



Comments on:

**Draft Palisadoes-Port Royal Protected Area Zoning Plan
(2014-2019)**

*[A revision of the Draft Palisadoes-Port Royal Protected Area Zoning Plan
(2014-2019), published in 2014]*

and

**Final Draft Palisadoes-Port Royal Protected Area Management Plan
(2016-2021)**

*[A revision of the Final Draft Palisadoes-Port Royal Protected Area Management Plan
(2015-2020), published in 2016]*

Revised by:

**National Environment and Planning Agency (NEPA)
November 2018**

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This document contains the professional opinion of the Jamaica Environment Trust (JET). In arriving at our opinion, we made every reasonable attempt to ensure that our resource persons are informed and reliable and experts in the area in which their comment and analysis is sought. JET encourages readers to apply their own critical analysis to the information provided in this document and by others, particularly where JET's opinion differs from those others.

With technical assistance from the Environmental Law Alliance Worldwide (ELAW) in Eugene, Oregon, the Jamaica Environment Trust (JET) reviewed the Draft Palisadoes-Port Royal Protected Area Zoning Plan (2014-2019) and Final Draft Palisadoes-Port Royal Protected Area Management Plan (2016-2021). Of note, JET is represented on the Palisadoes-Port Royal Protected Area (P-PRPA) Management Committee, by Chief Executive Officer, Suzanne Stanley. The P-PRPA Management Committee is chaired by the National Environment and Planning Agency (NEPA) who currently manages the protected area.

The significant ecological and historical value of the P-PRPA is articulated well in both documents, which make a strong case for its protection; however, we wish to raise the following concerns related to the practical application of both plans:

Draft Palisadoes-Port Royal Protected Area Zoning Plan (2014-2019)

JET is gravely concerned that NEPA is still working with a Draft Palisadoes-Port Royal Protected Area Zoning Plan (2014-2019) (Draft Zoning Plan) given that the last draft of the plan was completed nearly five years ago. It is now 2019 – the end of the plan’s originally intended timeline. At this stage, a final draft of the Draft Zoning Plan should have already been published, all required data gathered, and the necessary management decisions made.

The Draft Zoning Plan states:

“It is expected that once an effective zoning plan is implemented and the management of the area strengthened, then the outcomes would include:

- *Reduced damage to important habitats;*
- *Protection of spawning areas and nursery grounds;*
- *Provision of refuge for protected species, such as sea turtles and the American Crocodile;*
- *A boost of species numbers;*
- *Increase the abundance of fish; and*
- *Increased resilience of the reefs against threats such as bleaching, climate change and water pollution.”¹*

These goals are admirable but the delay in achieving them is worrisome.

The Draft Zoning Plan also states:

“Presently, there are no regulations for the P-PRPA, and the draft management plan³ is dated and in need of revision. With the increasing human impact on the resources, it was recommended that a zoning plan be developed as a first step towards protecting the sensitive ecosystems from further degradation. The zoning of the P-PRPA will serve as an important tool in the management of the area.

³*The Palisadoes-Port Royal Protected Area Management Plan Start-up Phase, 1999-2001; NRCA-DEMO. This was a first draft for Community and Stakeholder Discussion and Comment.”²*

¹ Draft Zoning Plan, p. viii.

² Draft Zoning Plan, p. 2.

Taken literally, this means there is currently almost no level of protection for this area, which was declared over two decades ago (in 1998).

Finalizing this plan should be fast-tracked by NEPA, and updated timelines should be immediately established for putting the necessary protective management strategies in place.

The four zones of the Palisidoes-Port Royal Protected Area do not appear very distinct from each other regarding the activities allowed. The zones contained in the plan are described as:

1. *Restricted Use Zone*
2. *Conservation Zone*
3. *Core Heritage Special Purpose Zone (SPZ)*
4. *Multiple-use Zone*³

In each of these zones, fishing, development, recreational and other activities appear to be allowed, despite the fact that these activities are acknowledged to be destructive in section 2.3 of the plan.⁴

For example, the Draft Zoning Plan acknowledges the impact of fishing, stating that “The fishing pressure in the area also poses some concern as it is generally accepted that Jamaican waters are highly overfished”⁴; however, in the Restricted Use Zone, the following activities are allowed and prohibited⁵:

