

OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS PROJECT

**REVIEW OF THE
POLICY, LEGAL, AND INSTITUTIONAL FRAMEWORKS
FOR
PROTECTED AREAS MANAGEMENT IN GRENADA**



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Review of Protected Areas Management Framework in Grenada

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ACRONYMS

CaMPAM	Caribbean Marine Protected Areas Managers Network and Forum
CARICOM	Caribbean Community
CARIFORUM	Caribbean Forum
CBD	Convention on Biological Diversity
CCA	Caribbean Conservation Association
CEHI	Caribbean Environmental Health Institute
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
CREP	Caribbean Regional Environmental Programme (Project)
EIA	Environmental Impact Assessment
ESDU	Environment and Sustainable Development Unit
GEF	Global Environment Facility
GIS	Geographical Information System
FFEM	Fonds Français pour l'Environnement Mondial
IUCN	The World Conservation Union
MEA	Multi-lateral Environmental Agreement
MOHE	Ministry of Health and Environment
MPA	Marine Protected Area
MTESP	Medium Term Economic Strategy Paper
NaDMA	National Disaster Management Agency
NAWASA	National Water and Sewerage Authority
NEMS	National Environmental Management Strategy
NGO	Non-governmental Organisation
NICE	National Implementation Coordinating Entity
NPC	National Project Coordinator
NTAC	National Technical Advisory Committee
OAS	Organisation of American States
OECS	Organisation of Eastern Caribbean States
OPAAL	OECS Protected Areas and Associated Livelihoods (Project)
PA	Protected Area
PMS	Participating Member State

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PSC	Project Steering Committee
PSIP	Public Sector Investment Programme
SDC	Sustainable Development Council
SIE	Site Implementing Entity
SRO	Statutory Rules and Orders
TOR	Terms of Reference
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development

EXECUTIVE SUMMARY

The OECS Protected Areas and Associated Livelihoods (OPAAL) Project is a 5-year project designed to improve the management of protected areas in the Participating Member States of the Organisation of Eastern Caribbean States (OECS). Associated objectives include increased participation in protected areas management by private and civil society organizations, and facilitating sustainable community livelihoods for those communities traditionally dependent on protected areas resources.

This assignment was focused on reviewing the policy, legal, and institutional frameworks for protected areas management in the six Participating Member States of the OECS.

The Review for Grenada consisted of a review of relevant literature and consultations with national institutions, with the consultations taking place during the period February 12-18, 2006.

Current Status of the Policy Framework

There is no cohesive over-riding policy for protected areas development and management in Grenada. The policy framework is characterized by the following:

- (a) Existence of a draft Plan and Policy for a System of National Parks and Protected Areas that was prepared in 1988, but which remains unused by the protected areas management institutions.
- (b) Protected areas policy and planning is conducted on a sectoral basis, with the Master Plan for the Tourism Sector (1997) and the Forestry Policy (1999) providing the most significant level of treatment to the role of protected areas.
- (c) A number of gaps exist in the current policy framework, with the main gaps being (i) the inadequate attention to Grenada's obligations under the two multilateral environmental agreements that the State has signed that are directly relevant to protected areas, and (ii) the absence of any supporting guidelines or mechanisms for development and management of a system of protected areas.

Current Status of the Legal Framework

Grenada possesses a large number of laws that can be used to regulate and/or support various aspects of protected areas development and operations. Of these, eight principal laws provide the legal basis for declaration and establishment of protected areas. During the period 1906-2001, only seven protected areas were declared under two of the eight laws. The major issues relevant to the legal framework for protected areas in Grenada are:

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- (a) The National Parks and Protected Areas Act (1990), the most significant law dealing with protected areas, and the only one that contains provisions for development of a system of protected areas, has not been implemented.
- (b) Relevant regulations to support the wide range of protected areas development and management activities need to be developed. The regulations are needed to support implementation of both national and international obligations.
- (c) Rationalisation of the provisions of the various principal laws need to be carried out in order to eliminate or reduce jurisdictional conflicts and optimize the benefits of resource allocation and programme integration.
- (d) There are a number of current initiatives that propose changes to the legislative framework, including:
 - (i) Drafting a new heritage protection act – to repeal the current National Heritage Protection Act (1990) and establish the proposed Heritage Management Authority;
 - (ii) Approval of the draft Environmental Management Act – to provide for coordination of environmental policies and management; and
 - (iii) Review of the forestry and wildlife legislation.

Current Status of the Institutional Framework

Twenty four government institutions and eight non-governmental organizations have functions related to environmental management, of which eight have direct responsibilities for protected areas management. There is no established mechanism for coordination of protected areas management institutions, and collaboration takes place on an ad hoc and issues-specific basis. Other relevant institutional issues include:

- (a) There are four major initiatives focused on (i) shifting some protected areas management functions from the Forest and National Parks Department to the Ministry of Tourism, (ii) creation of a Heritage Management Authority, (c) establishment of an Environmental Management Authority, and (iv) institutional strengthening of the Forestry and National Parks Department as part of a project to rehabilitate Grenada's watersheds.
- (b) The Government of Grenada signed a Memorandum of Understanding with The Nature Conservancy in which the latter institution will assist with the development of a national programme to implement the obligations under the protected areas Programme of Work of the Convention on Biological Diversity. At the time of this review, it was unclear which Grenadian institution is collaborating with The Nature Conservancy on this initiative, and how the resulting programme will be integrated into the current protected areas programme.

- (c) Grenada currently has inadequate capacity to undertake all the functions of designing, establishing, and managing a system of protected areas.

Current Status of Protected Areas Programmes

In addition to the issues relevant to the policy, legal, and institutional frameworks, the review noted a number of initiatives and issues focused on site management, including:

- (a) There are currently 7 declared and approximately 50 proposed protected areas in Grenada. Two of the existing sites are marine protected areas and the other 5 are forest protected areas. There is no management of the marine protected areas, and inadequate management of the terrestrial sites.
- (b) Marine protected areas cover less than 10% of the various benthic habitats, while terrestrial sites cover 30-70% of the various forest types.
- (c) There is no information on the current status of protected areas following the passage of Hurricanes Ivan (2004) and Emily (2005), both of which caused massive damage to Grenada.
- (d) There are 6 major initiatives dealing with protected areas site activities, which are at various stages of implementation. These include:
 - (i) CREP amenity area demonstration project;
 - (ii) OPAAL national demonstration activity;
 - (iii) Gap analysis for marine protected areas;
 - (iv) Establishment of a Heritage Management Authority;
 - (v) Establishment of the Grenadines Transboundary Protected Area; and
 - (vi) Watershed rehabilitation project.

The major issues for protected areas management in Grenada identified during this Review are:

- (a) The policy framework for protected areas management is fragmented. The most comprehensive guidance on protected areas management in Grenada that is currently available is largely ignored by the management institutions, though there are several initiatives to establish new laws and institutions.
- (b) There is no institutional coordinating mechanism for protected areas management, and existing institutional conflicts reduce the effectiveness of current efforts.
- (c) There is inadequate participation of civil society in protected areas management. Though some public consultation is practiced, involvement of civil society groups beyond the initial consultation stage is unusual mainly because of concerns about the legality of involvement in management arrangements, as well as uncertainty about the capability of the civil society institutions.

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- (d) Financial resources for site development and operations are inadequate. Initiatives are based primarily on grant funding from external institutions, and a sustained source of financing has not been developed internally, even though there are legal provisions for the establishment of special funds for protected areas.
- (e) Information management systems for protected areas are generally lacking, and as a result, reports, maps, biophysical data, and digital information are poorly managed and often cannot be located.
- (f) Man-made and natural disasters pose ongoing threats to protected areas resources. As such, disaster management and threat reduction considerations must be incorporated into protected areas development and management to a much greater degree.

In response to the major issues identified, the following actions are recommended:

- (a) Initiate a protected areas system planning process to update the policy framework and rationalise the legislative and institutional frameworks. This initiative should include the establishment of the National Parks Authority as provided under the National Parks and Protected Areas Act (1990) as the lead institution for protected areas management in Grenada. The rationalization of the legislative and institutional frameworks should be supported by the development of a range of regulations.
- (b) Institutional audits should be conducted on all protected areas management institutions, leading to the design and implementation of a capacity development programme for said institutions.
- (c) Initiate development of the most critical system strategies (e.g. financing, public participation, etc.).
- (d) Develop site and system evaluation protocols.
- (e) Develop reporting mechanisms for both internal and external stakeholders, and link the internal processes to constituency building for protected areas.
- (f) Establish the National Parks Development Fund, as provided under the National Parks and Protected areas Act (1990). This should be done even if the National Parks Authority is not established.

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1. INTRODUCTION

The OECS Protected Areas and Associated Livelihoods (OPAAL) Project is being implemented by the Environment and Sustainable Development Unit (ESDU) of the Secretariat of the Organisation of Eastern Caribbean States (OECS), in partnership with the governments of Antigua & Barbuda, Dominica, Grenada, St. Kitts and Nevis, St. Lucia, and St. Vincent and the Grenadines. This five-year project is supported by financing provided by the International Bank for Reconstruction and Development (the World Bank) acting as an Implementing Agency of the Global Environment Facility (GEF); the Fonds Français pour l'Environnement Mondial (FFEM) of the Government of France; and the Organisation of American States (OAS).

The OPAAL Project aims to improve the effective management of protected areas by strengthening the national capacities in the Participating Member States (PMS), including facilitating the increased involvement of the private and civil society sectors in protected areas planning and management (Appendix 1). An associated objective is to support sustainable livelihoods by those communities or groups that traditionally depended on natural resources located within protected areas for economic survival.

This Country Report for Grenada is generated as one of the outputs of Component 1 of the project, which “*seeks to facilitate more effective institutional framework for conservation management through providing a critical focus on the existing natural resources, legal and institutional frameworks to promote conservation and protected area establishment and management*” (Terms of Reference – Appendix 2). The report results from a review of the current policy, legal, and institutional frameworks for protected areas management in Grenada.

1.1 Methodology

As indicated by the Terms of Reference (TOR), the country review was supposed to involve two distinct, and sequential, steps. Due to the timing of the assignment, the literature collection, review, and stakeholder consultations all took place at the same time.

The visit to Grenada took place during the period February 12-18, 2006, during which consultations were held with thirteen (13) institutions (Appendix 3). Much of the information presented in this report is based on the review of the documentation presented by the various Grenadian institutions and the interviews. However, those two sources of information were supplemented by information from a variety of sources, including reports produced by, or on behalf of, regional institutions, such as the Caribbean Development Bank, Eastern Caribbean Development Bank, and the OECS Secretariat.

Information on institutional responsibilities for protected areas was obtained from various reports, primarily the National Environmental Management Strategy and the relevant legal instruments. Questionnaires (Appendix 4) were circulated to institutions with protected areas programmes in an effort to determine the institutional programmes and associated resources.

The Grenadian institutions were presented with the opportunity to review this report prior to the submission of the final report to the Environment and Sustainable Development Unit (ESDU). A summary of the first draft of the report was also presented to the Peer Review Workshop organized by the ESDU on November 1-2, 2006.

2. OVERVIEW OF DEVELOPMENT PLANNING PROCESS

Grenada is a tri-island state located physically within the Caribbean (Figure 1) and politically positioned within the Caribbean Community (CARICOM) and the Organization of Eastern Caribbean States (OECS). The three islands are Grenada (311 km²), Carriacou (34 km²), and Petit Martinique (2.3 km²), with total landmass of 347 square kilometers and a population of 102,000 (Physical Planning Unit, 2003).

Grenada's economy grew at an average rate of 5.7% during the period 1996-2000 (MTESP, 2003-2005). That growth continued, reaching a rate of 5.8% in 2003, before contracting by 3.0% in 2004 after being devastated by Hurricane Ivan in 2004 (ECCB, 2005). The economy is dominated by the agriculture and services sectors. The agriculture sector performance is based primarily on the production and export of banana, cocoa, and nutmeg, while the services sector is dominated by tourism and government services.

Despite the impact of the Hurricanes Ivan and Emily, the economy grew by 1.5% in 2005 (Central Statistical Office, 2006). The decline in the Manufacturing, Tourism, Air Transport and Banking and Insurance sectors was offset by growth in Construction, Wholesale and Retail Trade, Electricity and Water, Sea Transport, Communication, and Real Estate and Housing.

Policies and programmes are developed in response to international obligations (conventions, trade agreements, etc.), regional cooperative agreements, and national development priorities. The national priorities and programmes are sector driven, and the compilation of the sector plans into a national economic strategy is coordinated by the Ministry of Finance. The national economic policy is articulated as a Medium Term Economic Strategy Paper (MTESP).



Figure 1: Location Map of Grenada

2.1 Macro-Economic Planning Process

There is currently no National Development Plan for Grenada, and development priorities are identified in the Medium Term Economic Strategy Paper, a three-year strategic planning tool used by the government to outline its capital projects for the period.

To arrive at this Medium Term Economic Strategy Paper (MTESP), the various ministries are required to prepare sector plans. These sector plans set not only the sector policies and strategies, but also identify the various capital projects to be undertaken for the development of the particular sector. Projects are also developed out of the Throne Speech. These various projects are prioritized by the Economic Affairs Unit of the Ministry of Finance. The resulting policies and strategies are presented as the MTESP and the capital projects as the Public Sector Investment Programme. The Public Sector Investment Programme (PSIP) is presented to external financial institutions as the basis for support to the Government's capital development programme.

For Grenada, the current MTESP is for the period 2003-2005, and the MTESP for 2006-2088 is under preparation.

The sectors identified as the main engine of growth for the 2003-2005 MTESP were:

- Agriculture;
- Manufacturing;
- Tourism;
- Construction;
- Telecommunications and Information Technology; and
- Government Services.

Though the 2006-2008 MTESP is not yet complete, the 2006 Throne Speech by the Prime Minister identifies the key elements of the programme as:

- a. Enhancing Growth;
- b. Poverty Alleviation;
- c. Macro Economic Stability; and
- d. Reducing Vulnerabilities.

The projects identified to date for the 2006-2008 MTESP form the components of the Core Economic Reconstruction Programme, and include:

- a. Economic Services
 - Agriculture, Fisheries, and Forestry
 - Tourism and Culture
 - Infrastructure
 - Water and Sewerage
 - Manufacturing, Small Business, and Mining
 - Other Economic Services
- b. Social Services

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- Education
 - Health and Environment
 - Housing
 - Public Safety and Communication
 - Other Social Services
- c. Technical Assistance to the Public Sector.
- Administration and Planning

Within this Core Economic Reconstruction Programme, the three elements dealing with environmental management and protected areas planning are:

- (i) Agriculture, Fisheries and Forestry
 - Watershed conservation and protection.
- (ii) Tourism and Culture
 - Rehabilitation of attractions and public access roads.
- (iii) Health and the Environment
 - Implementation of environmental management policy and strategy.

2.2 National Environmental Planning

Environmental policy is developed on a sub-sector basis by various agencies (see also Section 4), primarily:

- The Fisheries Division – fisheries and marine protected areas;
- The Forestry Department – forestry, wildlife, watershed, protected areas, and some natural heritage issues;
- The Sustainable Development Council – Biodiversity Strategy and Action Plan (2000); and
- Environment Department – biosafety issues and environmental policy coordination.

However, there is a move towards having environmental policy planning being coordinated by the Environment Department in the Ministry of Health, Social Security, the Environment and Ecclesiastic Relations. As such, preparation of the most recent environmental policy framework, the National Environmental Policy and Management Strategy for Grenada (April 2005), was coordinated by the Environment Department.

The main environmental policies for Grenada are:

- (a) Plan and Policy for a System of National Parks and Protected Areas (1988);
- (b) Biodiversity Strategy and Action Plan (2000);
- (c) Forest Policy for Grenada, Carriacou and Petite Martinique (1999);

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- (d) 10-year Fisheries Management Plan¹; and
- (e) National Environmental Policy and Management Strategy for Grenada (2005).

In addition to the afore-mentioned environmental policy instruments, previous initiatives to record and recommend or design environmental interventions include:

- Preparation of the Grenada Environmental Profile (Island Resources Foundation, 1991) – Compilation of the most comprehensive report on the state of knowledge of the physical environment of Grenada, as well as identification of the key environmental issues at the time;
- Mapping of the marine benthic habitats of Carriacou, Petite Martinique, and nearby islands in 1997 (Price and Price, 1998); and
- Preparation of a National Physical Development Plan in 2003 (Physical Planning Unit, 2003) – Two of the eight objectives of the plan focused on environmental management.

Apart from the protected areas policy and system plan, most of the other policy instruments do not make direct linkages with protected areas management. The exceptions are:

- Biodiversity Strategy and Action Plan – Section 3.1.2 identifies actions required for development of protected forests. Additionally, of the eight (8) project concepts prepared, Project Concept 3 focuses on the protection of key ecosystems and protected areas.
- Forestry Policy for Grenada, Carriacou and Petit Martinique – Identifies the need to “(a) *maintain representative samples of all forest ecosystems*” as part of its strategic direction to meet its biodiversity objectives. Additionally, it states an intent to “(f) *review institutional arrangements for the management of protected forest areas to ensure that it is integrated, effective and efficient*”, in order to meet its recreation and eco-tourism objectives.
- National Environmental Policy and Management Strategy for Grenada – Identifies the need for policy changes, including changes to the legislative framework for environmental management. One requirement to meet that objective is given as “*the formulation of an integrated legal framework for the establishment and management of parks and protected areas*” (Page 15).

Influence of MultiLateral Environmental Agreements (MEAs)

Grenada is a Signatory to four (4) and a Party to forty six (46) international agreements that are directly or indirectly related to environmental issues (<http://sedac.ciesin.columbia.edu/entri/country.jsp>). Of the four that have specific relevance to protected areas, Grenada has signed only two:

- Convention concerning the Protection of the World Cultural and Natural Heritage (Acceded August 13, 1998); and

¹ The Fisheries Division indicated that a 10-year Fisheries Management Plan exists, and that the Plan addresses marine protected areas. However, this plan was not shared with this Consultant. As such, the existence of the plan could not be verified and the treatment of protected areas in this plan could not be determined.

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- Convention on Biological Diversity (Signed December 3, 1992, ratified August 11, 1994).

Other MEAs of relevance deal with issues such as pollution and invasive species, and include:

- International Convention to Combat Desertification in those Countries Experiencing Serious Drought and or Desertification;
- United Nations Convention on the Law of the Sea;
- Convention on International Trade in Endangered Species of Wild Flora and Fauna;
- International Plant Protection Convention;
- International Plant Protection Convention;
- Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region;
- Protocol to amend the International Convention on Civil Liability for Oil Pollution Damage;
- Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region;
- Protocol to amend the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage; and
- United Nations Framework Convention on Climate Change.

The responses generated by the consultations during this assignment indicate that while Grenada participates actively in work under the various MEAs, said MEAs do not influence the design and implementation of national environmental and protected areas programmes to any significant degree.

