;
- (i) control of the banks of the Aripo River for the purpose of restoration and for recuperation from quarrying operations; and
- (j) protection against forest fires through effective management.

- (2) Logistic support such as environmental education, and information sharing including—
 - (a) 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;
 - (b) dissemination of information particularly to local communities and stakeholders;
 - (c) development of a database of information relevant to the ESA and maintaining public access to the information;
 - (d) development of low impact eco-tourism opportunities particularly bird watching;
 - (e) appointment of a management advisory committee under section 13(1) of the Act, to further the objectives of the designation of the ESA;
 - (f) management of visitor use for inspirational, educational, and recreational purposes at a level which will maintain the area in a natural or near natural state;
 - (g) recognition of the needs of local communities in so far as it does not adversely affect the objectives of the designation of the ESA; and
 - (h) provision of opportunities for research and studies related to its natural history.

4. In furtherance of Schedule III of the Rules, protection of an area referred to in the following written laws:

- (a) The Long Stretch Forest Reserve declared in Proclamation dated January 11, 1934 under the Forest Ordinance Chapter 141 of 1916 and is governed also by the Crown Lands Forest Produce Rules; and
- (b) The Aripo Savannas Prohibited Area under the Forests Act Chapter 66:01, (Legal Notice No. 113 of 10th June, 1987).

PART III

LIMITATIONS ON USE AND ACTIVITIES

1. The following uses and activities are prohibited in the ESA unless approved by the Relevant Authority in accordance with the Management Plan, or permitted under any existing law, or pursuant to any existing law, or pursuant to any legal rights vested in any party prior to this Designation:

- (a) any action that will alter or upset the integrity of the natural functioning of the ecosystems of the ESA or cause undue distress to the plant or animal communities of the ESA;
- (b) with the exception of Environmental Officers and any other person duly authorized by the Relevant Authority, the possession or use of firearms and other weapons harmful to animals and/or their habitats;
- (c) hunting, trading, taking or killing of animals, juveniles and eggs;
- (d) keeping of domestic animals;
- (e) the wilful introduction of any alien, non-native or illegal plant or animal species;
- (f) the use of pesticides, fungicides, insecticides and other chemicals;
- (g) the removal, damage or exportation of animals or plants, soil or any material from the land surface;
- (h) the extraction, quarrying or mining of any materials from the land surface of the ESA;
- (i) prospecting and surveying for the purposes of mineral extraction;
- (j) dredging, filling or excavating;
- (k) removing or destroying the natural physical features of the ESA;
- (l) the possession or use of explosives;
- (m) the removal, destruction, damaging or defacing of any object, which is of scientific, historical, archaeological, cultural or palaeontological interest;
- (n) any parking or use of vehicles;
- (o) the occupation or use of land;
- (p) the lighting, usage or maintenance of fire;
- (q) fishing or possession of any equipment for the purposes of fishing;

- (*r*) dumping, littering or polluting, including the discharging or deposition of any refuse, oily liquids, waste acids, deleterious chemicals or any toxic polluting substances of any kind injurious to plants, animals or fish;
- (*s*) carrying out forestry, agricultural or aquacultural activities;
- (*t*) alteration of the direction of watercourses;
- (*u*) creation, construction, maintenance or operation of a road, railway, aircraft landing strip, or helicopter pad in the ESA;
- (*v*) construction or development of pipelines for the transmission of oil, gas or any such materials;
- (*w*) conduct or behaviour that unreasonably disturbs other persons in the ESA or unreasonably interferes with their enjoyment of the ESA; and
- (*x*) any other activity which results in a negative impact on the physical, biological and/or 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 non-destructive 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*) research activities approved by the Relevant Authority;
- (*c*) educational activities related to the ecological characteristics and features of the ESA;
- (*d*) any other activities approved by the Relevant Authority in accordance with the objectives set out in PART II or pursuant to any legal rights vested in any party prior to this Designation.

2. The Relevant Authority shall implement mitigation measures in the ESA, including—

- (*a*) development of public awareness and education programmes;
- (*b*) enforcement of existing laws;
- (*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) the establishment of community liaisons;
- (g) local community participation in the planning and management of the ESA;
- (h) exchange of information and research;
- (i) rehabilitative measures and adaptive management strategies designed to address present and future challenges to the ESA; and
- (j) commissioning, reviewing, updating and implementing a plan for the management of the ESA.

Dated this 5th day of June, 2007.

J. AGARD
Chairman,
Environmental Management Authority