

LEGAL NOTICE NO. 124

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 SPECIES RULES, 2001

THE ENVIRONMENTALLY SENSITIVE SPECIES (PAWI) NOTICE, 2005

1. This Notice may be cited as the Environmentally Sensitive Species (Pawi) Notice, 2005. Citation

2. In this Notice—

Interpretation

“Act” means the Environmental Management Act, 2000;

Act No. 3
of 2000

“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;

“environmentally sensitive area” means any defined portion of the environment so designated under section 41 of the Act;

“environmentally sensitive species” means any species of living plant or animal so designated in paragraph 3;

“habitat” means the place or type of site where an organism or population naturally occurs;

“hunt” has the meaning assigned to it in rule 3(5) of the Rules;

“indigenous” means native to a particular area;

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

“Rules” means the Environmentally Sensitive Species Rules, 2001; and

“trade” has the meaning assigned to it in rule 3(6) of the Rules.

Designation Part I	3. The Environmental Management Authority hereby designates as an environmentally sensitive species (“ESS”) the animal described in Part I.
Reason for designation Part II	4. The reason for the designation of the ESS is to meet the objectives set out in Part II.
Limitations on use and activities Part III	5. The limitations on use of and activities with regard to the ESS with which compliance is required are as specified in Part III.
Permitted use and mitigating measures Part IV	6. Subject to clause 5 the wise use of the ESS is permitted and the mitigating measures to be undertaken are as specified in Part IV.

PART I

<i>Animal</i>	<i>Common Name</i>	<i>Scientific Name</i>
	Trinidad Piping-Guan, Pawi	<i>Pipile pipile</i>
	Wild Turkey	

DESCRIPTION OF THE ESS

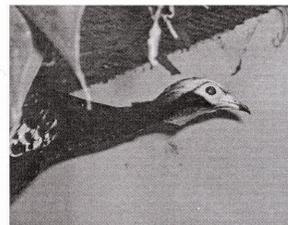
Pawi are large, black turkey-like birds. Their wing coverts may be mottled white or solid white. Slender black feathers edged with white, make up their crown. They have white faces, black beaks, brilliant blue wattles extending from their necks and red feet. Adult Pawi weigh around 2.5–3.3 kg, and have a wingspan of 60 cm.

Pawi are reported to be gregarious birds. Most records of the Pawi state that they are found at elevations of 400–900 m, but this species is also found around heights of 50 m. Little is known about the breeding biology of Pawi in Trinidad.

Pawi inhabit remote primary forests or cultivated areas bordering primary forests where there is minimal human disturbance. They feed principally on fruit and seeds in the canopy of forest trees of remote lower and upper Montane rainforest, preferring steep, hilly areas with numerous streams, sparse ground cover, a closed canopy and abundant lianas and epiphytes. However, they will occasionally feed on cultivated crops.



Source: Forestry Division, Ministry of Public Utilities and the Environment



Source: Risha Alleyne

PART II

OBJECTIVES OF THE DESIGNATION

I Preservation of the ESS which is a species endemic to Trinidad.

II Preservation of the ESS which is an animal that is in danger of extinction throughout all of its range and its survival is unlikely if the factors affecting it continue to operate.

III In furtherance of Schedule I of the Rules, compliance with the Government's international obligations under the following Conventions:

- (a) the Convention on International Trade in Endangered Species of Wild Fauna and Flora (the CITES Convention) which was acceded to by Trinidad and Tobago on 19th January, 1984. The species is listed in Appendix I of the CITES Convention;
- (b) the Protocol concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (the SPAW Protocol) which was ratified by Trinidad and Tobago on 10th August, 1999. The species is listed in Appendix II of the SPAW Protocol; and
- (c) the United Nations Convention on Biological Diversity (the Biodiversity Convention) which was ratified by Trinidad and Tobago on 1st August, 1996.

IV In furtherance of Schedule II of the Rules—

1. Conservation of biological diversity and protection of the environment, including—

- (a) the maintenance of the species abundance and diversity;
- (b) the maintenance of a reproductively viable population; and
- (c) ensuring the wise use of the ESS.

2. Logistic support e.g., environmental education, information sharing, including—

- (a) the conduct of research on the ESS towards developing management and recovery plans; and
- (b) the development of awareness and educational programmes for the public of Trinidad and Tobago.

V In furtherance of Schedule III of the Rules, protection of an animal referred to in the following written law:

The Conservation of Wildlife Act, Chap. 67:01, which in section 2 defines a “protected animal” as one that is not specifically mentioned in the Second or Third Schedule to the Act. This would include the Pawi.

PART III

LIMITATIONS ON USE AND ACTIVITIES

For the protection of the ESS the following activities are prohibited, unless otherwise approved by the Relevant Authority in accordance with existing laws:

- (a) the taking, possession or hunting of the ESS or trade in the ESS, their parts or products or anything derived from the ESS;
- (b) the removal and exportation of the ESS species or any part thereof; except for scientific research approved by the Relevant Authority;

- (c) disturbing, destroying or any other action or habitat alteration, including land reclamation and alteration due to fisheries, agricultural and industrial development, that will cause any undue disturbance to the habitat or ecosystems upon which the ESS depends at any phase of its life cycle;
- (d) the disturbance of the ESS particularly during the period of breeding, incubation, aestivation or migration, as well as other periods of biological stress;
- (e) dumping, littering or polluting, including the discharging or depositing of any refuse, oily liquids, waste acids, deleterious chemicals or any other toxic or polluting substances of any kind injurious to the ESS, in an area where such dumping, littering or polluting has resulted or would be likely to result in injury to the ESS or its habitat; and
- (g) any other activity which, based on technical or scientific evidence is determined to cause or is likely to cause harm to the ESS.

PART IV

WISE USE AND MITIGATION MEASURES

1. The following activities are permitted with regard to the ESS subject to existing law:
 - (a) educational activities related to the conservation and protection of the ESS;
 - (b) scientific research in respect of the ESS where a permit has been issued by the Relevant Authority; and
 - (c) conservation oriented management activities.
2. The Relevant Authority shall implement mitigation measures to protect the ESS including the following:
 - (a) the protection, conservation and management of critical habitat and ecosystems utilised by the ESS in any phase of its life cycle;
 - (b) development of further education and public awareness campaigns to ensure the success of site protection;
 - (c) evaluation of the effectiveness of current regulations and enforcement efforts;
 - (d) determination and monitoring of the status of the ESS population and research into aspects of its life history, breeding biology and ecology;
 - (e) development of local community conservation programmes; and
 - (f) surveying of areas of historic occurrence to determine the ESS's status in these areas.

Dated this 5th day of June, 2005.

J. AGARD
Chairman,
Environmental Management Authority