Box 1: User Activities for the Restricted Use Zone

<u>RESTRICTED USE ZONE</u>
<p>Allowed</p> <ul style="list-style-type: none">•Construction of new and expansion of existing facilities subject to the granting of relevant approvals and is contingent on the footprint or area covered by the zone remaining the same.•Low impact recreational activities eg. jogging, access to platforms/areas for rock fishing, cycling.•Low impact commercial activities.•Special events e.g. recreational/commercial events such as parties, festivals subject to special approval of the KSAC, Jamaica Civil Aviation Authority (JCAA), NRCA and the JNHT.•Ecological restoration activities.•Infrastructure improvement and coastal defence activities/works.•Research/educational activities.•All activities associated with the NRCA’s management of the area.
<p>Not Allowed</p> <ul style="list-style-type: none">•Erection of any additional permanent structures (with the exception of road improvement and coastal defence works) which upon review by the Authority are deemed to be harmful to adjacent, natural or historical ecosystems and sites.•Removal or disturbance of physical or biological features/specimen or habitats, e.g. dune, sand, rock, flora, fauna•Activities which may impact aviation safety.

³ Draft Zoning Plan, p. ix.

⁴ Draft Zoning Plan, p. 8.

⁵ Draft Zoning Plan, p. 16.

Most zoning plans are defined by use, which means that some activity restrictions are expected. But allowing for the construction of new facilities, “low impact” commercial activities, and fishing in the Restricted Use Zone leaves very little *off the table* for consideration. There is also no definition provided for what a “low impact” commercial activity might encompass, further adding to the ambiguity of what specific activities will or will not be allowed in the P-PRPA.

Additionally, the plan states: “One of the major adverse factors affecting the ecology of the area is the increased recreational activity that could exceed the carrying capacity”³, yet all zones outlined in the plan allow recreational activities to take place.

In both the Conservation Zone and Multiple Use Zone reference is made to allowed activities which “will not adversely impact archaeological/heritage resources and the functionality of the area’s ecosystems and that of adjacent zones”; however, it is not clear what an adverse impact is considered to be.

Without more activity restriction (e.g. prohibitions on certain types of fisheries or coastal development), it is unrealistic to think that there will be no adverse impacts on the zones being managed. For example, the allowing of special events, festivals, and parties in the P-PRPA cannot be considered consistent with not disturbing any fauna, e.g. sea turtles. Negative outcomes are especially likely if these management details are not clearly articulated, which is the case here.

The Draft Zoning Plan needs clearer prohibitions on certain activities for each zone, especially considering the numerous threats to internationally, nationally and locally vulnerable and protected species found in the area.⁶

In the Core Heritage Special Purpose Zone, which includes the highly vulnerable UNESCO site of Port Royal, it is worrying that “construction of new and expansion of existing facilities that are in keeping with the character of the area and with strict conditions re: mode of construction as approved by inter alia the JNHT, and the JCAA” is allowed.⁷ Appendix 1 of the Draft Zoning Plan makes a strong case for the fragility of this community, yet it appears that new residents and businesses can move in and build new structures. In contrast, the list of activities allowed in the Core Heritage Special Purpose Zone state specifically that “development in the marine segment of the zone” is not allowed.⁸ This type of clarity should be replicated for all similar sections of the Zoning Plan as it helps protected area managers and users understand the rules, increasing the chances for the desired level of protection.

JET advocates that no special events or new construction (“development”) should be allowed in the marine and terrestrial segments of both the Core Heritage Special Purpose Zone and the Conservation Zone of the P-PRPA.

In summary, the following recommendations are proposed to improve the Draft Zoning Plan:

⁶ National Environment and Planning Agency. 2018. Final Draft Palisadoes-Port Royal Protected Area Management Plan (2016-2021) (Management Plan). 90 pp. p. 45.

⁷ Draft Zoning Plan, p. 26.

⁸ Draft Zoning Plan, p. 26.

1. Specify clearly which activities are allowed and restricted in each zone of the P-PRPA. Ambiguity is time- and resource-consuming and decreases the likelihood for successful protection.
2. Prohibit activities that are guaranteed to remove or disturb “physical or biological features/specimen or habitats”⁹ for more successful protection.
3. Finalize the plan and bring it into force as soon as possible, so that the zones can be managed as prescribed.