Influence of Regional Environmental Programmes

Grenada participates in the various regional and sub-regional environmental programmes, namely:

- Caribbean Environment Programme;
- Programme of Action for the Sustainable Development of Small Islands Developing States;
- Caribbean Regional Fisheries Mechanism;
- Caribbean Regional Environmental Programme; and
- St. George's Declaration of Principles for Environmental Sustainability in the OECS.

Of the afore-mentioned regional environmental programmes, the St. George's Declaration of Principles for Environmental Sustainability in the OECS (The St. George's Declaration) has the most significant direct influence on national environmental policy. The St. George's Declaration, which was developed in 2000 by the Organisation of Eastern Caribbean States (OECS), outlines a set of principles that places environmental management as a cornerstone of sustainable development. In that context, the Declaration functions as a regional policy

for achieving enhanced management of the environment in pursuit of sustainable development objectives in the OECS Region.

In signing the St. George's Declaration, OECS member states committed to, among other things, development of a national environmental management strategy within two years of the date that the Declaration enters into force (Principle 19 (g) of *The St. George's Declaration*). A national environmental management strategy (NEMS) is the mechanism by which the regional policy and implementation framework that has been developed at the OECS regional level will be given effect at the national level.

Grenada completed the preparation of its national environmental management strategy (NEMS) in 2005. Of the eight (8) strategies outlined in the policy document, only two are indirectly linked to protected areas; these being (a) Strategy # 4 – Establishing appropriate institutional arrangements, and (b) Strategy # 5 – Building the capacity for environmental management. Though the NEMS makes no direct reference to protected areas, the Environmental Department (Ministry of Health and Environment) acknowledges that the NEMS does not show clear linkages between the various environmental sub-strategies, and that the required linkages will be established during the implementation process (Consultations, February 14, 2006). The Government of Grenada has included in its 2006-2008 Medium Term Economic Strategy Paper a provision for Six Thousand Dollars (\$6,000.00) for “Implementation of Environmental Management Policy and Strategy”. Given the size of the provision, it is difficult to determine the extent to which environmental policy rationalization will take place within the NEMS implementation process.

2.3 Cross-Sectoral Linkages

Agriculture and tourism are the main economic sectors. However, neither the agriculture sector policy nor the 10-year Fisheries Management Plan were available for review, so, with the exception of the forestry sub-sector², it is impossible to determine the policy and strategic linkages between the agriculture sector and protected areas management in Grenada.

The policy linkages between tourism and protected areas are more clearly defined. The Master Plan for the Tourism Sector (1997) makes a direct link between natural resources management and tourism, focusing on nature and heritage tourism as the two main planks of its development strategy. The tourism sector plan goes as far as to recommend institutional arrangements for protected areas management (see also Section 4 – Institutional Framework), and even to identify specific sites for inclusion in the system of protected areas. While the tourism master plan does not deal with issues such as tourism and environmental standards within protected areas, it is quite clear that protected areas form an important component of the tourism industry in Grenada.

² The link with forestry is discussed in Sections 3 to 5.

3. PROTECTED AREAS POLICY AND LEGISLATIVE FRAMEWORK

One of the fundamental issues to be addressed in the further development of protected areas in Grenada is the matter of the general understanding of what is a protected area, and how that understanding is applied by the technocrats and embraced by the general public. This understanding is important because the designation of sites as particular categories is dependent to a significant degree on the acceptability of particular categories over others, as some types of protected areas are still perceived as mechanisms to “lock away” resources.

This perception, globally and in the Caribbean, is based on preservation strategies historically centered on nature reserves. As the theory and practice of natural resources management evolved, the term “protected areas” came into use as a general term for all types of specially designated sites. In order to assist the global protected areas community with this changing terminology, IUCN-The World Conservation Union offered a “standard” definition of a protected area. IUCN defined a protected area as “*an area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means*” (IUCN 1994). The definition of the management categories includes objectives ranging from strict protection to multiple use.

The older perception still persists in Grenada, and is underscored by the codification within the legislative framework of the separation of the two terms as two different types of protected sites (Sections 4 and 5 of Act 42 of 1990).

3.1 Protected Areas Policy

The protected areas policy framework in Grenada is composed of a patchwork of sector plans and institutional mandates partially supported by legal instruments. As indicated in Section 2, the main policy instruments currently driving protected areas development in Grenada are the Master Plan for the Tourism Sector (1997) and the Forestry Policy for Grenada, Carriacou and Petit Martinique (1999).

A Plan and Policy for a System of National Parks and Protected Areas was prepared in 1988, with the support of the Organization of American States (OAS). That policy and plan was supposed to provide “... *the basis for the establishment and management of a national parks and protected areas program*” (OAS, 1988). There is no clear evidence that the framework outlined in that document has ever been used as intended. The reasons provided for this inconsistency are that (a) the document was never officially approved, and (b) the document was prepared by the OAS, and no national agency really felt ownership of the product.

Tourism Master Plan and Protected Areas Policy

The policy objectives for tourism are given as:

- (a) To maximise the contribution of stay-over and cruise tourism to the economy.
- (b) To distribute the benefits of tourism more evenly and equitably throughout the country.
- (c) To develop stronger linkages between the tourism sector and other economic sectors such as agriculture, fisheries, manufacturing, handicrafts and services.
- (d) **To ensure that tourism development is consistent with the protection and conservation of the country's natural and cultural resources, built environment and the nation's moral values³.**
- (e) **To foster the most appropriate form and scale of tourism development in harmony with the resource endowment of the islands and the aspirations of the people.**
- (f) To ensure that the tourism plant and essential infrastructure services keep pace with the demands of the sector within the context of the established carrying capacity.
- (g) To enhance the country's reputation as a safe and friendly destination for visitors and nationals.

In support of those objectives, priority would be given to investment projects that contribute to the following goals:

- Maximum local ownership and participation.
- Strengthening linkages with other sectors of the economy. .
- **Preservation and promotion of the nation's culture and heritage.**
- **Preservation and enhancement of the environment.**
- Utilisation of local resources.
- Local job creation.
- Increased national revenue and net foreign exchange earnings.

The Tourism Master Plan also recommends a number of legal and institutional measures (Sections 6.2 and 6.3 of Plan) to improve environmental management, while the specific initiatives include the expansion and management of a number of marine and terrestrial protected areas. More importantly, the Tourism Master Plan recognises the 1988 protected areas policy and plan as the definitive policy framework for protected areas development and management in Grenada.

Forestry Policy and Protected Areas

The Forestry Policy identifies the following objectives for the sub-sector:

- (a) Conserve species, ecosystems, and genetic diversity;
- (b) Maintain, enhance and restore the ability of forests to provide goods and services on a sustainable basis;

³ Emphasis is added to identify the policy objectives relevant to protected areas development and management.

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- (c) Optimise the contribution of forest resources to social and economic development; and
- (d) Maintain a positive relationship between the Grenadian people and their forest environment.

Those four objectives are to be achieved through initiatives in the following programmatic areas:

- Biodiversity;
- Mangroves;
- Non-timber forest products;
- Recreation and eco-tourism;
- Timber production;
- Tree planting;
- Watershed management; and
- Wildlife.

Of the forty one (41) activity areas listed under the eight (8) programme areas, only two deal specifically with protected areas. These are:

- Biodiversity – maintain representative samples of all forest ecosystems; and
- Recreation and Eco-tourism – review institutional arrangements for the management of protected forest areas to ensure that it is integrated, effective, and efficient.

The scant attention given to protected areas in the forestry policy is insufficient to support the significant treatment given to protected areas in the forestry legislation. This disparity may have resulted from the unresolved institutional arrangements for protected areas management (Section 4).

Protected Areas Planning

Grenada's single attempt at protected areas system planning was the process undertaken for the preparation of the draft Plan and Policy for a System of National Parks and Protected Areas (1988). The policy and plan was prepared as part of the OAS project on "Integrated Development in Grenada". The policy was prepared with the intention that it would provide "*the basis for the establishment and management of a national parks and protected areas program*" (Chapter 1, page 1, OAS, 1988). The draft Protected Areas System Plan recommends a policy framework that includes:

- Objectives for the system of protected areas, to address a range of development needs;
- Identification of five management categories for protected areas;
- Criteria for selection of sites, with the associated management objectives;
- Assessment and recommendation of sites for protection; and
- A development strategy for the system of protected areas.

There is no indication that the recommendations contained in the draft PA System Plan were ever followed. During the consultation, several persons indicated that the document is not

official policy because it was never approved by Parliament. This observation is correct, since the approval process for government policy includes the preparation and public review of a Green Paper, and subsequent articulation of policy in a White Paper. However, it is not unusual for draft policy papers to be used by management institutions for programme design, budget development, and project development.

Currently, there is no process of protected areas system planning in Grenada, and site planning (Figure 2) and development is conducted by different agencies (Section 4). The major protected areas initiatives in the past four years resulted from external arrangements (Section 5.3), not from national planning processes.

3.1.1 Protected Areas Policy Gaps and Initiatives

There is no current initiative concerning protected areas policy. This is unfortunate, as there are several policy gaps, as well as national and international obligations to be discharged. In addition to the absence of an approved policy framework, the major policy gaps include:

- (a) **Absence of provisions for inter-sectoral conflict resolution** – Even though the tourism master plan identifies the issue of negative environmental impacts of tourism, occasionally the relationship between the two sectors involves more direct conflict. An example is the conflict involving the development of marinas in or adjacent to marine protected areas.
- (b) **Inadequate treatment of external environmental obligations** – Grenada has signed a number of multi-lateral environmental agreements (MEAs) that require Parties to amend relevant national laws and initiate a range of initiatives. The two glaring examples are the obligations under the Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention) and the Convention on Biological Diversity (CBD). Under the World Heritage Convention, Grenada has submitted St. Georges as a Colonial Town to be considered as a World Heritage Site, but has no policy process in place to bring the site within a system of protected areas. At its 7th meeting, the Conference of the Parties to the CBD adopted a Programme of Work on Protected Areas (Decision VII/28). Programme Element 1 of that programme focuses on “*Direct actions for planning, selecting, establishing, strengthening, and managing, protected areas systems and sites*”. Grenada has not yet developed a national policy or programme of action to address the requirements of the protected areas programme of work of the CBD, though there is indication that The Nature Conservancy is working with the Government of Grenada to address this issue.
- (c) **Absence of System Strategies and Guidelines** – System and site guidelines are necessary to ensure that site planning and management fits into the national system planning process, to support national development objectives (Figure 3).

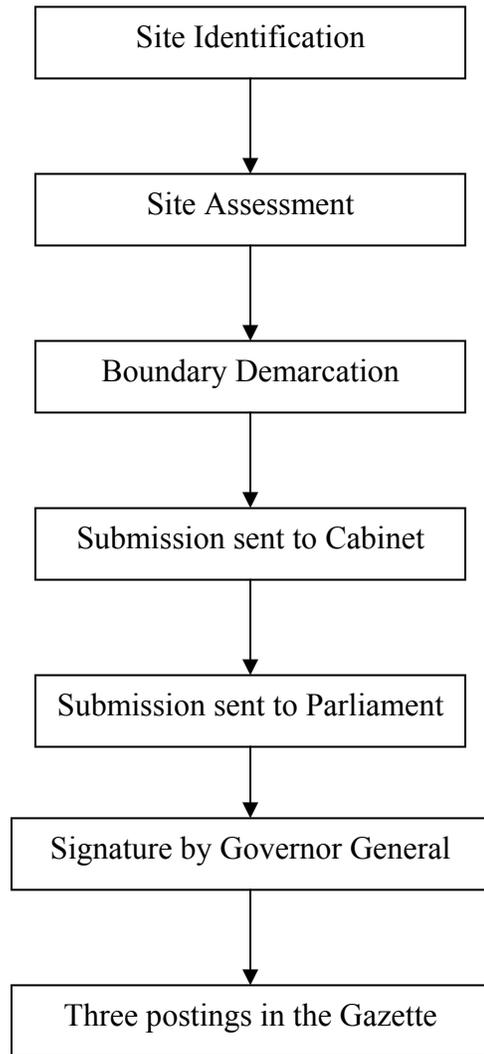


Figure 2:
Site Designation Process Used by the Forestry and National Parks Department

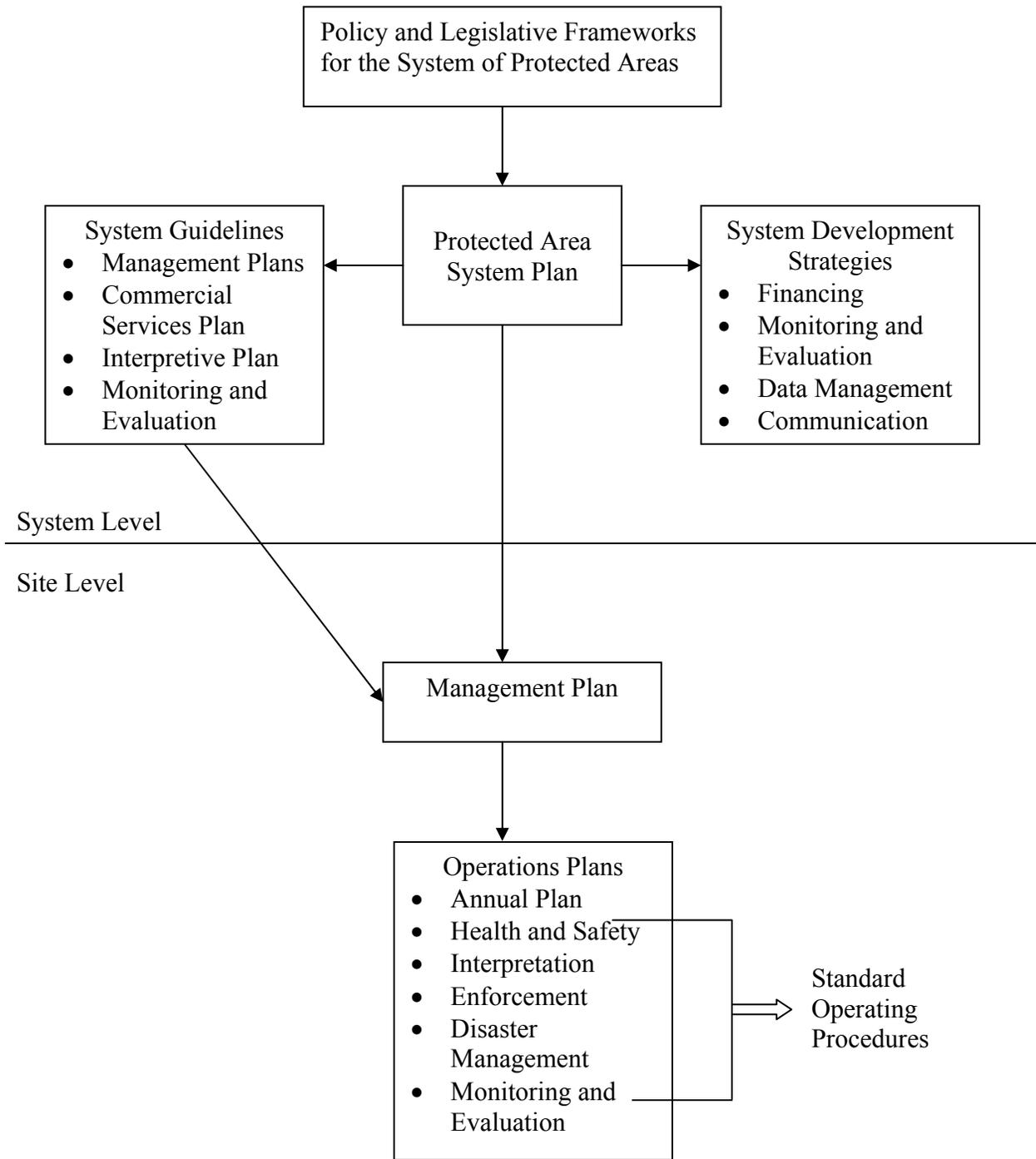


Figure 3: Supporting Guidelines for Protected Areas Development

3.2 Legislative Framework for Protected Areas Management

The most comprehensive guidance for protected areas development and management in Grenada is provided by the legislative framework. A wide range of laws covering public health, tourism standards, landuse, financial management, pest control, waster management, and pollution control can impact on the design, development, and operation of protected areas (Appendix 5). However, the laws under which protected areas can be established are the:

- Fisheries Act, 1986;
- Forest, Soil and Water Conservation Act, 1958;
- Grand Etang Forest Reserve Act, 1906;
- Wild Animals and Birds Sanctuary Act, 1928;
- National Heritage Protection Act, 1990;
- National Parks and Protected Areas Act, 1990;
- National Water and Sewerage Authority Act, 1990; and
- Physical Planning and Development Control Act, 2002.

(a) Fisheries Act, 1986

The Act provides for management of fisheries in the territorial sea and exclusive economic zone of Grenada. In addition to the designation of local fisheries management areas (Section 19(1)) and fishing priority areas (Section 21) for fisheries management, the Act gives the Minister the authority to designate marine reserves.

Section 23(1) of the Act provides the Minister with the authority to declare, by Order, any area of the fishery water, and any adjacent or surrounding land to be a marine reserve where he considers it necessary for special measures:

- (i) 23(1)(a) – to afford special protection to the flora and fauna of such areas and to protect and preserve the natural breeding grounds and habitats of aquatic life, with particular regard to flora and fauna in danger of extinction;
- (ii) 23(1)(b) – to allow for the natural regeneration of aquatic life in areas where such life has been depleted;
- (iii) 23(1)(c) – to promote scientific study and research in respect of such areas; or
- (iv) 23(1)(d) – to preserve and enhance the natural beauty of such areas.

The Fisheries Act gives a broad definition of fish to include corals, sponge, and seamoss. That broad definition implies that coastal and marine protected areas not managed by the Fisheries Division can still fall within their legal purview, even though fishing may not be a significant activity within the site. In the case of any such interpretation, inter-agency planning processes would need to be developed in order to clarify programmatic and institutional objectives and collaborative arrangements for marine and coastal protected areas management.

This Act introduces the notion that a site does not have to be pristine, or even the best example of a particular ecosystem, to be designated as a protected area. A site can be

designated and used for regeneration or enhancement of particular resources through the application of strategies for site rehabilitation (Section 23(1)(b)).

The Act also introduces the notion of seascapes (Section 23(1)(d)), and several proposed protected areas in Grenada are protected landscapes (Table 2). The focus of many protected areas on issues of tourism, as well as on cultural and natural attributes, requires that planning for the maintenance of coastal and marine scenic values be placed more centrally within the protected area and development control processes. Such a shift in emphasis would also give protected areas managers an additional tool in the attempt to have more influence on buffer zone activities, primarily those large developments that result in significant changes in the surrounding landscape.

