

Recommendations for the improvement of St. Maarten's environmental legislation and for the protection of the island's Natural and Cultural Heritage.

Compiled by:

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Recommendations for improvement of St. Maarten's environmental legislation



Recommendations for the improvement of St. Maarten's Environmental legislation.

Sint Maarten's Environmental, Natural and Cultural Heritage Conservation Foundations hereby jointly present you with their **Recommendations for the improvement of St. Maarten's environmental legislation and for the protection of the island's Natural and Cultural Heritage.** The Foundations urge political parties to consider and incorporate these points into their (governing) programs, in view of environmentally sustainable development, the protection of the island's Natural and Cultural Heritage and St Maarten's future status as a country within the Kingdom of the Netherlands.

Recommendations for improvement of St. Maarten's environmental legislation

Government actions required in support of Nature Conservation and the Environment*

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Recommended Action	Expected impacts	Detailed Action Steps
1. Formulate and enforce an island nature policy plan	<ul style="list-style-type: none"> ▪ Opportunity to prioritize environmental / nature conservation issues. ▪ Provides a better base for long term planning. ▪ Framework for environmental and nature conservation policy for a preset number of years 	<ul style="list-style-type: none"> ○ Assess current situation and possible future situations. ○ Stakeholder workshops Government NGOs, SHTA etc. ○ Draft Nature Policy Plan
2. Enforcement of, and adherence to existing policy and regulations: Hillside policy, Beach policy, Nature Ordinance, Waste Ordinance, Sewage Ordinance.	<ul style="list-style-type: none"> ▪ Proper Zoning ▪ Decrease in waste, sewage dumping. ▪ Increased habitat protection ▪ Beautification of the island due to a decrease in illegal dumping ▪ Green untouched zone along hilltops 	<ul style="list-style-type: none"> ○ Increase VROM and ROB staff. ○ Increase environmental, building inspections. ○ Provide inspection department with proper equipment. ○ Improve coordination between government and its various departments
3. Development and implementation of regulations e.g. Beach Protection Ordinance, Hillside Ordinance, Pond Protection Ordinance, Island Fisheries Ordinance, Ordinance on Zoning	<ul style="list-style-type: none"> ▪ Enhanced enforcement capabilities ▪ Proper zoning ▪ Commercial, residential and conservation zones (Terrestrial Protected Areas) ▪ Conservation zones along hillsides ▪ Habitat protection 	<ul style="list-style-type: none"> ○ Assess current situation and possible future situations. ○ Increase VROM and ROB staff. ○ Increase environmental and building inspections. ○ Provide inspection department with proper equipment. ○ Improve coordination between government and its various departments. ○ Develop and implement legislation
4. Improving and revising currently outdated legislation e.g. updating current building ordinance.	<ul style="list-style-type: none"> ▪ Proper construction guidelines ▪ Enforcement capabilities ▪ Proper Zoning 	<ul style="list-style-type: none"> ○ Assess current situation and possible future situation. ○ Increase environmental and building inspections. ○ Provide inspection department with proper equipment. ○ Improve coordination between government and its various departments. ○ Draft new legislation

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5. Require, through proper legislation, environmental and social impact assessments to be carried out by independent consultants when any major facility development is being considered	<ul style="list-style-type: none"> ▪ Provides advance detailed information on development likely to impact on environmental and social interests ▪ Increased environmental awareness through publication of assessments 	<ul style="list-style-type: none"> ○ Set standards for EIAs and SIAs. ○ Develop legislation requiring EIAs and SIAs to be carried out.
6. Implementation and enforcement of Marine Park legislation (in progress)	<p>Implementation of Marine park ordinance will be a useful tool in nature conservation and will create or lead to:</p> <ul style="list-style-type: none"> ▪ Enhanced enforcement capabilities ▪ Reduced anchoring <p>Infrastructure will be put in place for:</p> <ul style="list-style-type: none"> ▪ Conservation zones ▪ Transportation, commercial zones ▪ Reduced over fishing. ▪ Increased marine-life protection. ▪ Tourism and community awareness. ▪ Increased revenue for NGOs through park Fees 	<ul style="list-style-type: none"> ○ Formulation of Marine Park Ordinance/ legislation. (completed) ○ Designating conservation, transportation, commercial zones ○ Cooperation between marine park managers and all marine stakeholders: Port Authority, Harbour Authority, Coast Guard, Dive shops.
7. Implementation and enforcement of relevant legislation for the establishment of a terrestrial Nature Reserve.. (Establish entire Emilio Wilson Estate as a Terrestrial Protected Area)	<ul style="list-style-type: none"> ▪ Enforcement capabilities. ▪ Increased habitat protection. ▪ Increased Flora and Fauna protection. ▪ Tourist and community awareness. ▪ Tourism product enhancement. ▪ Increased revenue for NGOs and nature conservation through Park admission fees. 	<ul style="list-style-type: none"> ○ Locating and acquiring land suitable for use as a nature reserve. ○ Designating the area as a Nature Reserve. ○ Implementation and enforcement of supporting legislation. ○ Delegate management activities to capable NGOs

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8. Ratification of, and adherence to international treaties on species and habitat protection on the Island level.	<ul style="list-style-type: none"> ▪ Habitat and species protection ▪ Enforcement capabilities ▪ Tourism and community awareness. ▪ Tourism product enhancement. 	<ul style="list-style-type: none"> ○ Same as point 3 ○ Include treaty requirements in local legislation ○ Implement and enforce treaty requirements
9. Include environmental (natural heritage) education in school curriculum (on a local level)	<ul style="list-style-type: none"> ▪ public awareness ▪ involvement 	<ul style="list-style-type: none"> ○ Develop or acquire literature on the natural environment in general and on Sint Maarten in particular, for educational purposes in primary and secondary schools ○ Change school curriculum ○ Engage (NGO) staff knowledgeable on environmental and biological topics for lectures, guided tours etc
10. Development, implementation and enforcement of a Monument Protection Ordinance. (monuments include put are not limited to: slave/ rock walls, historical buildings and sites, Old Trees)	<ul style="list-style-type: none"> ▪ Enforcement capabilities. ▪ public awareness ▪ involvement ▪ Tourist and community awareness. ▪ Tourism product enhancement. ▪ Heritage Protection 	<ul style="list-style-type: none"> ○ Development Implementation and enforcement of supporting legislation. ○ Ratification of monument list ○ Delegate management activities to capable NGOs and/or arrange subsidies for monument owners when privately owned
11. Development, implementation and enforcement of a Wetland Protection Ordinance (for Ponds, Lagoons)	<ul style="list-style-type: none"> ▪ Enhanced enforcement capabilities ▪ Reduced anchoring ▪ Conservation zones ▪ Increased marine-life protection. ▪ Tourism and community awareness. 	<ul style="list-style-type: none"> ○ Designating conservation transportation, commercial zones for the Simpson Bay Lagoon and Oyster Pond. ○ Delegate management activities to capable NGOs ○ Develop and implement legislation
12. Development, implementation and enforcement of a Tree Protection ordinance,	<ul style="list-style-type: none"> ▪ Enforcement capabilities ▪ Protection of old trees (example: Silk Cotton, Tamarind, Sand Box Tree, Flamboyant Tree, Stinking Toe etc) 	<ul style="list-style-type: none"> ○ Locate trees and mark trees (GPS) for protection purposes. ○ Designate Trees as Protected
13. Develop & enforce a billboard/ signage policy	<ul style="list-style-type: none"> ▪ Enforcement capabilities ▪ Decrease in visual pollution 	<ul style="list-style-type: none"> ○ Develop, implement and enforce legislation.

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