Final Draft Palisadoes-Port Royal Protected Area Management Plan (2016-2021)

The Palisadoes-Port Royal Protected Area Management Plan (Management Plan) speaks to an extraordinary Jamaican place, with both ecological and historical significance, that requires strong protection and effective management.

JET’s major concern with the content of the Management Plan relates to the stated budgets for the P-PRPA Programmes and Activities. A summary of the stated Management Plan budget (2015 – 2020) is outlined below:

Programme	Estimated Cost (JMD)
1. Biodiversity Conservation	\$4,078,300
2. Zoning	\$340,000
3. Compliance, Patrolling and Enforcement	\$775,708
4. Public Awareness, Education and Outreach & Sustainable Alternative Livelihoods	\$2,076,000
5. Governance & Administration*	\$53,123,000
TOTAL	\$60,393,008

**JET assumes that the inclusion of ('000) in the first row of the last column of Table 21 of the management plan is a typographical error, and that all figures stated in Table 21 should be taken as read.*

JET considers the funds allocated to programmes 1 – 4 (listed above) to be entirely insufficient based on the size of the protected area to be managed and the scope and duration of activities outlined in the management plan. For example, illegal dumping and squatting on the P-PRPA are listed as significant threats to the “integrity of the Palisadoes tombolo and its resources as well as the associated marine environment”¹⁰; yet only J\$69,800.00 has been allocated in the five-year management plan budget to “erect bollards at selected points”¹¹ and there is no budget included for land-based patrolling and enforcement.¹² It is also unclear how

⁹ Draft Zoning Plan, p. 16.

¹⁰ Management Plan, p. 48 - 50.

¹¹ Management Plan, p. 58

¹² Management Plan, p. 62

bollards will prevent squatting on sand dunes. NEPA is almost certainly setting itself up for failure if it proceeds with the stated budget which is too low and notably out of date.¹³

Additionally, a disproportionate portion of the budget has been allocated to the Governance and Administration Programme, particularly as it relates to the personnel costs (J\$46.8m) which represent 77% of the overall management plan budget. Given the extremely limited capital resources available for all other activities and programmes (1 – 4 listed above), it is unlikely that the personnel employed to the P-PRPA will be able to achieve any of the stated management plan goals¹⁴ over the five-year period.

It is also unclear what budgeted funds will be used for in some instances, particularly the following line items:

- **Patrolling and Enforcement:** Inter-agency agreement with enforcement partners (J\$30,500)¹⁵
- **Governance & Administration:** Strengthen collaboration with institutional partners (1) Establish a multi-stakeholder management committee (2) Convene meetings (J\$210,000)¹⁶

The P-PRPA Management Plan will not be successful unless sufficient capital resources are allocated to each programme. The budget for all programmes should reflect the real cost of implementation and are in need of urgent revision.

The Management Plan states:

“2.3 VALUES AND IMPORTANCE OF THE PALISADOES-PORT ROYAL PROTECTED AREA AND ITS ROLE IN THE NATIONAL PROTECTED AREA SYSTEM

The terrestrial and marine resources within the P-PRPA combine to give the area its unique characteristics which also include its geological formation/features, the flora and fauna, historic sites and buildings. In terms of the National Protected Areas System, the P-PRPA accounts for approximately 1.8% of the entire system of protected areas in terms of spatial coverage. The importance of the P-PRPA and its role in the National Protected Areas Systems are however perhaps best understood when one considers the following services and values associated with the area:

Biodiversity Values and Services

*The P-PRPA is home to a diverse range of habitats and species. The area includes the tombolo and its associated flora and fauna, mangrove islands, mangrove lagoons, cays, shoals, coral reefs, seagrass beds and surrounding waters. Key species of ecological significance include: the Brown Pelican (*Pelecanus occidentalis*), the Reid seahorse (*Hippocampus reidi*), the hawksbill turtle (*Eretmochelys imbricata*), bottlenose dolphins (*Tursiops truncatus*), the American Crocodile (*Crocodylus acutus*), Beach Morning Glory (*Ipomoea pes-caprae*), Sea Grape (*Coccoloba uvifera*), Seaside Mahoe (*Thespesia**

¹³ Budget tables all refer to a 2015 – 2020 timeline

¹⁴ Draft Management Plan, p. 51 - 52

¹⁵ Draft Management Plan, p. 62

¹⁶ Draft Management Plan, p. 76

populnea), Red Mangrove (*Rhizophora mangle*), Black Mangrove (*Avicennia germinans*), White Mangrove (*Laguncularia racemosa*) and Button Mangrove (*Conocarpus erectus*).