(b) Forest, Soil and Water Conservation Act, 1958

This Act was promulgated for the purpose of making “*provision for the conservation of the forest, soil, water and other natural resources of Grenada*”. In addition to establishing the Forestry Department, the Act also sets the objectives of the forest policy. That guidance implies the establishment of protected areas, as part of the forest policy, with the aim to ensuring “*a continuous supply of forest products by the setting aside of land as forest reserves*” (Section 3(4)(b)), and to “*protect such areas as may be required for the provision of a natural and undisturbed habitat for indigenous flora and fauna*” (Section 3(4)(d)).

Unlike some of the other laws dealing with protected areas, this Act authorizes the Governor General to declare, by Proclamation published in the Gazette, any area of Crown land to be forest reserve (Section 6). The Governor General may also declare, by Order, any land to be a protected forest if that land is necessary for six (6) listed purposes (Section 7), including: (i) 7(1)(a) – protection against storms, winds, rolling stones, floods and landslides, and (ii) 7(1)(f) – preservation of health. Section 8 of the Act authorizes the Minister to make rules concerning protected forests.

Section 7(1) clearly identifies the role of forests in disaster mitigation (often referred to as a soft path approach) and, along with other roles identified, paves the way for a structured programme on urban protected areas. Similarly, the introduction of the concept of forests as a mechanism for preservation of health stated in Section 7(1) offers wide scope for the conceptualization, design, and management of protected areas.

The implication that a protected forest may have a definite lifespan (Section 10) suggests the need for regulations to make provision for de-listing of sites, a legislative gap that should be closed as the system of protected areas becomes more developed.

(c) Grand Etang Forest Reserve Act, 1906

The purpose of this Act was to designate the area of Grand Etang as a forest reserve for the preservation of forest growth “*for the benefit of Grenada*”.

(d) Wild Animals and Birds Sanctuary Act, 1928

The sole purpose of this Act was to establish the Grand Etang Forest Reserve as a sanctuary for wild animals and birds. This Act places a second designation on the Grand Etang Forest Reserve. It does not say that the boundaries of both types of reserves are exactly the same, though such interpretation is implied. In any event, it raises the question of multiple designations for sites, convergence of management objectives, and the treatment of such sites under the policy and legislative frameworks.

(e) National Heritage Protection Act, 1990

This Act provides for “...*the protection of Amerindian art work and Pre-Columbian artifacts and archeological remains and for connected matters*”. The Act permits the Minister to declare “*any area of Grenada which he is satisfied requires to be protected under this Act*” (Section 3(a)). Section 2 provides a Schedule for listing protected areas under the Act, and each new area is added simply by the Minister amending the Schedule.

Though heritage sites can be designated under the current Act, the Act does not provide any support for an implementing mechanism. Additionally, it needs to be much broader in scope to deal with the range of heritage management issues, including trans-boundary protected areas and designation of world heritage sites.

The Act is apparently not used by the current protected areas management institutions, though there is an initiative to draft a new heritage protection act and establish the proposed Heritage Management Authority.

(f) National Parks and Protected Areas Act, 1990

The Act provides for “...*the designation and maintenance of national parks and protected areas, and for connected purposes*”. The Act allows the Government to add land to a national park or declare a national park (Section 4(1)) or protected area (Section 5(1)). Section 5 also lists the purposes for which a protected area may be declared, these being:

- (i) 5(a) – preserving the natural beauty of the area, including the flora and fauna thereof;
- (ii) 5(b) – creating a recreational area;

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- (iii) 5(c) – commemorating an historic event of national importance; or
- (iv) 5(d) – preserving an historic landmark or a place or object of historic, prehistoric, archeological, cultural or scientific importance.

Section 5(d) provides for the declaration of heritage sites for a range of management objectives. Thus, the proposed Heritage Management Authority is not a strict necessity, as the Act makes provision for a National Parks Authority to be responsible for the national parks system. Creation of the proposed Heritage Management Authority under a revised heritage protection act would need to be rationalized with the heritage management provisions of the Forest, Soil and Water Conservation Act (1958), as well as the provision of this National Parks and Protected Areas Act (1990).

Lands declared as national parks or protected areas under Sections 3(1), 4(1), and 5(1) are vested in the Governor General, and such land "...shall comprise the national parks system." The Act therefore effectively provides for the establishment of the national system of protected areas.

The Act provides for the establishment of a National Parks Authority (Section 7), which would partially address some of the institutional coordination problems now being experienced. However, the Act also establishes the National Parks Advisory Council (Section 8), and gives that Council the responsibility for maintenance of land comprising the national parks system (Section 3(3)) and for advising the Minister on matters relevant to the system of national parks (Section 10). Section 3(3) conflicts with Sections 3(2) and 10(1), and could result in disagreements within the Authority concerning the policy versus management role of the Council. The law should be revised to make the Council a full board of directors for the Authority, with the attendant fiduciary responsibilities. This would clarify the reporting lines between the Authority, Council, and Minister.

Sections 3(4), 14, and 15 provide a mechanism to deal with management of funds and other contributions to the national parks system, through the establishment of a National Parks Development Fund. The direct involvement of the Minister and Council in the operation of the National Parks Development Fund is an issue that needs to be addressed. It was noted during the consultations that past discussions concerning the establishment of environmental trust funds were not conclusive due to the need by the political directorate to ensure that the Administration has unlimited access to the funds. The law should be revised to limit (or preferably prevent) such access. In any event, the fund now needs to be established and made operational; which means new regulations, design of a management framework, rules for directing access to the funds by the different management institutions, disbursement mechanisms, and fund management.

The notion of the public notice/review process for site management plans is codified within this Act (Section 11), thereby facilitating the public participation process in protected areas management.

There is currently disagreement concerning the management of infrastructure in national parks. This Act permits the use of concessions to provide a range of services in national parks, and the payment of entry fees to any park or protected area (Section 13).

A major failing of the Act is that it does not provide any guidance on how existing protected management institutions are to be treated, as well as linkages between the provisions of this Act and other legislation dealing with protected areas. This major gap notwithstanding, this Act provides substantial guidance for the management of a system of protected areas in Grenada. The next step would be to rationalise the language with the other relevant legislative instruments, and to develop a range of regulations to give effect to the provisions of this Act.

(g) National Water and Sewerage Authority Act, 1990

This Act established the National Water and Sewerage Authority (NAWASA), and provided NAWASA with the legal mechanisms to protect water sources through the preservation and protection of catchment areas (section 3(a)).

Section 21 of the Act authorizes the Minister, on the advice of NAWASA, to “...specify and declare such area or any part thereof to be a protected area...” when “...special measures are necessary for the protection of the public water resources in or derived from specific areas...”. However, this does not include catchment areas for which the Chief Forestry Officer is responsible under any other written law. Such areas are to be retained as forest reserves (Section 38). Clearly, the sites declared under the Forest, Soil and Water Conservation Act, and managed by the Chief Forestry Officer cannot be vested in NAWASA. However, there is no indication that the reverse cannot take place; that is, whether the Forestry Department can declare as a forest reserve a catchment already declared by NAWASA to be a protected area.

This Act makes no reference to the national parks system, even though all protected areas would fall within the system.

(h) Physical Planning and Development Control Act, 2002

This Act provides for the orderly development of land through the control of physical development, preparation of physical plans, and protection of natural and cultural heritage. The relationship to protected areas is primarily through the allocation of land for conservation purposes, as well as functioning as the National Focal Point for the World Heritage Convention. Additionally, the Act replaces the earlier legal

instruments controlling development by repealing the Town and Country Planning Act (Cap. 322) and the Land Development Control Act (Cap. 162) (Section 63).

Part VI of the Act (Sections 40-50) deals with conservation of natural and cultural heritage, including the introduction of new institutional structures to deal with heritage issues. Section 40 identifies the Development Control Authority as the “...*national service for the identification, protection, conservation, and rehabilitation of the natural and cultural heritage of Grenada in accordance with the United Nation Convention for the Protection of the World Cultural and Natural Heritage...*” Additionally, Section 41(1) provides for the establishment of a Natural and Cultural Heritage Advisory Committee to advise the Development Control Authority on matters pertaining to protection of natural and cultural heritage.

The identification of the Development Control Authority as the national agency for management of world heritage resources/sites will require a formal and sustained partnership with other protected areas management institutions in order to adequately address natural heritage management issues. The provision is a potential area of conflict with the existing heritage management institutions, and is also in conflict with the National Parks and Protected Areas Act, 1990. Additionally, the requirement for a Natural and Cultural Heritage Advisory Committee is a potential area of conflict with the National Heritage Trust. Sections 40 and 41 effectively transforms the Development Control Authority from a land regulatory agency to a mixed regulatory and land management agency. The experience with this approach in other Caribbean jurisdictions suggests that conflicts arise within the institution, as well as between the institution and other land management agencies.

Other provisions authorizes the Development Control Authority to protect buildings, monuments, and sites, through use of Interim Preservation Orders (Section 44), or the designation of Heritage Conservation Areas (Section 46(1)).

Section 47(2) provides for the declaration of environmental protection areas, defined as places of natural beauty or natural interest (including submarine and subterranean areas) that are not forest reserves, wildlife sanctuaries, national parks, protected areas, or marine protected areas under any enactment. This provision therefore allows for the designation of scenic landscapes and seascapes, and the inclusion of those protected areas within landuse/physical plans. However, areas of natural beauty that need special protection will likely include other types of protected areas. As such, it is prudent to make more formal links between this Act and other legislation dealing with protected areas designation and management.

3.2.1 Protected Areas Legislative Gaps and Initiatives

The above discussion indicates that although there are a number of legislative instruments that provide the basis for the establishment of protected areas, effective management of individual sites and the system require further development of this legislative framework.

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The implications emanating from each of the relevant legislation are discussed in Appendix 5, but the major gaps include the following:

- (a) There are several provisions for designation of a range of protected areas, but no provision for delisting of sites or changing designation for strategic purposes.
- (b) The provisions of the National Heritage Protection Act (1990) need to be broadened, in terms of enactment of appropriate regulations, designation of management entity, and listing of relevant sites. Either that, or there has to be stronger correlation between the existing Act and the Physical Planning and Development Control Act (2002).
- (c) There is no real conceptualization and management process for a national system of protected areas as provided by the National Parks and Protected Areas Act (1990). Improvement and implementation of the Act would address a number of the current problems with institutional arrangements and support mechanisms.
- (d) There is an urgent need for regulations and mechanisms to support the obligations under the multilateral environmental agreements, such as the legislative provisions for a world heritage programme and obligations under the World Heritage Convention.
- (e) There is no provision in law for management of protected areas by non-governmental organizations (NGOs). Not only does this oversight have major implications for possible non-compliance to a number of international agreements, it immediately calls into question the legality of actions undertaken by groups such as the Carriacou Environmental Committee, which was responsible for the implementation of the Sandy Island/Oyster Bed Amenity Area project under the Caribbean Regional Environmental Programme (CREP) Project (see Sections 4 and 5 for more information on the institution and the project).
- (f) The National Disaster (Emergency Powers) Act (Act 15 of 1984) implies that action is required after a natural disaster if “*supplies and services essential to the life of community are in consequence likely to be endangered*” (Section 3). New regulations are needed to address the issue of management of the natural resources/protected areas restoration under disaster scenarios. Certainly disaster management plans for each such area should be a minimum requirement as part of the management planning process.
- (g) The environmental impact assessment (EIA) provisions of the Physical Planning and Development Control Act (2002) do not attach any special importance to protected areas. New regulations should be developed to ensure the application of more rigorous rules and standards for development in and adjacent to protected areas. If the resources in protected areas are indeed special, requiring special designation and management regimes, it follows that protection of such resources and areas would involve more rigorous standards than other areas.

- (h) The reasons for the designation of marine protected areas (MPAs) under the Fisheries Act (1986) are similar to those for the designation of protected areas under the National Parks and Protected Areas Act (1990). Additionally, the two Acts require the establishment of new statutory agencies. That is both unnecessary and unlikely, and the rationalization of these two legislative instruments is a necessary step in the further development of a system of protected areas in Grenada.
- (i) The provisions of the Physical Planning and Development Control Act (2002) need to be amended to incorporate the provisions of the National Heritage Protection Act (1990) and the National Parks and Protected Areas Act (1990).

There are two major initiatives dealing with the legislative framework for protected areas management. The first is the initiative by the Ministry of Tourism to draft a new heritage protection act and establish the proposed Heritage Management Authority. While the National Heritage Protection Act (1990) needs to be upgraded, the current initiative is likely to be in conflict with the provisions of the National Parks and Protected Areas Act (1990) and the Physical Planning and Development Control Act (2002). Care has to be taken to simplify, not complicate, the legislative landscape.

The second major effort is the drafting of a new environmental management bill, called the Environmental Management Act (Draft of January 17, 2006). The first inter-agency discussion on the draft bill took place on February 16, 2006.

The proposed Environmental Management Act is an attempt to coordinate the policies and activities of the various public institutions involved in environmental management in Grenada. As part of a changed landscape of institutional arrangements, the new law would create an Environmental Management Agency and formally establish the Sustainable Development Council.

This proposed new law would impact substantially on protected areas policies, development, and management in a number of ways. The new law would mandate the new agency to identify, designate, and manage protected areas; assume responsibility for reporting to the Secretariats of the relevant MEAs; give approval for the creation of national parks, and the formulation of policies for forests and water catchments; and obligate environmental management agencies to submit bi-annual plans to the new agency.

While inter-agency coordination is important, and while there are obvious gaps in the environmental management regime (especially with respect to pollution control), the draft environmental management bill is a serious over-reach of regulatory powers that, in its current iteration, is likely to create more conflicts and confusion than it is intended to solve.

In addition to the afore-mentioned initiatives, the Forestry and National Parks Department is currently reviewing the forestry and wildlife legislation.

4. INSTITUTIONAL FRAMEWORK

Approximately twenty four (24) government entities and eight (8) non-governmental organizations (NGOs) have functions related to the environment (Appendix 6). Of these, 5 institutions have direct responsibilities for protected areas management (Section 4.1), while another 6 play supporting roles (Section 4.2). These various roles are supported by the existing laws in many instances, and by policy decisions in other instances.

The institutional arrangements for protected areas in Grenada are in a serious state of uncertainty, with institutional conflicts over mandates and programmatic linkages, proposals for new laws, and initiatives to establish new institutions.

4.1 Protected Areas Management Institutions

Management institutions are here defined as those institutions that have primary responsibility for the daily operations of a protected area.

Forestry and National Parks Department – Ministry of Agriculture, Lands, Forestry and Fisheries

The Forestry and National Parks Department is responsible “...*for the conservation of forest, soil, water and other natural resources in Grenada*”. That mandate is provided by the Forest, Soil and Water Conservation Act (No. 129 of 1958), which also established the Department. In that capacity, the Department focuses on forestry, watersheds, and wildlife management. In addition to resource management initiatives in those three areas, the Department is also responsible for the establishment of forest reserves and protected forests, as well as continued implementation of a heritage resources management programme.

The Forestry and National Parks Department also assists in the implementation of Grenada’s external environmental obligations by functioning as the National Focal Point for the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES Convention). In that capacity, the Department is coordinating the establishment of the national Scientific Authority and Management Authority for CITES.

The role of the Forestry and National Parks Department in the management of protected areas has changed several times. The Department has a traditional role in national parks management, and contained a National Parks Unit. This Unit was transferred in 1990 to the Ministry responsible for Tourism. Based on problems resulting from inadequate technical expertise for protected areas management within the tourism ministry, and following the recommendations made in the 1997 tourism sector master plan, the National Parks Section of the Ministry of Tourism was merged with the Forestry Department in 2000 to form the Forestry and National Parks Department. Two new units were created in the Forestry and National Parks Department, the Forest Recreation Unit to manage the natural sites, and the

Heritage Conservation Unit to manage the heritage sites and the Botanical Gardens. Loss or personnel and inadequacy of resources in the two “parks” units resulted in degradation of the sites, prompting the Ministry of Tourism to submit a Cabinet Paper recommending the transfer of responsibility for managing the “tourism facilities” in protected areas from the Forestry and National Parks Department to the Ministry of Tourism (Consultations, February 15, 2006). That transfer of responsibilities took place in 2005 and thus the Forestry and National Parks Department share management responsibility for forest recreational sites, wherein the Department is responsible for the “ecological aspects” of parks management and the Ministry of Tourism is responsible for upgrading and maintenance of “tourism” facilities. There are ongoing discussions between the Ministry of Tourism and the Ministry of Agriculture to resolve this issue of management responsibility for protected areas.

The Forestry and National Parks Department is the National Implementation Coordinating Entity for this OPAAL Project, and is therefore responsible for the development of the Annandale Forest Reserve as the demonstration site under the project.

The Forestry and National Parks Department currently has ten (10) members of staff to design and implement its programmes. The Department has undertaken an institutional review, and is about to commence a restructuring exercise⁴.

Fisheries Division – Ministry of Agriculture, Lands, Forestry and Fisheries

The functions of the Fisheries Division are codified in law by the Fisheries Act (No. 15 of 1986), which provides for the “...*promotion of fisheries in the fishery waters of Grenada...*”. The Fisheries Division currently has a 10-year Fisheries Management Plan⁵ to guide its programming, though there is no intra-ministerial planning process in place to ensure programme integration.

The Fisheries Division developed a marine protected areas (MPA) programme in 1980, which has since experienced various levels of success based on shortage of technical and financial resources. Using external funding sources, the Division coordinated the designation of the Woburn/Clarks Cort Bay and Moliniere/Beausejour marine protected areas in 2001. Since 2002, the Division has led the initiative to have the Sandy Island/Oyster Bed area in Carriacou designated as a MPA.

In addition to national programmes, the Fisheries Division participates in a number of international and regional programmes, including:

- The International Convention for Conservation of Atlantic Tunas – Grenada is not a signatory to the convention, but submits data to the Secretariat of the Convention.
- Caribbean Regional Fisheries Mechanism – Grenada participates in this regional programme as a member of the Caribbean Community (CARICOM).

⁴ Neither the report of the institutional review nor the proposal for restructuring the Department was made available for review by this Consultant.

⁵ The 10-year Fisheries Management Plan was not made available for review.

The Fisheries Division collaborates with a number of internal and external institutions in the implementation of its programmes, including:

- Coast Guard - monitoring and surveillance;
- Ministry of Tourism – Management of the Grand Anse multi-use area;
- Forestry and National Parks Department – Watersheds and mangroves initiative;
- St. Georges University – biological monitoring and benthic surveys;
- The Nature Conservancy – MPA gap analysis;
- Ocean Spirit – Turtle protection on beaches on the north coast of Grenada;
- Swansea University – Turtle tagging and satellite tracking; and
- WIDECAST – Assistance with preparation of a Sea Turtle Recovery Programme for Grenada.

Ministry of Tourism, Civil Aviation, Culture and the Performing Arts

A major strategic thrust in tourism development in Grenada is in the area of nature tourism. Though still perceived as special interest tourism, there has been significant effort to invest in the sub-sector, as underscored by the efforts to rehabilitate the attractions in the aftermath of Hurricane Ivan.

