

LEGAL NOTICE NO. 32

REPUBLIC OF TRINIDAD AND TOBAGO

THE ENVIRONMENTAL MANAGEMENT ACT, CHAP. 35:05

NOTICE

MADE BY THE ENVIRONMENTAL MANAGEMENT AUTHORITY UNDER
SECTION 41 OF THE ENVIRONMENTAL MANAGEMENT ACT

THE ENVIRONMENTALLY SENSITIVE SPECIES
(GOLDEN TREE FROG) NOTICE, 2013

1. This Notice may be cited as the Environmentally Sensitive Species (Golden Tree Frog) Notice, 2013. Citation

2. In this Notice—

Interpretation

“Act” means the Environmental Management Act, Chap. 35:05; Chap 35:05

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

“endemic” means restricted to a specific region or locality;

“extirpated” means locally absent from its natural habitat;

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

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

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

“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;

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

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

“trade” means export, sell, expose for sale or otherwise dispose of;

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

Designation Part I	3. The Authority hereby designates as an 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

DESCRIPTION OF THE ESS

<i>INTERNATIONAL COMMON NAME</i>	<i>LOCAL COMMON NAME</i>	<i>SCIENTIFIC NAME</i>
Golden tree frog	El Tucuche golden frog	<i>Phyllodytes auratus</i>
		<i>Hylidae Amphodus auratus</i>

The Golden tree frog is endemic to Trinidad and is found only in three (3) areas: the summits of El Tucuche, Aripo and Morne Bleu Ridge, where montane forest and elfin woodland exist. It is regarded as Critically Endangered by the International Union for Conservation of Nature (IUCN) due to its severely restricted habitat and fragmented distribution on three summits of the Northern Range.

It is a small to medium sized frog of approximately 35 mm, having a chocolate brown dorsum with two (2) golden-yellow stripes from its snout to its rear/vent (see Photograph 1). Its limbs are cream but transparent. The pupils of the eye are black and are surrounded by gold rings. The body and head of this species are compressed to allow it to squeeze through small spaces such as, between the tightly packed leaves of the giant bromeliad (*Glomeropitcairnia erectiflora*). These frogs have serrated teeth and fangs on their jaws. They may lay single eggs or a small clutch of eggs on the leaves of bromeliads.

The microhabitat of the Golden tree frog occurs in one (1) species of epiphytic tank bromeliad called *Glomeropitcairnia erectiflora* (see Photograph 2). The specific diet of the frog is unknown; however, it is thought to eat both plant and animal matter.



Photograph 1: The Golden tree frog
(*Phyllodytes auratus*)
Source: Julien Kenny

Photograph 2: Tank Bromeliad
(*Glomeropitcairnia erectiflora*)
Source: Rondel Bailey

PART II

OBJECTIVES OF THE DESIGNATION

- I. Preservation of the ESS which is species endemic to Trinidad and Tobago (specifically to the island of Trinidad).
- II. Preservation of the ESS which is an animal listed as critically endangered under the IUCN Red List of Threatened Species and is thus in danger of extinction.
- III. Preservation of the ESS which is in danger of extirpation.
- IV. In furtherance of Schedule I of the Rules, compliance with the Government's international Obligations under the following Conventions:
 - (a) the United Nations Convention on Biological Diversity (the Biodiversity Convention) which entered into force for Trinidad and Tobago on 1st August, 1996; and
 - (b) the Protocol concerning Specially Protected Areas and Wildlife to the Cartagena Convention (The SPAW Protocol), which entered into force for Trinidad and Tobago on 18th June, 2000 where the ESS is listed under Annex II.
- V. In furtherance of Schedule II of the Rules, the objectives of the designation are—
 1. Conservation of biological diversity and protection of the environment including—
 - (a) maintenance of species' abundance and diversity;
 - (b) preservation of the integrity of species' populations to ensure genetic viability;

- (c) ensuring the conservation of the species which is endemic to the island of Trinidad;
- (d) maintenance of the ESS due to its significance to the ecosystem(s) it inhabits;
- (e) conservation of a prospective indicator or sentinel species for pollutant levels, diseases, weather or climate patterns; and
- (f) preservation of a species that is high in aesthetic value.

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

- (a) the conduct of research on the species towards developing a management and recovery plan;
- (b) the involvement of stakeholders in the management and protection of the species; and
- (c) the development of awareness and educational programmes about the species for the public of Trinidad and Tobago.

VI. 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, in which 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 Golden tree frog.

PART III

LIMITATIONS ON USE AND PROHIBITED ACTIVITIES

For the protection of the ESS the following activities are prohibited, unless otherwise approved by the Relevant Authority, or permitted under any existing law, or pursuant to any legal rights vested in any party prior to this Designation:

- (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 or any part thereof;
- (c) any action that results in habitat alteration, disturbance or destruction, or 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 lifecycle;

- (d) the disturbance of the ESS, particularly during the period of breeding, incubation, gestation, aestivation (i.e., period of dormancy) 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;
- (f) the handling of the ESS by individuals exposed to the chytrid fungus or its spores or any other organism responsible for killing amphibians locally or worldwide;
- (g) the collection, destruction, interference or removal of *Glomeropitcairnia erectiflora* or other bromeliad(s) in which the ESS inhabits and/or depends on for its survival;
- (h) removing or destroying the natural physical features of the habitats of the ESS;
- (i) the wilful introduction of any alien, non-native or illegal plant or animal species that may affect the ESS or the bromeliad habitat upon which it depends; and
- (j) 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

- I. 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) non-destructive scientific research with the possession of a permit, issued by the Relevant Authority, which specifies limitation on the number, sex and life stage of specimens that are to be removed or translocated for scientific research or captive breeding; and
 - (c) conservation-oriented management activities.
- II. The Relevant Authority shall implement mitigation measures to protect the ESS including the following:
 - (a) the protection, restoration, conservation and management of critical habitat and ecosystems utilised by the ESS in any phase of its life cycle;

- (b) development and implementation of a species recovery plan for the ESS;
- (c) development of public awareness and education programmes and/or local community conservation programmes;
- (d) sharing of information and research;
- (e) enforcement of existing laws;
- (f) visitor management of the habitat(s) of the ESS;
- (g) training of Environmental Officers and other persons involved in the management of the ESS;
- (h) minimizing the harassment and mortality of the ESS;
- (i) evaluation of effectiveness of current and future regulation and enforcement efforts;
- (j) development of bilateral and multilateral agreements for conservation and research of the ESS;
- (k) evaluation of actual or potential impacts on the ESS by activities including but not limited to industrial and infrastructural development, agriculture, squatting and oil and gas exploration and production;
- (l) determination and monitoring of the status of the ESS population and research into aspects of its life history and ecology; and
- (m) protection of critical home range and breeding habitats of the ESS.

Dated this 24th day of January, 2013.

S. DYAL
*Deputy Chairman
Environmental Management
Authority*