Economic Values and Services

The P-PRPA plays a key role in food security as the marine and coastal habitats provide valuable breeding grounds for fish, providing spillover into surrounding waters and allowing for activities such as fishing for domestic consumption and livelihood support.

Regulating Values and Services

The regulating services provided by the P-PRPA refer mainly to the role of natural ecosystems in helping to control aspects of climate, hydrology and the water cycle, weather events and key natural systems. The ecosystems of the area are critical sites for the sequestration of carbon. Additionally, the mangroves, coral reefs and sand dunes all act as barriers, helping to mitigate the effects of natural hazards such as against tropical storms and hurricanes and sea-level rise.

Cultural and Historical Values and Services

Cultural/heritage values are particularly strongly represented within the P-PRPA. In addition to its rich and legendary history, the area contains many buildings and sites of historical and archaeological significance, some of which are still in use today. Amongst the most prominent sites of importance are Fort Charles, Fort Rocky, St. Peter's Church, the Old Gaol, the Naval Hospital, the Naval Dockyard and Admiralty Houses, Naval Cemetery and the 1692 Sunken City of Port Royal.

Recreation Values and Services

The P-PRPA contains important recreational values. Many patrons visit the area for activities such as exercise, recreational fishing, swimming, cycling, yachting, dining or to attend entertainment events at sites along the tombolo or at Lime and Maiden Cays. There reefs of the area provide opportunity for snorkeling and SCUBA diving. The mangroves of the area also serve as an attraction for nature lovers and bird watchers.

Education and Research Values and Services

The P-PRPA provides an ideal location for ecological research as it contains unique and representative examples of natural and human influenced ecosystems which provide opportunities for learning at various levels. The area is also home to the University of The West Indies' Port Royal Marine Laboratory and Biodiversity Centre, which undertakes lectures, research and tours, giving individuals an opportunity to interact directly with nature."¹⁷

The Management Plan includes a version of the Zoning Plan that is different than the separately published Draft Zoning Plan, reviewed above. For example, the Draft Zoning Plan states that increasing, "the resilience of coastal and marine ecosystems to the effects of climate change" is an explicit objective of the Conservation Zone.¹⁸ In contrast, the Zoning Plan in the Management Plan does not refer to protection against climate change. **It is not clear which version of the**

¹⁷ Management Plan, pp. 9-10.

¹⁸ Draft Zoning Plan, p. 21.

Zoning Plan should be used. This oversight should be swiftly corrected to ensure successful management of the P-PRPA.

The Management Plan overall makes very little reference to climate change, though it is mentioned as increasing the vulnerability of the area:

“By virtue of the location of the Palisadoes-Port Royal area, however, it is at a higher risk as it is located in the coastal zone, so it is often one of the first places ‘in the line of fire’ from any kind of system moving in from the south-east. Additionally, because it is low lying and exposed to the sea, there is a reduced defence from heavy winds and an increased impact by storm surges (which will likely be compounded in the future due to climate change and sea-level rise). Degradation of coastal defences such as coral reefs and dunes only serves to compound this issue.”¹⁹

Despite this acknowledgment, the only planned activity to counter the effects of climate change in the Management Plan is a reference to, “Caribbean adaptation to climate change reef monitoring on Southeast Cay.”²⁰ This action is an insufficient response to the absolute and immediate threats of sea level rise, increased storminess, ocean acidification, and changing temperatures and currents the area will experience due to climate change.

In summary, the following recommendations are proposed to improve the P-PRPA Management Plan:

- 1. Revise the management plan budget to reflect the real cost of implementing all programmes outlined in the management plan.**
- 2. Focus considerably more resources to implement Biodiversity Conservation, Patrolling and Enforcement, Public Awareness, Education and Outreach and Sustainable Alternative Livelihoods Programmes. Funding, research, education, management strategies, and preventative actions are also urgently needed in the management plan to address the immediate threat of climate change in this vulnerable area.**
- 3. Clarify, amend, finalize, and implement the P-PRPA Zoning Plan immediately.**

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**Jamaica Environment Trust
January 14, 2019**

¹⁹ Management Plan, p. 37.

²⁰ See for example Management Plan p. x, p. 56, and p. 58.