As indicated above (in the description for the Forestry and National Parks Department), the role of the Ministry of Tourism in protected areas management changed over time, with the National Parks Unit being transferred in 1990 from the Forestry and National Parks Department to the Ministry of Tourism, and returned to the Forestry and National Parks Department in 2000.

However, budgetary shortfalls in the new Forestry and National Parks Department resulted in the Ministry of Tourism using some of its capital budget to undertake maintenance of visitor facilities in forest recreational sites. This resulted in the transfer of responsibilities for visitor facilities maintenance from the Forestry and National Parks Department to the Ministry of Tourism, with the latter attempting to get management responsibility over sites that have “touristic value”. However, the Ministry of Tourism does not possess expertise in forest management and trail maintenance, and thus the Forestry and National Parks Department is expected to provide the required technical expertise.

The Ministry of Tourism is currently responsible for collection of user fees at the Grand Etang Forest Reserve and Fort Frederick. The Ministry also conducts training in interpretation for tour guides at the sites.

The Ministry of Tourism is the lead agency for the establishment of a Heritage Management Authority. Studies on the heritage sector and the proposed institution have been completed, and the Ministry is coordinating the efforts to revise the legal instruments to give effect to this new institution, as well as to have the institution established.

National Water and Sewerage Authority (NAWASA)

NAWASA is charged with “...*the provision of water supplies and the conservation, augmentation, distribution and proper use of water resources including the preservation and protection of catchment areas*”. Though it’s enabling legislation, the National Water and Sewerage Authority Act (No. 25 of 1990), makes provision for establishment and management of protected areas, NAWASA has no defined approach to the management of protected catchments (Allan Neptune, personal communication). As such, the management of the 61 catchments in Grenada is left to the Forestry and National Parks Department. However, the Authority has rejuvenated its Water Resources Unit as a first step in becoming more pro-active in the management of its priority catchments (Consultations, February 17, 2006).

Carriacou Environmental Committee

The Carriacou Environmental Committee was established in 2001 as a membership-based non-governmental organisation (NGO) to focus on environmental issues in Carriacou. In 2002, the institution started working with the Fisheries Division to support the designation of the Sandy Island/Oyster Bed area as a MPA, and became the lead institution for the implementation of the amenity area demonstration project at Sandy Island/Oyster Bed under the Caribbean Regional Environmental Programme (CREP) project (Section 5.4).

4.2 Supporting Institutions

Supporting institutions are defined as those institutions that have do not responsibility for the daily operations of a protected area, but which, through their legislative mandates or programme areas, regulate specific activities/operations within sites or provide various forms of support to site operations.

Development Control Authority/Physical Planning Unit – Ministry of Finance

The Physical Planning Unit is the implementing arm of the Development Control Authority, and both take their mandates from the Physical Planning and Development Control Act (2002). The law provides for the control of physical development by the Development Control Authority and the preparation of physical plans by the Physical Planning Unit.

The law also obligates the institutions to protect the natural and cultural heritage of Grenada, an objective that is currently achieved through the development control process by the establishment of a Natural and Cultural Heritage Committee and an Environmental Impact Assessment Committee (Fabian Purcell, personal communication).

The Act also provides for the preparation of development plans for local areas, and it is intended that both local area plans and their related Development Orders will incorporate zoning of land uses for protected areas (Fabian Purcell, personal communication).

The Act designates the Development Control Authority as the national institution to discharge Grenada's obligations under the Convention concerning the Protection of the World Cultural and Natural Heritage (World Heritage Convention). In furtherance of this mandate, in 2004 the Natural and Cultural Heritage Committee submitted a Tentative List of three potential world heritage sites to the World Heritage Centre (<http://whc.unesco.org/en/tentativelists/>). Though the Authority has not yet developed a national programme to discharge Grenada's obligations under the convention, this mandate for the Authority should be borne in mind when considering the proposal by the Ministry of Tourism to establish a Heritage Management Authority.

Ministry of Finance

The Ministry of Finance supports protected area management in a number of ways. The most obvious is the provision of budgetary support for the various agencies. A second mechanism is the inclusion of relevant initiatives in the Medium Term Economic Strategy and Plan and its associated Public Sector Investment Programme.

The Ministry also produces and issues the ticket booklets used for entrance fees for the Grand Etang Forest Reserve and Fort Frederick.

Lands and Surveys Department – Ministry of Agriculture

Crown lands are vested in the Governor General (under the Crown Lands Act and Compulsory Acquisitions Act), and managed by the Lands and Survey Department. As such, the line agencies cannot declare public lands as protected areas without the request for the lands being processed by the Lands and Surveys Department.

Additionally, the Land Surveyors Act (Cap. 162) requires that all surveys on public lands be undertaken by the Director of Lands and Surveys. In this regard, boundary delineation for terrestrial protected areas is the purview of the Lands and Surveys Department

Ministry of Education

The Ministry of Education functions as the Grenada National Commission for the United Nations Educational, Scientific and Cultural Organization (UNESCO). In other Caribbean countries, the National Commission for UNESCO is usually involved in the process of preparation and submission of the Tentative List of world heritage sites, as well as the nomination of sites. The role of the Ministry of Education and the National Commission for UNESCO in the identification of the three potential world heritage sites is unclear.

Grenada National Trust

The Grenada National Trust was established by the National Trust Act (No. 20 of 1967) with the intent that heritage properties would be vested in the Trust for management purposes. To date, no property has been assigned to the Trust for management. The 1997 tourism master plan recommended that the Trust be given management control of state-owned heritage sites. Furthermore, the Physical Planning and Development Control Act 2002 recognises a role for the Trust in the listing of sites, monuments, and buildings (Section 42(1)(b)).

Information obtained during this review indicate that the Grenada National Trust has not been functional for a number of years, hence the proposal to repeal the National Trust Act and establish the proposed Heritage Management Authority.

The Nature Conservancy (TNC)

TNC has been working with Grenada through the Grenadines Parks in Peril Project, funded by the United States Agency for International Development (USAID). This project, which extends until 2007, has as its main goal, provision of support to the Government for the completion of the Program of Work on Protected Areas under the Convention on Biological Diversity. This arrangement focuses on three areas of work; (a) protected areas gap analysis, (b) protected areas capacity plans, and (c) protected areas business plans.

The work is conducted through working groups called National Implementation Support Partnerships⁶.

Other Support Groups

Other organizations providing support to protected areas management include:

- Emergency Services – The Police and Coast Guard provide assistance with monitoring and surveillance, as well as oil spill response planning;
- The Agency for Reconstruction and Development – The Agency is now required to assist the various government agencies with projects development. The agency is also coordinating the establishment of a National Geographic Information System;
- National Non-Governmental Organisations – St. Georges University (biological monitoring and benthic surveys), Ocean Spirit (turtle protection on beaches on the north coast of Grenada); and
- External institutions – RARE (bird studies), Swansea University (turtle tagging and satellite tracking), and WIDECAST (preparation of a Sea Turtle Recovery Programme for Grenada).

⁶ No information on the work of these working groups was presented during this review, and thus any links to the various institutions was not identified.

4.3 Institutional Gaps and Current Initiatives

Dillon Consulting Limited (2004) noted that coordination among environmental management lead agencies “... *is ad hoc and is a function to a significant degree of personal relationships between the staff of MoHE and staff in other relevant ministries*”. The report further indicated that some agencies display a high level of effectiveness in areas where there is clear legal mandate, and solid waste management and forestry policy and its application were given as two examples of effective programming.

Likewise, there is no mechanism in place for institutional coordination among protected areas management institutions. Though there is some collaboration between groups of agencies (such as tourism and forestry), that collaboration tends to be issue-specific, reacting to problems rather than focused on programme planning.

The establishment of the Sustainable Development Council (SDC), under the UNDP Capacity 21 Project, provided a forum for information sharing and debate about a range of sustainable development issues. The SDC established committees focusing on Environment/Health, Tourism, Agriculture/Trade, Database Management, Institutionalisation/Public Relations, Disaster Management, and Physical Planning (Impact Consultancy Services, 1998). The impact of the SDC process on the development of institutional arrangements for protected areas management is unknown.

Other gaps identified during the consultations include:

- (a) Protected areas management is not supported by adequate research. For example, the lake at Grand Etang is one of the main sources of potable water in Grenada, yet there is no research to determine the impacts of water-based activities at Grand Etang and activities in the buffer zone.
- (b) There is no organized system for public health permitting for waste treatment systems in protected areas.
- (c) It is not standard practice to establish baseline conditions when protected areas are established (traditional uses, levels and patterns of use, carrying capacity for trails and infrastructure, etc.).

There are a number of ongoing or planned initiatives to address some of the afore-mentioned institutional issues. These include:

- (a) Transfer of the responsibility for facilities management within forest recreational sites from the Forestry and National Parks Department to the Ministry of Tourism – This initiative is not a solution, as the Ministry of Tourism does not have the required staff to undertake this function. The Ministry is in the process of recruiting additional persons, but there is still no clear link between the management of visitor facilities and the management of the natural resources that form the core of the recreational site.
- (b) The discussions and work towards creating a Heritage Management Authority has already been noted, as well as the conflict the resulting institution would create with

the provisions of the National Parks and Protected Areas Act (1990) and the Physical Planning and Development Control Act (2002).

- (c) The proposed establishment of the Environmental Management Agency under the draft Environmental Management Act has also been discussed. The proposed legislation would have far-reaching implications if promulgated in its current form, and many of those provisions would complicate the current institutional arrangements.
- (d) A proposal for rehabilitation of Grenada's watersheds has been submitted to the European Union (9th European Development Fund). The proposal, titled "*Securing Water Resources through Watershed Rehabilitation in Grenada in the Post Ivan Era*" is for approximately €2.1million.

In spite of these initiatives, the Government of Grenada has still not implemented the two most important recommendations for improvement of protected areas management. The 1997 tourism master plan, in making recommendations for institutional arrangements for the system of protected areas recommended that:

- (a) "*It is suggested that these difficulties could be remedied by the establishment of a National Parks Authority*"; and
- (b) "*The Government should facilitate the updating of and approve the Plan for a System of National Parks and Protected Areas (or a similar management framework should be developed) to ensure that all critical natural and cultural resources receive adequate protection in an integrated fashion*".

4.4 Institutional Capacity for Protected Areas Management

The approach taken to gauging institutional arrangements and capacity involved reviewing existing reports and obtaining insights during the consultation process. Two questionnaires were developed, one for management institutions, and the other for supporting institutions (Appendix 4). The questionnaires were intended to provide information on institutional resources, infrastructure, commitments, programming, and linkages, and were to be used in determining the capacity of the institution to discharge its functions. The consultations were intended to provide additional insight into the functioning of the institutional arrangements.

None of the management or support institutions in Grenada submitted a completed questionnaire. However, an indication of the institutional capacity of the environmental management institutions is provided in the national report prepared for the project on Integrating Watersheds and Coastal Areas Management. The report paints a picture of inadequate systems and inadequate capacity (Appendix 7).

The following factors will be used in considering the institutional capacity for protected areas management:

- Adequate staffing levels;
- Staff with the relevant training, experience, and creativity to discharge the functions involved in conceptualization, design, and implementation of the various aspects of protected areas management (at both site and system levels);
- Institutional culture and staff orientation to develop and sustain partnership arrangements;
- Financial resources; and
- Experience, ability, and disposition to maneuver in the (institutional and community) political processes.

- (a) **Adequate Staffing Levels** – The movement at different times of various functions for protected areas management between the Ministry of Tourism and the Forestry and National Parks Department was based partially on the unavailability of the required staffing levels to adequately discharge those functions. The 1997 tourism master plan (Section 6.3.2) noted that of the twenty eight (28) sites in the system of protected areas, only four (4) had some form of supervision or management. With less staff for protected areas activities than 1997 levels, the Ministry of Tourism is currently experiencing problems with upgrading of facilities at recreational sites because of the shortage of manpower.
- (b) **Adequate Skill Sets and Orientation** – A wide range of skills are required to adequately address the various elements of site and system management, from conceptualization through design and implementation. In addition, the same persons have to navigate social and political dynamics, while addressing both national and international obligations. This requires having persons with the relevant training, experience, creativity, integrity, tenacity, and courage to discharge this range of functions. It is extremely difficult for small states, with limited resources, to field the full set of skill sets. In the case of Grenada, this difficulty appears to have been exacerbated by past institutional and personal relationships that created entrenched positions that do not foster the above-mentioned traits in its professionals.
- (c) **Financial Resources** – Inadequate financial resources in the Forestry and National Parks Department was cited as the primary reason for not having enough personnel to carry out the various obligations of the Department. Similarly, the 1997 tourism master plan stated that the National Parks Authority authorized by the National Parks and Protected Areas Act (1990) was not created “... *largely because of financial constraints.*” This reason for the non-creation of the National Parks Authority may have been correct in 1997, but given the current efforts to create a Heritage Management Authority and an Environmental Management Agency, funding can no longer be cited as the main deterrent.
- (d) **Institutional Culture** – With a small pool of professionals and inadequate financing, it seems obvious that building meaningful and sustained partnerships would have been a primary strategy for management of protected areas. Yet with clear directions

and recommendations contained in the 1988 draft system plan, and with the National Parks and Protected Areas Act (1990) being consistently ignored, it seems likely that the problem is an institutional culture that does not lend itself to partnership building. Information obtained during the consultations suggest that entrenched positions by senior professionals have stymied the occasional attempts at rationalisation of the institutional arrangements.

Another element to institutional culture that appears to be generally lacking in the protected areas management institutions is a professional ethos. This review did not find evidence of a systematic process of programme planning, evaluation, and reporting. Initiatives appeared to be project-driven, and annual reports were generally lacking. In fact, one of the reasons given for not completing the questionnaire for the institutional profile is that it took too much effort to try to compile the requested information. This is not to suggest that staff does not work hard, just that standard management techniques are not used as a matter of course.

- (e) **Political Dexterity** – Protected areas development is no longer just about resource protection. The development support and social elements of resource allocation and social dynamics have become more central, as underscored by the use of protected areas to address community livelihoods and conflict resolution. Protected areas personnel must therefore possess the experience, ability, and disposition to maneuver successfully in the institutional, social, and political processes. Such dexterity is necessary to build partnerships and support across the public, private, and civil society sectors.

Based on the above factors, it is clear that Grenada does not currently have adequate institutional capacity to develop and manage a national system of protected areas.

5. CURRENT STATUS OF PROTECTED AREAS MANAGEMENT

The objectives set for the system of protected areas in Grenada are contained in the Plan and Policy for a System of National Parks and Protected Areas (OAS, 1988). Sites were to be established to meet one or more of the following objectives:

- (a) Maintain in a natural or near natural state areas that constitute examples of the country's terrestrial and marine ecosystems, landscapes and geological formations, in order to guarantee the continuity of their existence for future generations.
- (b) Provide and protect natural resources for outdoor recreation needed by the citizens of Grenada.
- (c) Protect, manage and improve the natural and cultural landscape of the country in order to maintain the visual quality of the environment.
- (d) Stimulate national and international tourism potential and revenue for the country.
- (e) Preserve genetic materials as elements of natural communities, minimize the loss of any plant or animal species and maintain biological diversity.
- (f) Protect and manage fish and wildlife resources in view of their import role in environmental regulation, sport and recreational activities and as producers of protein and other products.
- (g) Provide areas for research, formal and informal education and the monitoring of environmental processes.
- (h) Protect and improve watersheds and water courses to maintain high standards of quality and quantity; control of erosion, sedimentation and flooding; protect downstream investments that depend on water supply, such as reservoirs and irrigation projects.
- (i) Produce timber, other forest products, forage and/or marine products for the benefit of the population and to decrease dependency on foreign imports.
- (j) Protect sites and objects of cultural, historical and archeological heritage as a basis for tourism.
- (k) Stimulate rational use of marginal areas and environmentally sound rural development.

In addition to articulating the system objectives, the reportment also proposed criteria for site selection, and recommended a number of sites for inclusion in the system of protected areas.

5.1 Overview of the Current System of Protected Areas

There are only 7 declared protected areas in Grenada, grouped as 2 forest reserves, 3 national parks, and 2 marine protected areas (Table 1). Additionally, the Grand Etang Forest Reserve is also designated as a wildlife sanctuary. The forest reserves and national parks are managed by the Forestry and National Parks Department and the two marine protected areas fall under the jurisdiction of the Fisheries Division.

In addition to the designated sites, there are approximately 50 proposed protected areas (Table 2, Figures 4, 5, & 6), including: 12 National Parks, 10 Natural Landmarks, 9 Protected Seascapes, 13 Cultural Landmarks, 3 Multiple Use Management Areas, 2 Marine Protected Areas, and 1 Forest Reserve.

Geoghegan et al (2001), in characterizing the use and the institutional and management arrangements for the Woburn/Clarks Court Bay Protected Area and Multi-zone Management System and the Moliniere / Beausejour Marine Protected Area and Multi-zone Management System, noted the following:

- The two sites are used primarily for tourism/recreation and fishing.
- There is a low level of management.
- The main management objective is conservation and education.
- There is an informal arrangement for stakeholder participation.
- A fisheries management regime has yet to be instituted.

The background paper prepared by The Nature Conservancy for the 8th CBD Conference of Parties in 2006 contained the following information:

- 9.71% of sea grass beds in Grenada are found within the boundaries of marine protected areas. Additionally, 7.16% of sandy beaches and 5.47% of mangroves are currently protected.
- *“The protection of critical terrestrial habitats is shifted towards protection of high altitude forests, (e.g. Cloud Forest). Approximately 64% of the area of Transitional Cloud Forest that exist in the country is protected. Approximately 30% of the area of Cloud Forest in the country is also protected. This shift towards protection of highlands is a common pattern in Small Island States. These are usually the watersheds and forests that provide clean freshwater and, by retaining soils, protect the lowlands and coasts where human settlements tend to develop”.*

No information was obtained concerning the current status of the designated or proposed protected areas. Assessment of the sites have not been undertaken to determine whether the integrity of the outstanding features or ecosystems have been maintained. However, given the widespread devastation caused by Hurricane Ivan in 2004, it is expected that many of the ecosystems were damaged.

Table 1: Protected Areas in Grenada⁷

Site	Year Designated	Management Institution	Size (hectares)	Reason for Declaration
Grand Etang Forest Reserve (a)	1906	Forestry & National Parks Department	1,526 (c)	Forest preservation. Also designated as a wildlife sanctuary in 1928.
Woburn/Clarks Court Bay Protected Area and Multi-zone Management System (b)	2001	Fisheries Division	N/A	Sustainable resource use.
Moliniere / Beausejour Marine Protected Area and Multi-zone Management System (b)	2001	Fisheries Division	110 (d)	Sustainable resource use.
Levera National Park (c)	N/A	Forestry & National Parks Department	123 (c)	One of the largest mangrove swamps in Grenada. Highly productive. Northern-most habitat for scarlet ibis.
Mt. Harman National Park (c)	N/A	Forestry & National Parks Department	N/A	N/A
Perseverance Estate National Park (c)	N/A	Forestry & National Parks Department	N/A	Dry forest.
High North Forest Reserve (c)	N/A	Forestry & National Parks Department	136 (c)	Some of the most outstanding terrestrial ecosystems in Grenada.
<p><u>Source:</u> (a) Grand Etang Forest Reserve Act 1906, (b) Fisheries (Marine Protected Areas) Order 2001, (c) Biodiversity Strategy & Action Plan 2000⁸, (d) 2006 World Database on Protected Areas</p> <p>N/A = not available</p>				

⁷ In this case, Grenada refers to the entire state.

⁸ None of the legislation declaring the three national parks was actually obtained.

Table 2: Proposed Protected Areas

Site	Proposed Category	Significance for Protection
Levera and archipelago (a)	National Park	One of the largest mangrove swamps in Grenada. Highly productive. Northern-most habitat for scarlet ibis.
Mount St. Catherine (a)	National Park	Least disturbed ecosystem in northern Grenada. The major source of water for the town in northern Grenada.
Lake Antoine (a)	Natural Landmark	Unique geological formation. High scenic value.
Concord Falls (a)	Natural Landmark	Notable geological feature. High scenic value.
Annandale Falls (a)	Natural Landmark	Notable geological feature. High scenic value.
Marquis Island	Natural Landmark	Interesting geological formation.
River Sallee Boiling Spring (a)	Natural Landmark	Unique geology. Area of spiritual importance to Grenadians.
Hog Island (a)	Natural Landmark	Volcanic representation of an undisturbed island ecosystem.
La Baye Rock	Natural Landmark	Unique natural ecosystem.
Marquis River Waterfall (a)	Natural Landmark	High scenic value, in area with significant cultural heritage.
North East Seascape (a)	Protected Seascape	The most natural stretch of open beach and undisturbed picturesque cliffs in Grenada.
Southern Seascape (a)	Protected Seascape	High scenic value. Outstanding fisheries and recreational resources.
La Sagesse (a)	Protected Seascape	Diverse assemblage of ecosystems, providing outstanding wildlife habitat.
Molinere Reef (a)	Protected Seascape	Finest coral reefs off the coast of Grenada.
River Antoine Rum Distillery (a)	Cultural Landmark	Unique historic and cultural feature for Grenada and the Caribbean.
Westerhall Rum Distillery (a)	Cultural Landmark	Representative of transformational period. Important for tourism and educational purposes.
Carib's Leap/Leaper's Hill (a)	Cultural Landmark	Site marks the last point of resistance by the aboriginal Indians who first occupied Grenada.
Mount Rich Amerindian Remains (a)	Cultural Landmark	Only extensive area of Amerindian remains on the island.
Marquis Village (a)	Cultural Landmark	Unique culture, history, and way of life.

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Site	Proposed Category	Significance for Protection
Fort George (a)	Cultural Landmark	Historical monument. High educational and recreational value.
Fort Frederick (a)	Cultural Landmark	Significant historical and architectural value.
The Tower (a)	Cultural Landmark	Scenic site. Outstanding tourism opportunity.
Annandale Watershed (a)	Multiple Use Area	Significant catchment for potable water supply for St. George's.
Concord Watershed (a)	Multiple Use Area	Most significant catchment for potable water supply for St. George's.
Mount Hope/Clabony Water Catchment (a)	Multiple Use Area	Major water catchment for potable water supply for Grenville.
Limlair-Thibaud Area (a)	Protected Seascape	Fascinating military and agricultural features. Area has value for tourism, archeological research, and education.
Tyrrell Bay (a)	Protected Seascape	Fish nursery, important economic fishing area, hurricane hole, traditional yacht anchorage.
Lauriston Point/Sandy & Mabouya Islands (a)	Protected Seascape	Valuable ecosystems. High recreational value.
Saline/White Island and Reefs (a)	Protected Seascape	One if the most outstanding scenic sites in the country. Unique geology.
Sabazan (a)	Protected Seascape	Important Amerindian settlement. Habitat for rare bird.
Fossil Beds of Grand Bay (a)	Natural Landmark	Only fossil beds that is plainly visible.
Belair Rum Distillery (a)	Cultural Landmark	Finest example of sugar mill and windmill. Contains both English and French ruins.
La Pointe (a)	Cultural Landmark	Important French ruins.
Dover Ruins (a)	Cultural Landmark	Ruins of first church in Carriacou.
Grand Etang (b)	National Park	
Quarantine Point (b)	Natural Landmark	
Sister Rocks (c)	Marine Protected Area	Most heavily used dive site in Carriacou. Seabird nesting area.
Petite Dominique and Fota Rock (c)	Marine Protected Area	Diverse and health reef system.
Morne Gazo (d)	Forest Reserve	
Fedon's Camp (e)	Cultural Landmark	
Soubise (e)	Cultural Landmark	

Source: (a) OAS. 1988; (b) 2006 World Database on Protected Areas; (c) Price & Price, 1998; (d) Biodiversity Strategy & Action Plan, 2000; (e) IRF, 1991; (f) World Heritage Centre

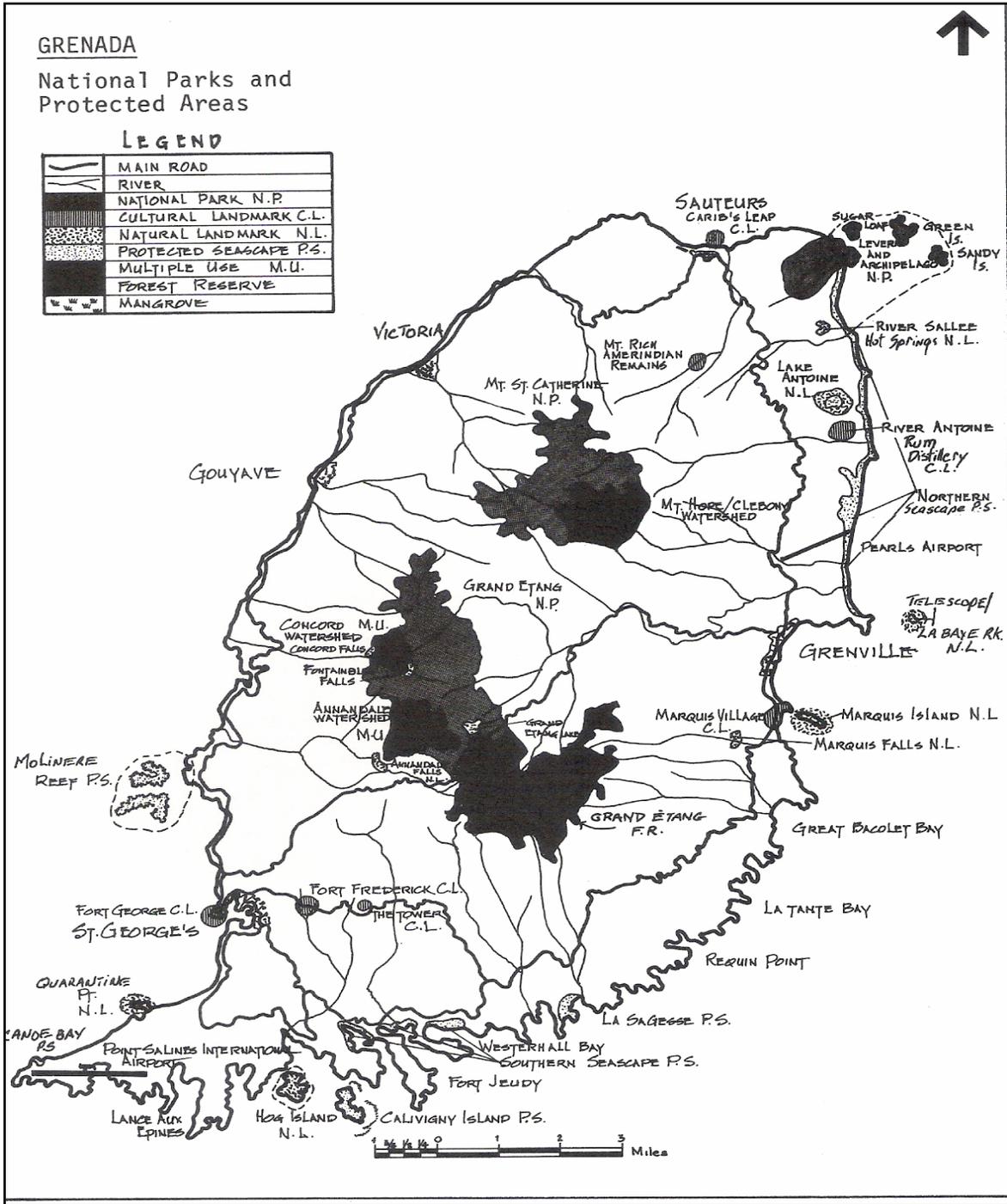
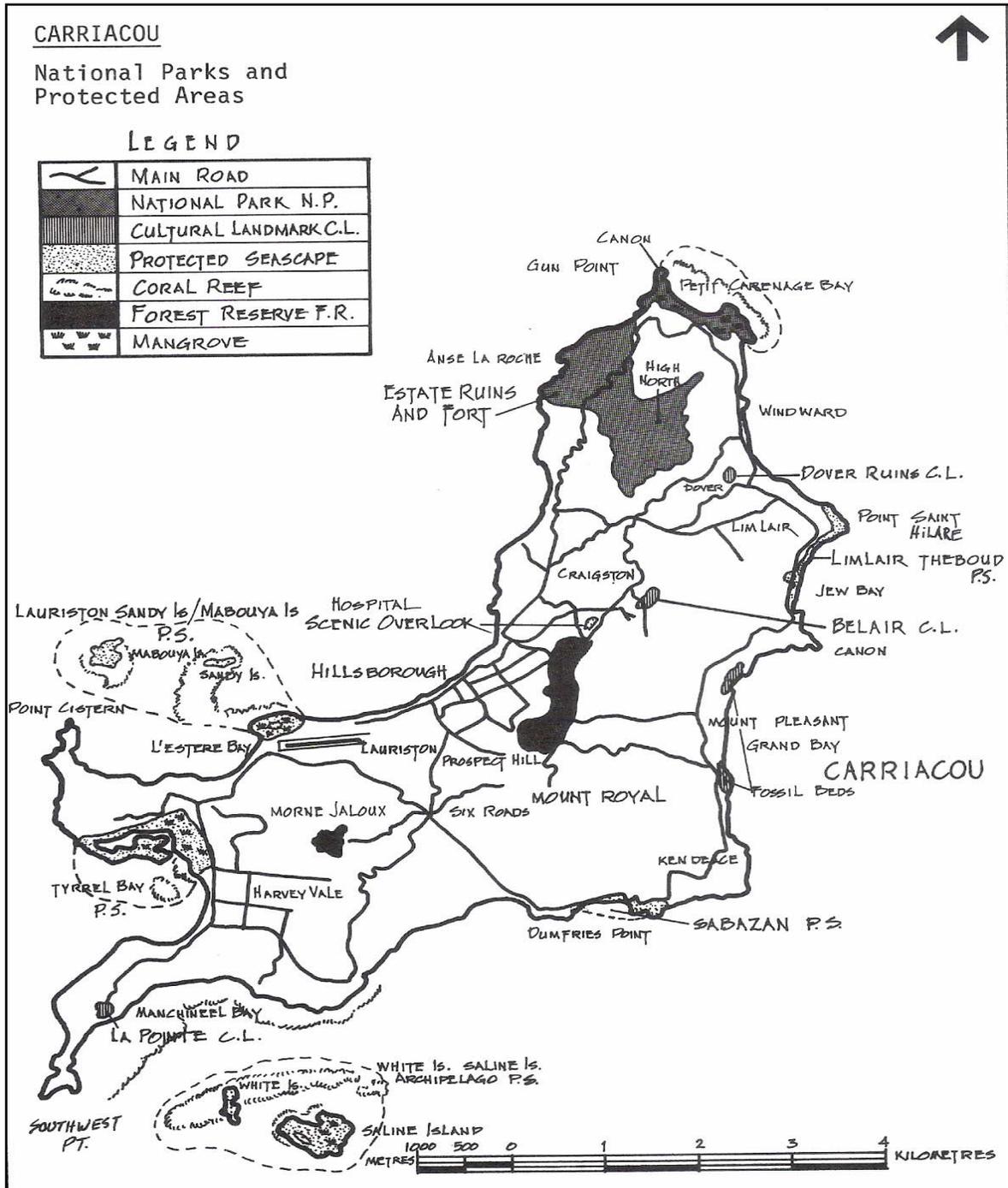


Figure 4: Protected Areas on Grenada

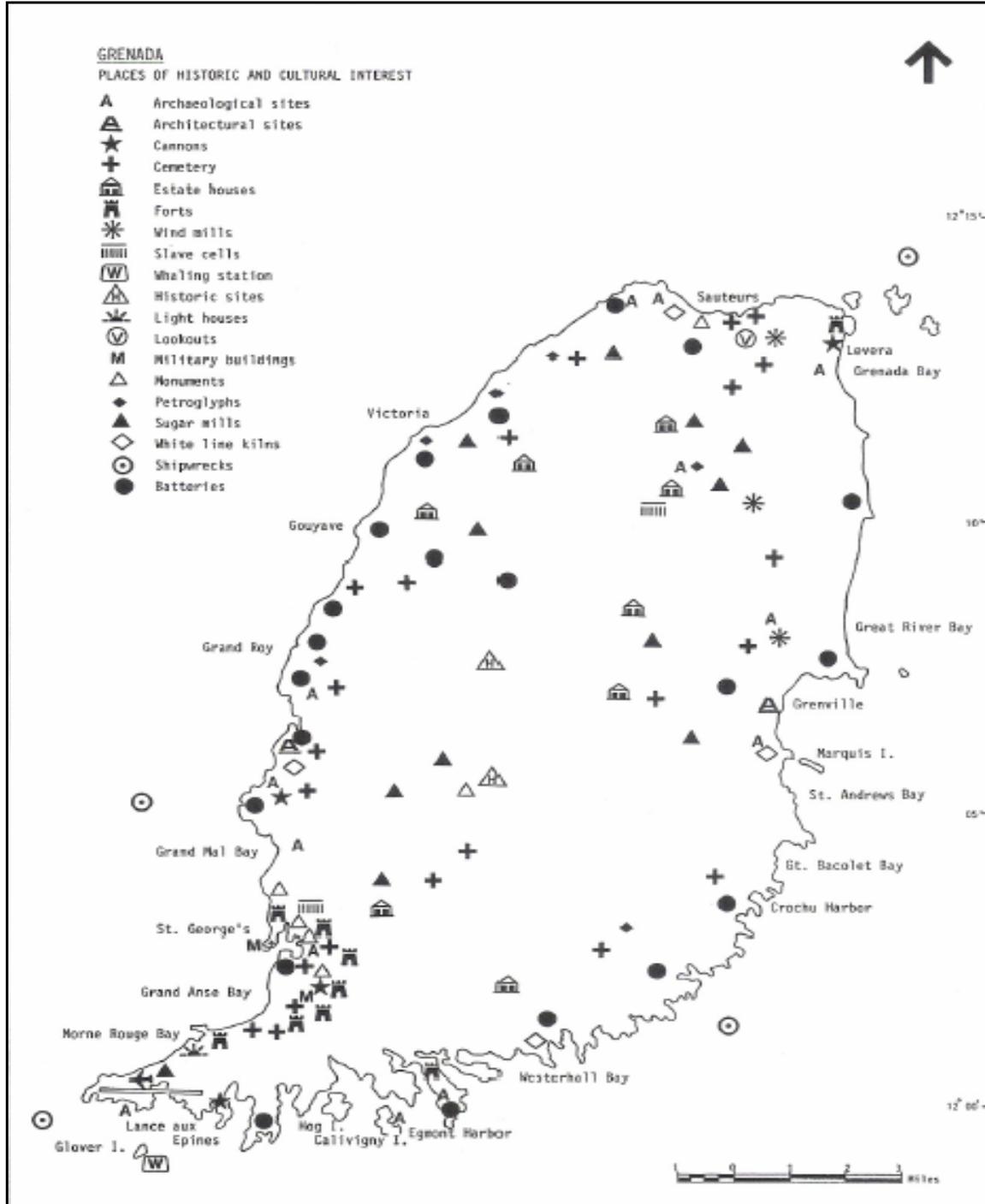
Review of Protected Areas Management Framework in Grenada



Source: IRF 1991

Figure 5: Protected Areas on Carriacou

Review of Protected Areas Management Framework in Grenada



Source: IRF 1991

Figure 6: Sites of Historical and Cultural Interest

5.2 Support Systems for Protected Areas Management

Development and management of a system of protected areas require not only adequate resources, but also a range of management systems and inter-institutional support systems, including:

(a) Financial Arrangements

Grenada, like most developing states, pursues protected areas strategies on a project-by-project basis, resulting in a chronic shortage of funds and programme support. Increasingly, a number of countries (e.g. Jamaica and Belize) are establishing trust funds specifically for protected areas management. Grenada has no such fund, even though the legal provisions are in place (Appendix 5).

Additionally, there appears to be no mechanism to transform project initiatives to programme elements. As such, projects such as the MPA programme in the Fisheries Division, and more recently the Sandy Island/Oyster Bay Amenity Area Demonstration Project, do not produce sustained management initiatives. During the consultations, management institutions were consistently queried as to the process for ensuring that major initiatives became part of the regular budget cycle or public sector investment programme. No process was identified.

Very few site management institutions produce long-term projections of the financial needs for managing the site. This task is even more difficult for an entire system of protected areas. In the case of Grenada, those budget projections do not exist at either site or system level. As a result, in the absence of both cost estimates and funds, there is no financial planning system in place for protected areas.

(b) System Planning and Management Guidelines

It is becoming more commonplace for fisheries, forestry, and protected areas laws to include language that speaks to the content of management plans. In addition, management planning guidelines have been available for several years, and training in the use of such guidelines has been undertaken on a fairly consistent basis in the Caribbean.

In the case of Grenada, while the National Parks and Protected Areas Act (1990) provides for the preparation of management plans for sites within the national parks system, no such management plan exist.

For operation of a system of sites, the development and use of standard procedures become even more important. As such, system development guidelines and strategies, and site management guidelines and standard operating procedures are necessary. There is no evidence that Grenada has developed such standard procedures for protected areas management.

(c) Public Participatory Processes

Public participation in protected areas management is not a new phenomenon, and has traditionally focused on public consultation for site establishment, and to a lesser degree, volunteerism. However, community participation in the full range of activities for protected areas, from planning to operations, has increased significantly in many Caribbean countries.

Geoghegan et al (2001) noted that there is an informal process of public participation in the management of the two marine protected areas in Grenada. Additionally, the Forestry and National Parks Department undertook a substantial consultative process for the development of its forestry policy.

Given the scarcity of resources for protected areas management in Grenada, it is important to build a solid community support base in order to increase volunteerism, financial support, and even operational support (surveillance, research, etc.). In this scenario, public participation need to become more structured, using standard public participatory processes, supported by appropriate communication and institutional mechanisms.

(d) Institutional Coordinating Mechanisms

There are several institutions involved in protected areas management, focusing on community, economic, and natural resources management. It is important that some form of coordinating mechanism be developed to deal with, at the very least, information sharing and education and outreach. The various national and international obligations cannot be adequately discharged without a structured and obligatory institutional coordinating mechanism.

(e) Human Resources Development Mechanisms

The range of skill sets required for protected areas management was previously mentioned (Section 4.4). Some of those skills can only be obtained through tertiary-level formal education processes, which requires that the management and supporting institutions develop clear long-term programmes. However, many of the skills can be obtained “on the job” through a programme of workforce development. The determination of resource needs for managing a site or system of protected areas includes human resources. In order to ensure that the appropriate mix of skills is available, a human resource development programme should be established.

(f) **Communication Mechanisms**

As mentioned above, public participation takes place on a limited basis. However, a participatory process involving multiple institutions and groups from the private, public, and civil society sectors requires a robust communications strategy and plan to support ongoing information flows and dialogue.

(g) **Partnership Arrangements**

Partnership arrangements currently in place take a number of forms, ranging from limited project-specific initiatives to long-term arrangements, and encompass a wide range of activities, from bird counts to surveillance. Many are based on personal initiatives and informal agreements. The utility of these various arrangements have not been determined.

The need for more institutional cooperation and increased efficiency in the use of scarce resources demand that the relationships evolve from personal to institutional, and become more structured where practicable.

(h) **Data Management Systems**

Management processes are hampered without mechanisms for monitoring and evaluation. However, there is only very limited monitoring taking place, and on a project basis. This involves a number of external institutions working with the Forestry and National Parks Department and the Fisheries Division. The Land Use Division (Ministry of Agriculture) and the Physical Planning Unit have GIS systems, populated with spatial data. There is no data management system in place for non-spatial (attribute) data, nor is there any mechanism for data sharing and provision of access to the public.

A pilot project on data sharing between the Forestry and National Parks Department and the Customs Department was under construction prior to Hurricane Ivan. This initiative was being undertaken as part of the public sector reform programme. However, the equipment was damaged by the hurricane, and the initiative is currently in limbo.

Proposed actions concerning monitoring and information sharing include the re-institution of visitor use surveys by the Ministry of Tourism and the launching of a national GIS by the Agency for Reconstruction and Development. The latter initiative, the national GIS, is aimed primarily at linking all the agencies dealing with land management, and the databases for attribute data from the site monitoring programmes and research have not yet been designed.

5.3 Current and Planned Initiatives

There are a number of initiatives dealing with protected areas at various stages of design and implementation, with the major ones being:

(a) CREP Amenity Area Demonstration Project

The Caribbean Regional Environment Programme (CREP) Project is funded by the European Union through an agreement with the Caribbean Forum (CARIFORUM). The project, which covers 13 CARIFORUM states and is coordinated from Barbados, is intended to “...*demonstrate a micro model for combining the objectives of environmental conservation with promotion of sustainable livelihoods in what are called Amenity Areas – natural sites of high ecological and economic value*”.

Consultations in Grenada identified the Sandy Island/Oyster Bed area as the site for the project, and the Grenada Amenity Area Demonstration Project was launched in April 2005. The project was designed to be implemented by government and NGO partner institutions, in this case the Fisheries Division and the Carriacou Environmental Committee. The project was implemented under the general guidance of a Stakeholder Board, which was proposed as the management entity once the project was terminated.

Information gathered during the consultations for this review indicates that the project experienced several setbacks resulting from internal personnel changes as well as problems with the Project Management Unit based in Barbados. The project was due to be terminated in June 2006, and no information was available in order to determine whether or not the project had produced its intended outcomes.

(b) OPAAL Demonstration Site

One of the components of the OPAAL project (Appendix 1) is the design and implementation of national demonstration activities. The Grand Etang and Annandale Forest Reserves were selected as the demonstration site in Grenada. The two reserves encompass approximately 1,762 hectares, and activities will include (i) the development of new livelihood opportunities for communities in the area, (ii) preparation and implementation of a management plan for the area, and (iii) capacity building for local and national stakeholders. The Forestry and National Park Department was designated as the National Implementation Coordinating Entity, and the project, which was launched in January 2006, is expected to have a duration of 4 years.

(c) MPA Gap Analysis

The Nature Conservancy (TNC), through its USAID-funded Grenadines Parks in Peril Project, is currently providing technical support to Grenada to develop:

- Management Plans for Sandy Island/Oyster Bay MPA;

- Protected Area System gap Analysis;
- Protected Area System Business Plan; and
- Protected Area System Capacity Needs Assessment

(d) Establishment of a Heritage Management Authority

A previous study of heritage sites recommended the formation of a Heritage Management Authority to manage said sites (Lima Frederick, personal communication). A 2005 report on management of the forts further developed the proposal for establishment of the Heritage Management Authority. To this end, the report recommended repealing the National Trust Act and the National Heritage Trust Act, and vesting the functions in the new Heritage Management Authority. The Ministry of Tourism is coordinating the preparation of the legislation for this new institution.

Without access to the draft legislation and the afore-mentioned reports, it is difficult to determine the potential impact of this new institution. In fact, mandates for management of heritage resources reside with more than one existing institution, and defined in more than one bit of existing legislation. The full legislative and institutional frameworks for heritage resources management have to be resolved if the proposed Heritage Management Authority is to simplify and improve the situation.

(e) Establishment of Transboundary Protected Area

There is consideration for the establishment of a transboundary protected area between Grenada and St. Vincent and the Grenadines under the World Heritage Convention (World Heritage Centre, 2003 and <http://whc.unesco.org/en/tentativelists/1925/>). Similarly, St. Georges has been proposed (under two separate categories) as a world heritage site by the Natural and Cultural Heritage Advisory Committee of the Development Control Authority.

(f) Watershed Rehabilitation Project

Grenada, through the United Nations Environment Programme (UNEP), has submitted a proposal to the European Commission to fund a €2 million watershed rehabilitation project, titled, “*Securing Water Resources through Watershed Rehabilitation in Grenada in the Post Ivan Era*”. The current status of this proposal is unknown.

6. MAJOR ISSUES

The February 12-18, 2006 consultations identified a number of major issues that need to be addressed, including:

(a) Fragmentation of the Policy Framework

The most comprehensive guidance on protected areas development and management in Grenada, the 1988 OAS report, has largely been ignored. Similarly, the most comprehensive legal instrument for protected areas management in Grenada, the National Parks and Protected Areas Act (1990), has completely been ignored. The question that must be answered is; why are the substantial provisions of the National Parks and Protected Areas Act (1990) not being utilized?

It is difficult to comprehend why this situation persists, given the dependence of Grenada's economy on the natural resource base, and its international commitments. Several reasons have been advanced, including institutional turf battles, personality conflicts, and lack of resources. However, resolution of the policy framework does not require a significant level of financing. The latter reason is also not particularly credible, given the current efforts to prepare new legislation and establish new institutions.

There are several intensive efforts to introduce new laws and institutions. This is recognition of the potential benefits of protected areas, and while the continuing interest is good, the results may have less than optimal impact. This is due to the fact that all of those efforts are focused on partial elements of the wider management framework, and, based on the information made available, are likely to result in more fragmentation of the policy and legal frameworks and an increase in institutional conflicts.

Grenada must now develop a cohesive protected areas policy and legislative framework that articulates the purpose of the system of protected areas in the wider development process, identifies the linkages between protected areas and all the other sectors of the economy, and provides clear statements and directions as to the mechanisms for discharging national and international obligations.

(b) Lack of Institutional Coordination for Protected Areas Management

Regardless of the mix of institutions that are involved in protected areas management, there is need for coordination of efforts. After all, in addition to the various government agencies with specific mandates, a range of private and civil society institutions also have stakes in the outcome of the management of those sites. In addition, some of the supporting systems and requirements (such as training, information management, reporting under the MEAs, financing, etc.) are best addressed through cooperative efforts.

The promulgation of the National Parks and Protected Areas Act (1990) is a statement that protected areas management should be brought within a system planning framework. In that context, there must be a single institution that plays a coordinating function, one that has responsibility to ensure that the system of protected areas meet the national development objectives as articulated in a policy document.

(c) Inadequate Participation of Civil Society in Protected Areas Management

The various policy statements concerning sustainable development articulate the need for involvement of the various sectors of the nation in the development process. Some of the plans for the environment sector even include roles for community groups. The international environmental programmes, whether through MEAs or other mechanisms such as the Millennium Development Goals, speak clearly to the role for civil society. Within the OECS, the St. Georges Declaration contains several principles addressing the role of civil society in development.

However, the role of national civil society groups in environmental management in Grenada appears to be confined to consultation in policy formulation. Unfortunately, a number of instances where civil society institutions are involved past the consultation stage, there is either concern about the legality and integrity of the process, or uncertainty as to the role and capability of the institution. An example of the former concern is the role of Sunseekers in collecting fees at Commonwood Park. In this case, the policy support is said to exist, but the supporting laws to allow civil society groups to collect government revenues are not in place. An example of the latter concern is the case of the Carriacou Environmental Committee and role of the organization in the CREP demonstration project at Sandy Island/Oyster Bed, where the lack of staffing and changes in personnel hampered the project.

Clearly the policy position of the Government, and the international agreements to which Grenada has committed itself, support greater involvement of civil society in protected areas management. That policy needs to be clarified, broadened, and translated into guidelines to ensure easy interpretation and implementation by both public and civil society institutions.

(d) Insufficient Financial Resources

Funds for protected areas development and management are inadequate in terms of amount available and consistency of inflows. The National Parks and Protected Areas Act (1990) makes provision for the establishment of a National Parks Development Fund. The fund has not been established, despite the obvious need for a greater and sustained level of financing.

The relevant aspects of financing was previously discussed (Section 5.2), so it is only necessary here to reiterate the need for the establishment of the Fund and fund management mechanisms. The operation of this Fund should be supported by special legislative provisions that reduce the role of the Government in the management of the Fund. This is usually recommended on the basis that less government management (versus oversight) encourages more gifting from a wider spectrum of the society, as well as from external non-governmental sources, particularly the private sector.

(e) Absence of Data Management Systems

The need for a data management system for protected areas was previously discussed (Section 5.2). Though there is an initiative to establish a national GIS, this will allow for sharing of mostly spatial data. Each institution will still be responsible for data capture and maintenance of their databases.

The frequent problem of not being able to locate hard copies of documents, the presence of multiple versions of digital files, and the occasional corruption of computer files and systems indicate that, even without GIS systems, there is need for better records management systems in the protected areas management institutions.

6.1 Threats to Protected Areas

There are several sources of threats to protected areas, and those threats are both natural and man-made. Man-made threats arise from a variety of sources, including; (a) development projects (e.g. construction and operation of marinas in critical fish habitat); (b) recreation activities (e.g. anchor damage, beach erosion, accidental damage to corals); (c) non-point source pollution; (d) overuse of resources (e.g. trail erosion); (e) fire; (f) exploitation of resources (e.g. sand mining, removal of artifacts, wildlife capture), and (f) oil spills. The impact of tourism on the environment, and the proposed solutions, were identified in the tourism master plan.

The impact of natural disasters can be devastating. As stated in the watershed proposal to the European Commission *“In addition to the destruction of the country’s housing stock and educational infrastructure, Hurricane Ivan devastated a considerable amount of the country’s environmental assets. As a consequence, over 90 percent of the forest lands and watersheds were deforested. Many of the country’s watersheds which once supported an ecosystem where much flora and fauna benefited directly and indirectly were stripped bare of their vegetation, thus raising concerns about their ability to perform vital ecosystem functions as well as water availability and quality; the stability of the watersheds and the impact of soil erosion; ecosystem stability and the provision of livelihoods for the population, particularly the most vulnerable”*.

Review of Protected Areas Management Framework in Grenada

During the period 2000-2005, five tropical storms passed within 60 nautical miles of Grenada, with Hurricane Ivan, a Category 4 hurricane, producing the damage indicated above. As the frequency and intensity of storms are expected to increase due to the effects of global warming, the potential long-term effects on the natural and built environments require careful analysis and planning.

While the threat from storms may now seem obvious, there are other threats that potentially can be as devastating to either the economy or the environment. Two such major threats are the avian flu outbreaks and the potential for eruption by Kick em Jenny. A case of avian flu in the Caribbean would have a negative impact on tourist visitation from the United States of America, the Caribbean's largest source market. An outbreak in Grenada would most certainly have a devastating impact on tourism, not to mention the local health impacts. An eruption by Kick em Jenny is projected to generate a major tsunami.

Obviously, site management must take into consideration the full range of disaster management processes, from site design, planning and mitigation, response, and damage assessment and cleanup. However, for many of the natural disasters, site disaster planning must take place within the context of the national disaster preparedness process (NaDMA, 2005).

7. SUMMARY AND RECOMMENDATIONS

The current situation is one where the policy and institutional frameworks for protected areas management are fractured, where there are competing and conflicting initiatives, and where resource degradation continues.

There are indications to suggest that the political support for a major overhaul of the protected areas management framework is in place. For example, there are unconfirmed reports that Minister Ann David-Antoine from Grenada's Ministry of the Environment, during a presentation at a High Level Side Event at the 8th Meeting of the Conference of Parties to the Convention on Biological Diversity (Brazil, March 2006), pledged to put 25 percent of near-shore marine and 25 percent of terrestrial natural resources under effective conservation by 2020. Attempts to verify this information through the Forestry and National Parks Department, as well as the Ministry of Tourism, were unsuccessful. If that information is correct, such a pledge is a significant policy statement that could shape protected areas programming in Grenada for the next 20 years.

Based on the current scenario and the alleged pledge by the Government, the following actions are recommended:

- (a) Initiate a protected areas system planning process to update the policy framework and rationalise the legislative and institutional frameworks. This initiative should include the establishment of the National Parks Authority as provided under the National Parks and Protected Areas Act (1990) as the lead institution for protected areas management in Grenada. The rationalization of the legislative and institutional frameworks should be supported by the development of a range of regulations.
- (b) Institutional audits should be conducted on all protected areas management institutions, leading to the design and implementation of a capacity development programme for said institutions.
- (c) Initiate development of the most critical system strategies (e.g. financing, public participation, etc.).
- (d) Develop site and system evaluation protocols.
- (e) Develop reporting mechanisms for both internal and external stakeholders, and link the internal processes to constituency building for protected areas.
- (f) Establish the National Parks Development Fund, as provided under the National Parks and Protected areas Act (1990). This should be done even if the National Parks Authority is not established.

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Caribbean Regional Environmental Programme: <http://crepnet.net>

Environmental Treaties: <http://sedac.ciesin.columbia.edu/entri/country.jsp>

Storm Data: <http://stormcarib.com/climatology/>

World Protected Areas Database: http://www.unep-wcmc.org/protected_areas/data/nat2.htm

APPENDIX 1: Summary of OPAAL Project

Source: Taken from the OPAAL Project Brief dated December 2004

The Project

The origins of the present project began with a Block B grant awarded to St. Lucia in late 2001 to assist in the preparation of the “St. Lucia Coastal/Wetland Ecosystem Conservation and Sustainable Livelihoods Project.” A draft project brief was prepared by late May 2002. Following an internal Bank review of the project proposal, and further discussions with government officials and prospective co-financiers, consensus was reached on the need to adjust the project’s design toward an OECS-wide regional approach supporting national demonstration activities. This approach would better ensure the sustainable establishment and management of PAs in the OECS.

Factors that prompted this shift from a national to a regional approach included: (i) the need to demonstrate **strategic consistency** with the regional approaches embodied in the OECS Development Charter and the St. George’s Declaration of Principles for Environmental Sustainability in the OECS, the World Bank’s Country Assistance Strategy (CAS), and the other donors’ strategies; (ii) facilitating OECS countries’ efforts to mobilize needed resources to meet **GEF’s co-financing requirements**; (iii) **gains in efficiency and economies of scale** to enhance replicability and sustainability of the project’s objectives; and (iv) addressing the root causes of environmental degradation through **improved coordination**. Finally, a regional approach, channeled through an institution dedicated to the coordination of multi-national efforts, is more likely to ensure that PA project activities are better integrated, complemented and coordinated with other sustainable environmental initiatives in the region.

The Project Development and Global Objective of OPAAL is to contribute to the conservation of biodiversity of global importance in the Participating Member States by removing barriers to the effective management of protected areas (PAs), and increasing the involvement of civil society and the private sector in the planning, management and sustainable use of these areas.

The project intends to achieve this objective firstly by strengthening national and regional capacities in the sound management of PAs. This first component will provide support for a regional and national policy, legal and institutional reform process that will serve as the foundation for PA management at the national level. Included also as critical elements will be the updating of existing or preparation of new national PA system plans, and the support for studies that will provide solutions to the barriers of financial sustainability of PAs. OPAAL will also provide the necessary technical and financial support for the creation of new or strengthening of existing protected areas. The project will also support a regional umbrella programme as well as national elements on education, training and awareness as it relates to the importance of biodiversity and the management of protected areas.

OPAAL is actually geared towards providing global benefits through the conservation of globally significant biodiversity. As a consequence pre-selected sites in each PMS consisting of dry and humid tropical forests, wetlands and tidal flats, sandy and rocky beaches, coral reefs, seagrass beds, mangroves, and offshore islets will be elevated to protected area status. Nesting sites for several endemic species, as well as sea turtles will also be protected. Most importantly these global benefits will be closely linked to demonstrable benefits for local populations including generally improved environmental integrity and natural amenity values such as watershed protection, and protection of the resource base, one of the region's most important source of foreign exchange – tourism. Perhaps the most important benefit will be the newly developed constituencies for biodiversity conservation who will act to promote conservation and sustainable development due to the tangible economic benefits and improved economic opportunities.

The project is also geared to providing benefits to those target groups associated with project-supported PAs, particularly where that association implies a dependency on the resources for livelihood support or where there is a displacement of the livelihoods because of the legal declaration of protection. Where the nature of that dependency is not compliant with the goals of protection for the area, the project will provide for the identification of alternative sources of livelihoods that will ensure equal or greater socioeconomic benefits than previously obtained. The empowerment of target groups/persons will be effected through appropriate capacity building initiatives undertaken by the project, which will be geared towards securing the sustainability of these alternative livelihoods. In the process of providing for the enhancement of existing livelihoods, (where compatible with protection objectives), and/or the provision of alternatives, the project will foster partnerships with appropriate national, regional and community development agencies and organizations.

OPAAL will also support marketing research, consultations and interviews with key governmental and NGO agencies, and on-site visits with local entrepreneurs and businesses where needed. In all cases, the project would address livelihood issues of affected populations in a manner which is fair, just, and in accordance with local laws, as well as consistent with the World Bank's Safeguard Policies on Involuntary Resettlement (OP 4.12) and Natural Habitats (OP 4.04).

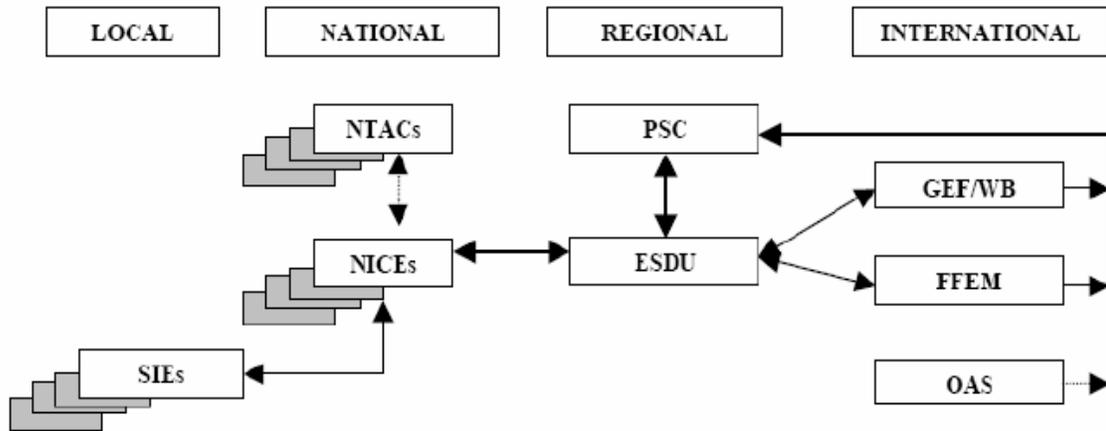
Administration

In order to facilitate implementation at the national level, ESDU will implement the project, in close collaboration with the national implementing entities (see below) for project activities at national and local levels. ESDU's main tasks will be to: (i) administer and manage the project; (ii) ensure coordination of project activities with participating countries, relevant regional and international institutions (such as the CCA, CEHI, CARICOM, UNEP and UNDP, etc.) and other stakeholder (civil society, communities, NGOs and private sector); (iii) work with the participating countries for the implementation of country -level activities; (iv) procure goods, works and services; (v) monitor and evaluate project progress, (vi) ensure proper project accounting and financial management, (vii) contract annual

external auditing of project accounts, and (viii) represent the project before the Project Steering Committee (PSC).

To carry out its responsibilities under the project, ESDU will hire, with grant funds, a protected areas specialist who will also serve as field officer, a communications officer, and an administrative assistant all of whom will be housed at the offices of ESDU. The Project Coordinator who is the Programme Officer responsible for the Biodiversity and Protected Areas functional area will report directly to the Head of ESDU who will serve as Project Director. All ESDU staff and other function managers (Sustainable Livelihoods, Environmental Planning and Management, and Education Training & Awareness) are assigned specific project responsibilities and will assist the Project Coordinator as necessary and appropriate. The Figure below outlines the proposed organizational structure of the project.

Project Organisational Structure



At the national level, each participating country will identify a National Implementation Coordinating Entity (NICE) that will have the responsibility for: (i) preparing national annual work plans and budgets, (ii) day -to-day implementation of project activities at the national level, (iii) managing/supervising the implementation of local site activities in collaboration with the Site Implementing Entities (SIEs) and beneficiaries of livelihoods subprojects, and (iv) liaise directly with the ESDU on matters relating to project implementation. Whenever possible, the PMS intend to use already existing institutional structures (government agencies, NGOs, etc) to serve as NICES.. The NICE will also participate in the PSC on a rotating basis (discussed under PSC below). All NICE will designate a National Coordinator who will be directly responsible for project coordination and implementation at that level. The activities of the National Coordinator will also be supported by other government agencies with relevant mandates.

At the sites of project-supported PAs, Site Implementing Entities (SIEs) will be set up with a PA Manager assisted by relevant staff (including rangers and others) to undertake the day -to-day management of the PA and related site-specific project activities.

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Community groups living in and around the PAs, appropriate public and private agencies and relevant local stakeholders will also have representation in the SIE in an advisory capacity to assist the PA Manager. The SIE will participate actively in the implementation of component 2 and 3 of the project. SIEs will also participate in the National Technical Advisory Committees (NTACs) and will advise and/or collaborate closely with the NICEs on the implementation of site activities.

Regional oversight will be provided by the Project Steering Committee (PSC) which will (i) approve the annual work plans and associated budgets, (ii) monitor project progress; (iii) review, analyze and provide guidance to the ESDU on project issues during the course of project implementation in accordance with a project operational manual acceptable to the Bank. The PSC will consist of 2 representatives from 2 PMS, the latter, which will be rotated annually. The representation from each PMS will comprise: (i) the Head of the national agency responsible for parks and protected areas and/or a representative of the NICE where appropriate; and (ii) the ESDU National Technical Focal Point who is also the most senior technical officer in the Ministry of Environment of the relevant PMS. The OECS Secretariat will chair the PSC; ESDU staff will be exofficio members. The PSC will meet twice a year in the first year and annually thereafter.

At the national level, the project will be monitored and guided through a **National Technical Advisory Committee (NTAC)**, an inter-sectoral, inter-agency body that will include representatives from relevant government agencies and public and private institutions, including NGOs, involved in environmental management in general and biodiversity management, in particular. The NTACs will: (i) provide broad technical and policy advice to the National Implementation Coordinating Entities or NICEs and (ii) review national strategies/workplans and associated livelihood subprojects. Participating Member States will be encouraged to use existing National Biodiversity Committees as NTACs for the project.

The OECS OPAAL project is co-financed under parallel funding arrangements by the Organization of American States (OAS) and the Government of France through its Fonds Francais de L'Environnement Mondial (FFEM) with US\$0.35 million and Euro 1.32 million respectively. The Global Environment Facility will provide US \$3.7 million through the World Bank, with the PMSs and the OECS Secretariat US \$ 1.88 in in-kind contributions bringing the total project cost to approximately US \$7.57 million. This five year project which was launched in December 2004 is envisaged as the initial stage of a 15 year programme for the management of Protected Areas in the OECS. This essentially means that post-project activities will aim to secure the sustainability of the protected areas management and hopefully securing the long-term inclusion of the natural environment in general into the sustainable development portfolio of OECS Member States.

APPENDIX 2: Terms of Reference

POLICY, LEGAL AND INSTITUTIONAL REVIEW: OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS (OPAAL) PROJECT

1. Background

The OECS Secretariat through its Environment and Sustainable Development Unit (ESDU) has begun implementation of the OECS Protected Areas and Associated Sustainable Livelihoods (OPAAL) Project. This initiative is being executed in partnership with the International Bank for Reconstruction and Development (the World Bank) acting as an Implementing Agency of the GEF; the Fonds Français pour l'Environnement Mondial (FFEM) of the Government of France; and the Organisation of American States (OAS).

Recognizing the importance of the sustainable management of its natural resources and rich biodiversity, the Governments of the OECS Participating Member States (PMS) have made significant commitments to protecting their countries' resources. Some of these include their status as signatories to international conventions, the formulation and adoption of policy statements, legal and institutional instruments, recent environmental programs, and financial support of conservation activities through budget allocations. At the sub-regional level, the OECS Member States in the year 2000 issued and subsequently endorsed the St. George's Declaration of Principles for Environmental Sustainability in the OECS, which includes a commitment to the conservation of biological diversity and the protection of areas of outstanding scientific, cultural, spiritual, ecological, scenic and aesthetic significance. Member States have also begun translating their international and regional commitments into tangible actions at the national level. An example of this is the production of the National Environmental Management Strategy, the outcome of the commitment to the regional OECS Environmental Management Strategy. The international commitment to the SPAW protocol under the Cartagena Convention is of even greater relevance to the context of this TOR. The recognition of the importance of this protocol and national commitment has crystallized in the establishment of protected areas (PAs) as the primary method of preserving biodiversity and conserving valuable natural resources assets.

Despite these positive achievements, significant impediments continue to exist in terms of an effective framework for establishing and managing protected areas (PAs) which can ensure that the integrity of the region's fragile biodiversity is not further compromised. Existing institutional arrangements within PMSs are weakened by gaps in the present policy framework. These include limited incorporation of environmental and social costing into economic decision making and inadequate systems that encourage and promote integrated planning, information sharing and collaboration among agencies and other stakeholders.

The need to upgrade existing laws and institutional arrangement for environmental management in the OECS has been recognized. Presently one initiative is facilitating a review of environmental legislation and development of model OECS environmental frame

legislation. A UNEP review of legal and institutional arrangements for biodiversity-related MEAs is also being undertaken within the OECS. With respect to protected area establishment and management, many existing laws and the have been in existence for a considerable time and as such do not embrace contemporary approaches to environmental management and should therefore be updated. At national levels, present legal structure fails to provide a comprehensive framework for biodiversity conservation and the establishment and management of protected area (PA) at both national and regional levels. Currently, the responsibility for PA management is legally granted to multiple agencies without articulating the strategies by which for collaboration and integration of the assigned responsibilities. In some cases, this has resulted from new legislation being enacted without the amendment or rationalization of existing laws, leading to redundancy and jurisdictional conflict. In other cases, existing laws have yet to yield the promulgation of necessary rules and regulations necessary for effective control and enforcement. Certain laws recently created for the establishment of National Parks and other categories of PAs have demonstrated deficiencies as they have been implemented, and thus require some degree of adjustment. In addition to all these technical aspects, institutional capacity within PMSs remains limited and requires urgent attention. In this regard, legal and institutional frameworks in support of PA establishment and management must be so construed so as to provide for efficient and effective use of available resources.

Component 1 of OPAAL seeks to facilitate more effective institutional framework for conservation management through providing a critical focus on the existing natural resources, legal and institutional frameworks to promote conservation and protected area establishment and management. As such, the project aims to facilitate a harmonised approach to the creation and management of protected areas (PA) in the OECS region Protected Area. There are three sub-components within this project component: (i) policy, legal and institutional arrangements reform; (ii) updating/preparing new national protected areas system plans; and (iii) supporting studies.

2. Objective

The objective of this exercise is to undertake preliminary work towards achieving policy, legislative and institutional arrangement reforms in PMSs. These will facilitate the evolution of a harmonised approach to the creation and management of PAs in the OECS region. The required work falls reflects the Policy, Legal and Institutional Arrangements Reform sub-component of Component 1 of the OPAAL Project.

3. Task Methodology

The Contractor will be required to:

- a. Conduct reviews of existing policy, legal and institutional frameworks in support of PA establishment and management in PMSs;

- b. Undertake a comparative analysis of national frameworks to identify existing weaknesses and strengths in terms of existing policy, legislation and institutional arrangements for PA establishment and management in the region;
- c. Report the outcome of the aforementioned tasks to ESDU, highlighting suitable approaches for enhancing PA establishment and management through improved policy, legal and institutional arrangements at both national and regional levels. Specific detailed recommendations regarding the development of harmonized policy, legislation and institutional arrangements in support of PA establishment and management within the region are to be incorporated and will subsequently inform the development of harmonised policy, legislation and institutional framework for Protected Areas within the OECS.

4. Scope of Services

The Assignment will be divided into the following three phases.

a. National PA Framework Reviews

The first phase of the consultancy will include a review of relevant literature and on-going initiatives related to policy, legal and institutional arrangements within the PMSs that is of relevance to the OECS region (including the work related to the development of environmental frame legislation and legal and institutional arrangements for biodiversity conservation mentioned earlier and the respective National Environmental Policies and National Environmental Management Strategies of the PMSs). This information should be incorporated into the following phases of the work.

b. Consultation with PA establishment and Management Stakeholders

In order to adequately interpret the level of efficacy of existing policy, legal and institutional arrangements and to assess the practical implications of existing measures, the Contractor is to consult with all relevant management agencies and stakeholders at both national and regional levels, including government and non-government agencies which, consequent to existing or proposed laws or policies, are responsible for PA establishment and/or management. All relevant private sector entities, community-based organisations, and resource users who either contribute to PA management or whose livelihoods are affected by the establishment and operation of PAs are to be included.

c. Comparative Analysis for Developing a Harmonised PA Framework

Pursuant to the outputs generated within the first and second phases, the Contractor will, identify existing weaknesses and strengths in terms of existing policy, legislation and institutional arrangements for PA establishment and management at both country and OECS levels, making determinations as to the adequacy of the legal instruments and arrangements in meeting the various obligations re: protected areas under the various MEAs. This phase is also to consider existing policy, legal and institutional

aspects in terms of the degree to which they may promote or impede the development of a harmonised approach. It should also suggest relevant synergies and operational aspects which may be required for such an approach, including the creation of synergies with other relevant initiatives being presently undertaken within PMSs and the region. For this phase of the work the Contractor will collaborate with relevant Staff of OPAAL Project in finalising potential approaches for the way forward and related administrative concepts for the harmonised approach towards PA establishment and management within the OECS.

The Contractor will present the reports of the national reviews and comparative analysis to ESDU for consideration and discussion, prior to their finalisation.

5. Outputs

Using the phased approach identified above, the following outputs will be delivered:

- a. Six reports outlining and critiquing the adequacy/effectiveness of existing policy, legal and institutional frameworks in support of PA establishment and management within each PMS.
- b. A report on the comparative analysis of national frameworks, including specific recommendations for improvements in the policy, legal and institutional systems in place and implications in terms of the establishment of a harmonised framework for the OECS.

6. Project Execution and Administration

The Project Coordinator-OPAAL or any other officer designated by him will administer all aspects of this contract.

This is a fixed price contract. Travel within the six PMSs will be a necessary part of this contract and the cost of other such travel for aspects such as transportation, accommodation, consultation with stakeholders and per diem, etc., is to be incurred by the Contractor as part of this Contract.

All communications between the Contractor and the Project Coordinator-OPAAL for the assigned work should be copied to the Head of Unit - ESDU.

The Project Coordinator-OPAAL will collaborate with the Contractor on the preparation of a brief plan of action that identifies activities necessary to achieve the deliverables identified in this Terms of Reference. This requirement is in order to ensure the deliverables identified in this Terms of Reference are achieved in an effective and efficient manner.

The Contractor will manage his/her time and responsibilities to ensure timely delivery of outputs required under this Terms of Reference.

7. Qualifications and Experience of Contractor

The Contractor is expected to possess skills and at least ten (10) years experience in the following areas:

1. Institutional Analysis (including aspects of national/international environmental policy);
2. Environmental Law.

The Contractor should also have a demonstrated familiarity with theoretical and technical aspects of Protected Areas development and management.

8. Timing

It is anticipated that the Contractor will be selected by the OECS-ESDU and that the contract will commence as of November 1st 2005 and be completed no later than February 28th, 2006. As the first activity, the Contractor will submit for approval of the ESDU a proposed plan of work containing timing for completion of foreseen tasks. The OPAAL staff will facilitate consultation with Governments and other national and regional partners, as and when necessary. The reports on the review of national policy, legal and institutional frameworks for the six PMSs will be due no later than February 15th 2006.

9. Reporting

The Contractor will provide the following:

1. Six country reports detailing and critiquing the existing national policy, legal and institutional frameworks in each PMS;
2. One report on the comparative analysis of national frameworks

All reports will be issued in Word format and will each take the form of one hard copy and one electronic copy, submitted to the Project Coordinator- OPAAL .

APPENDIX 3: Institutions Consulted

Name of Person	Designation	Contact
Forestry and National Parks Department (NICE)		
Mr. Alan Joseph	Chief Forest Officer	Fax: (473) 440-4191
Mr. Anthony Jeremiah (NPC)		tonydove200@yahoo.com Tel: 473-440-2934
Mr. Aden Forteau		
Mr. Imhotep Mawuto		
Mr. Augustos Thomas		
Ms Bonnie Rusk		
Mr. William Hamilton		
Mr. Michael Jessemy		
Mr. Dean Jules		
Mr. Gordon Patterson		
Fisheries Division		
Mr. Justin Rennie	Chief Fisheries Officer	jarennie@hotmail.com Tel: 473-440-3814/3831
Mr. Paul E. Phillip	Fisheries Officer I	Fax: 473-440-6613
Planning Unit – Ministry of Agriculture		
Mr. Aaron Francois		
Physical Planning Unit		
Mr. Fabian Purcell	Chief Planning Officer	ppu@caribsurf.com
Ministry of Tourism, Civil Aviation, Culture and the Performing Arts		
Ms Lima Frederick	Senior Technical Officer	limafred@yahoo.com Tel: 473-440-0366-9
Ministry of Health and Environment		
Mr. Kelvin Dottin	Environmental Officer – Environmental Dept.	ktdotts@yahoo.co.uk
Mr. André M. Worme	Chief Environmental Health Officer	min-healthgrenada@caribsurf.com Tel: 473-440-2848/2095
Lands and Survey Department		
Mr. Andrew Alleyne		
National Disaster Management Agency		
Mr. Arturo Lopez		nadma@caribsurf.com

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Land Use Division – Ministry of Agriculture		
Mr. Trevor Thompson	Land Use Officer	trevort_lud@yahoo.com Tel: 473-440-2708
Ministry of Finance		
Ms Jocelyn Paul	Project Officer	jocelyn.paul@gov.gd Tel: 473-440-2214/2731
Dr. Spencer Thomas	Consultant	
National Water and Sewerage Authority		
Mr. Allan Neptune		

**APPENDIX 4:
Questionnaires for Protected Areas Management Institutions**

OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS PROJECT

**REVIEW OF POLICY, LEGAL, AND INSTITUTIONAL FRAMEWORKS
FOR PROTECTED AREAS MANAGEMENT**

**PROFILE OF PROTECTED AREA MANAGEMENT INSTITUTION
FOR
COUNTRY REPORT**

The OECS Secretariat, through the Environment and Sustainable Development Unit (ESDU), has begun implementation of the OECS Protected Areas and Associated Sustainable Livelihoods (OPAAL) Project. Component 1 of this Project seeks to facilitate the development of a harmonised approach to the creation and management of protected areas in the OECS region. There are three sub-components within this project component: (i) policy, legal and institutional arrangements reform; (ii) updating/preparing new national protected areas system plans; and (iii) supporting studies.

This questionnaire is part of the review of existing policy, legal, and institutional frameworks in support of protected areas establishment and management, and is **to be completed by institutions that have direct management responsibilities for protected areas.**

The completed questionnaire should be submitted in digital form (PDF or Microsoft WORD format) to Lloyd Gardner at: lgardne@uvi.edu. For additional information, call Lloyd Gardner at: 340-513-3562.

NAME OF INSTITUTION:

1. Contact Information:
 - Address:
 - Telephone:
 - Facsimile:
 - E-Mail:
 - Name & Position of Officer in Charge:
2. Legal Basis for Institution (laws providing mandate):
3. State Organisational Mandate and Current Objectives:
4. Staffing Levels (Number and qualifications of professional and technical staff):
 - Number of full-time employees and assigned positions
 - Qualifications relative to job descriptions

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- Number of volunteers
5. Information Systems
- Available Library/Documentation Facilities:
 - Type of Computerised Data Systems in Place (PC, LAN, etc.):
 - Databases Available:
 - Involvement in Regional Information Network (e.g. SIDSNET, CaMPAM, etc.):
 - Programme/Project Review Procedures:
6. Reporting Mechanisms (receiving institutions, format, frequency):
- National:
 - Regional:
 - International:
7. Annual Budget:

Budget Head	Fiscal Year				
	2000/01	2001/02	2002/03	2003/04	2004/05
Recurrent					
Capital					
Grants					
Total					

8. Sources of Funds:
9. Activities and Constraints
- a) List the types of activities that the institution executes routinely
 - b) List the type of activities that the institution would like to execute routinely, but does not because of resource constraints
 - c) List the major resource constraints that affect the execution of the institution's activities
 - d) List the major government policy constraints that affect the execution of the institution's activities
10. Project Execution History
- a) Number of projects planned or designed in the last five years.
 - b) Number of projects started in the last five years.
 - c) Number of projects completed in the last five years

11. Public Participation
 - a) Who are the stakeholders with which the organisation interacts?
 - b) How do the stakeholders impact on the efficacy of the organisation in carrying out its functions?
 - c) Describe the external network(s) of which the organisation is a part?
12. List the opportunities and obstacles which exist in the operating environment?
13. List the Major Issues for your Institution (with #1 being the most important).
14. What are the Priority Issues to be addressed for Protected Areas Management in your Country (with #1 having highest priority)?

Name of person completing the questionnaire:

Position:

Date:

OECS PROTECTED AREAS AND ASSOCIATED LIVELIHOODS PROJECT

**REVIEW OF POLICY, LEGAL, AND INSTITUTIONAL FRAMEWORKS
FOR PROTECTED AREAS MANAGEMENT**

**PROFILE OF PROTECTED AREAS PARTNER INSTITUTION
FOR
COUNTRY REPORT**

The OECS Secretariat, through the Environment and Sustainable Development Unit (ESDU), has begun implementation of the OECS Protected Areas and Associated Sustainable Livelihoods (OPAAL) Project. Component 1 of this Project seeks to facilitate the development of a harmonised approach to the creation and management of protected areas in the OECS region. There are three sub-components within this project component: (i) policy, legal and institutional arrangements reform; (ii) updating/preparing new national protected areas system plans; and (iii) supporting studies.

This questionnaire is part of the review of existing policy, legal, and institutional frameworks in support of protected areas establishment and management, and is to be completed by institutions that **do not have direct management responsibilities**, but whose mandates and/or activities affect protected areas programming and management.

The completed questionnaire should be submitted in digital form (PDF or Microsoft WORD format) to Lloyd Gardner at: lgardne@uvi.edu. For additional information, call Lloyd Gardner at: 340-513-3562.

1. Name of Institution:
2. Address:
3. Telephone; Fax; Email:
4. Primary Area of Focus of Institution (one paragraph description):
5. Secondary Area(s) of Focus of Institution (one paragraph description each):
6. Activities of Institution that are Relevant to Protected Areas:

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7. Resources Committed to Protected Areas Activities in the past 5 years:

Fiscal Year	Financial Resources (US\$,000)	Human Resources (Person Days)	Other (quantify)
2000/01			
2001/02			
2002/03			
2003/04			
2004/05			
Total			

8. Laws/Regulations of Institution that are Relevant to Protected Areas:

9. List Policies/Mandates of Institution that are Relevant to Protected Areas:

10. Describe the Nature of any Existing Relationship with any Protected Areas Management Institution:

11. What are the Most Relevant Issues for Protected Areas Management in your country (list in order of priority, with 1 being the highest priority):

12. Name and Contact Information for Officer dealing with Protected Area Issues in your Institution:

Name:

Position:

Telephone:

Fax:

Email:

Name of person completing the questionnaire (if different from No. 12):

Post:

Date:

Thank you for taking the time to complete this questionnaire.

APPENDIX 5:

Legislation Relevant to Protected Areas Management in Grenada

I. LAWS OF GRENADA – 1990 REVISED EDITION

1. Animal (Diseases and Importation) Act 1958 (Cap. 15)

Amended by Act 10 of 1990, SRO 37 of 1960, SRO 27 of 1964, and SRO 9 of 1991.

- *“An Act to control the importation of animals, birds, reptiles and insects, and to regulate the treatment and disposal of animals which are suffering or are suspected to be suffering from disease, and for connected matters”.*
- Section 6 – The Minister can, by Order, declare any area to be infected with disease, by reason of the existence of any disease.
- Section 12 – The Minister may make regulations for prevention and spread of disease; including movement of persons into, within, and out of infected places and areas.
- Section 13 – Prohibits importation of bird, reptile or insect without licence granted by the Minister.

Implications for Protected Areas:

- (a) The outbreak of a particular disease can result in areas being quarantined, effectively halting visitation to that area.
- (b) There is no established protocol for treatment of infected species/populations within protected areas, in which case, the traditional methods employed by many agricultural departments may be used, with potentially severe results for small populations and/or rare or endangered species.

2. Beach Protection Act (No. 67 of 1979) (Cap. 29)

- *“An Act to prohibit the unauthorised removal of sand, stone, shingle and gravel from the seashore”.*
- Section 2 – Makes it an offence to remove sand, stone, shingle, or gravel from the seashore.
- Section 6(1) – Empowers the Minister, by Order, to exempt any person or part of the seashore from the application of the law.

Implications for Protected Areas:

- (a) Sand (and other aggregate) mining is a major issue in many coastal areas. This Act seeks to manage the problem by requiring permits from the Minister.
- (b) The provision for regulated mining retains the possibility of maintenance of some community livelihoods (new or traditional).

3. **Birds and Other Wild Life (Protection) Act (No. 36 of 1958) (Cap. 34)**

Amended by Acts 26 of 1964, 23 of 1980, and 10 of 1990.

- *“An Act for the protection of wild birds and other wild life including fish, lobsters, turtles and oysters”.*
- Section 4 – Provides for the institution of closed seasons for birds, oysters, turtles, and lobsters.
- Section 7 – Provides absolute protection on land of turtles and turtle eggs.

Implications for Protected Areas:

- (b) Allows Grenada to address species protection goals in protected areas, as well as meet particular obligations under a number of international multilateral environmental agreements.

4. **Copyright Act (No. 32 of 1988) (Cap. 67)**

- *“An Act to make provision for the protection of copyright and neighbouring rights, and for incidental and connected matters”.*

Implications for Protected Areas:

- (a) Protected areas management institutions generally use a range of tools and materials in data management (including computer software), public education, etc. Institutions need to be careful that there is no copyright infringement, especially where sophisticated tools or manuals are being used.
- (b) Many institutions conduct research and produce various forms of publications. The necessary steps should be taken to protect the works produced by staff or the institution. This is especially important when there are collaborative arrangements with other/external institutions.
- (c) Merchandising is a growing source of revenues for protected areas, and copyright and brand management is an important part of merchandising.

5. **Finance and Audit Act (No. 9 of 1964) (Cap. 102)**

Amended by Acts 14 of 1970 and 32 of 1986.

- *“An Act to provide for the management of public funds, for the appropriation, withdrawal and issue of funds therefrom, for the audit of public funds, and for connected purposes”.*
- The Act sets the financial year (12 months ending of December 31) and focuses on the management of the Consolidated Fund. It also covers “other public funds” (Section 3).
- Section 7 – Allows for funds to be deposited with the Permanent Secretary (Finance) or any public officer subject to a trust, said funds to be kept in accounts separate from the Consolidated Fund.
- Section 16 – The Minister may make Financial Regulations to provide for a range of actions, including: 16(a) “the collection, receipt, custody, issue, expenditure, due accounting for, care and management of all public moneys and the guidance of all persons concerned therein.

Implications for Protected Areas:

- (a) This Act facilitates the establishment of trust funds for a variety of public purposes, including protected areas management.
- (b) The Act is also clear that management of public funds must be supported by Financial Regulations. It implies that the authorisation of any institution to collect and management monies from protected areas should be based on related regulations, especially if those monies are not destined for the Consolidated Fund.
- (c) The Act does not make any clear provision for the role of non-governmental institutions in the collection and management of public funds. In the case of Grenada, this has clear implications for institutions such as the Carriacou Environmental Committee and Sunseekers, both of which have been given site management responsibilities.

6. **Fisheries Act (No. 15 of 1986) (Cap. 108)**

Amended by Act 25 of 1989.

- *“An Act to provide for the promotion and management of fisheries in the fishery waters of Grenada and for incidental and connected matters”.*

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- Section 2 – Definition of “fish” includes turtle, coral, sponge, and seamoss. Also defines “fishery waters” as the “territorial sea and exclusive economic zone, and the internal and archipelagic waters (as defined in Section 2 of the Territorial Sea and Maritime Boundaries Act (No. 25 of 1989)”.
- Section 19(1) – The Minister may designate (a) an area as a local fisheries management area, and (b) a Local Fisheries Management Authority for the area.
- Section 21 – Allows for the designation of fishing priority areas.
- Section 23(1) – The Minister may declare, by Order, any area of the fishery water, and any adjacent or surrounding land to be a marine reserve where he considers it necessary for special measures:
 - (i) 23(1)(a) – to afford special protection to the flora and fauna of such areas and to protect and preserve the natural breeding grounds and habitats of aquatic life, with particular regard to flora and fauna in danger of extinction;
 - (ii) 23(1)(b) – to allow for the natural regeneration of aquatic life in areas where such life has been depleted;
 - (iii) 23(1)(c) – to promote scientific study and research in respect of such areas; or
 - (iv) 23(1)(d) – to preserve and enhance the natural beauty of such areas.
- Section 23(2) – Sets the fine (\$1,000.00) for guilty offenders.
- Section 24(1) – The Minister may give written permission for a vessel or person to undertake research into fisheries, on submission of a fisheries research plan approved by the Chief Fisheries Officer.
- Section 40 – The Minister may make regulations for a variety of actions related to fisheries management, including:
 - (i) 40(2)(g)(ii) the taking of corals and shells.
 - (ii) 40(2)(q)(i) the management and protection of marine reserves and fishing priority areas.
 - (iii) 40(2)(r) measures for the protection of turtles, lobsters, conches, sea moss and weeds and species of fish which may be endangered.

Implications for Protected Areas:

- (a) The broad definitions of fish and fishery waters imply that coastal and marine protected areas not managed by the Fisheries Division still fall within their legal purview, even though fishing may not be a significant activity within the site. As such, clear resource management strategies need to be developed in order to clarify programmatic and institutional objectives and collaborative arrangements for marine and coastal protected areas management.

- (b) There is no provision in the Act for the delisting of sites. In fact, the law implies that degraded sites should be rehabilitated (Section 23(1)(b)). This introduces the notion that a site does not have to be pristine, or even the best example of a particular ecosystem, to be designated as a protected area, but can be designated and used for regeneration or enhancement of particular resources.
- (c) Section 23(1)(d) introduces the notion of seascapes. While the idea of viewsheds is more prevalent on land (landscapes), the use of seascapes is less well known. The focus of many protected areas on issues of tourism, as well as on cultural and natural attributes, requires that planning for the maintenance of coastal and marine scenic values be placed more centrally within the protected area and development control processes. Such a shift in emphasis would also give protected areas managers an additional tool in the attempt to have more influence on buffer zone activities, primarily those large developments that result in significant changes in the surrounding landscape.

7. **Forest, Soil and Water Conservation Act (No. 129 of 1958) (Cap. 16)**
Amended by Acts 12 of 1967 and 34 of 1984.

- *“An Act to make provision for the conservation of the forest, soil, water and other natural resources of Grenada”.*
- Section 2 – Defines a “prohibited area” as “an area to which entry is forbidden, except to forest officers and to police officers in the execution of their duties and to other persons having the written permission of the Chief Forestry Officer”.
- Section 3(1) – Established the Forestry Department.
- Section 3(4) – Sets the aims of the forestry policy, including:
 - (i) 3(4)(b) to ensure a continuous supply of forest products by the setting aside of land as forest reserves;
 - (ii) 3(4)(d) to protect such areas as may be required for the provision of a natural and undisturbed habitat for indigenous flora and fauna.
- Section 6 – The Governor General may declare by Proclamation published in the Gazette, any area of Crown land to be forest reserve.
- Section 7 – The Governor General may by Order declare any land other than Crown land to be a protected forest, if that land is necessary for six (6) listed purposes, including:
 - (i) 7(1)(a) – for protection against storms, winds, rolling stones, floods and landslides.

- (ii) 7(1)(f) – for the preservation of health.
- Section 8 – Allows the Minister to make rules concerning protected forests.
 - Section 10 – The owner of land designated as a protected forest is entitled to a remission of any land tax for the time the land is declared as a protected forest, providing he complies with the rules.
 - Section 11 – Provides for compensation to the owner when private land is declared a protected forest.
 - Section 12 – An owner of land may request voluntary protection for formation or conservation of forest, under terms to be agreed.
 - Section 14 – Addresses squatting on Crown lands.
 - Section 18(g) – Makes it an offence to “enter a prohibited area” without a permit.
 - Second Schedule – Lists 17 species of trees that should not be felled (as provided by Section 19 of the Act).

Implications for Protected Areas:

- (a) Section 3(4) implies that the forestry policy should support a range of values and objectives, including consumptive uses, recreational uses, maintenance of resource flows, education, research, and habitat functions. This provision, when taken with the conservation of non-forest resources implied in the primary objective of the Act, suggests that natural sites other than forests can be declared under this Act and managed by the Forestry Department.
- (b) The definition of a “prohibited area” by Section 2 supports the popular perception that protected areas “lock away” resources. While preservation is a reasonable management strategy under certain levels of resource damage, and while the absence of human activity may be desirable during certain life stages of some wildlife species, blanket prohibitions are difficult management strategies on small islands. This provision should be revised to reflect a more creative approach to resource management, probably along the lines of the “closed season” concept used in marine resources management.
- (c) Section 7(1) clearly identifies the role of forests in disaster mitigation (often referred to as a soft path approach) and, along with other roles identified, paves the way for a structured programme on urban protected areas.

- (d) The introduction of the concept of forests as a mechanism for preservation of health stated in Section 7(1) offers wide scope for the conceptualization, design, and management of protected areas.
- (e) The implication that a protected forest may have a definite lifespan (Section 10) suggests the need for provisions for delisting of sites, a gap that should be closed as the system of protected areas becomes more developed.
- (f) The inclusion of Section 14 appears to be an acknowledgement of the wider land tenure issues, not simply squatting. Given the land management practices in the upper watersheds, protected areas management in watersheds may have to include elements of rural development.

8. **Grand Etang Forest Reserve Act 1906 (Cap. 24)**

- *“An Act to provide for the preservation of forest growth in the vicinity of the Grand Etang as a forest reserve for the benefit of Grenada”.*

9. **Wild Animals and Birds Sanctuary Act 1928 (Cap. 339)**

Amended by Act 3 of 1963.

- *“An Act to establish the Grand Etang Forest Reserve as a sanctuary for wild animals and birds”.*

10. **Land Surveyors Act (Cap. 162)**

Amended by Acts 24 of 1990 and 52 of 1991.

- *“An Act to provide for the licencing of land surveyors, for regulating their professional conduct, for the making of land surveys, and for connected matters”.*
- Section 3(1) – Establishes the Director of Lands and Surveys who shall be the authority for the preparation and publication of the official map of Grenada, and who shall, among other things, 3(1)(a) control all surveys; and 3(1)(b) direct all public surveys

Implications for Protected Areas:

- (a) Protected areas boundary delineation must be conducted by the Lands and Surveys Department, which offers the benefit of stricter controls and precise mapping.

11. **National Heritage Protection Act (No. 18 of 1990) (Cap. 204)**

- *“An Act to provide for the protection of Amerindian art work and Pre-Columbian artifacts and archeological remains and for connected matters”.*
- Section 2 – Provides a Schedule for listing protected areas under the Act.
- Section 3(a) – The Minister has the power “... to amend the Schedule by adding any area of Grenada which he is satisfied requires to be protected under this Act”.
- Section 3(b) – The Minister has the power “... to appoint officers for the purpose of the enforcement of this Act who shall be known as National Heritage Protection Officers”.

Implications for Protected Areas:

- (a) Heritage sites can be designated under the current legislative framework.
- (b) The Act does not provide any support for an implementing mechanism, and needs to be much broader in scope than its current provisions.
- (c) The Act is apparently not used by the current protected areas management institutions.
- (d) As with other laws, there is no indication that sites can be de-listed.
- (e) The law does not support ongoing initiatives for transboundary protected areas and designation of world heritage sites.

12. **National Parks and Protected Areas Act (No. 42 of 1990) (Cap. 206)**

Amended by Act 52 of 1991.

- *“An Act to provide for the designation and maintenance of national parks and protected areas, and for connected purposes”.*
- Section 3(1) – The Government may add land to a national park or declare a national park (Section 4(1)) or protected area (Section 5(1)). Such land is vested in the Governor General, and such land “...shall comprise the national parks system.”
- Section 3(2) – The Minister has responsibility for the national parks system, and shall discharge that responsibility through the National Parks Authority (Section 7).

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- Section 3(3) – The National Parks Advisory Council has the responsibility for maintenance of land comprising the national parks system. The clause also introduces the issue of enjoyment of the attributes of protected areas by “... *present and future generations*”.
- Section 3(4) – States the role of the National Parks Development Fund (as provided for by Section 15).
- Section 4 – The Governor General may, by Proclamation, add or declare public, private, leased, and donated land as a national park.
- Section 4(2) – Leased land added to a national park ceases to be part of the park on expiration of the term of the lease.
- Section 5 – The Minister may, by Order, declare government land to be a protected area for:
 - (i) 5(a) – preserving the natural beauty of the area, including the flora and fauna thereof;
 - (ii) 5(b) – creating a recreational area;
 - (iii) 5(c) – commemorating an historic event of national importance; or
 - (iv) preserving an historic landmark or a place or object of historic, prehistoric, archeological, cultural or scientific importance.
- Section 6 – Places restrictions on the use and disposal of land in the national parks system.
- Section 7(1) – Provides for the appointment of a Director of National Parks and other staff.
- Section 7(2) – The Director and staff appointed under Section 7(1) constitutes the National Parks Authority.
- Section 8 – Deals with the appointment of the National Parks Advisory Council by the Minister.
- Section 10 – Identifies the role of the Council as advising the Minister on matters related to the “... administration, management and control of the national parks system and any other matter related to the national parks system that he may refer to it”.
- Section 11 – Requires the Director of National Parks to prepare a management plan for any site within the national parks system.
- Sections 11(4) and 11(5) – Requires the Minister to post a public notice of his proposal to adopt a management plan, and to give a minimum of one month to allow for public representation on the matter.

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- Section 13(1) – The Governor General may grant permits for the provision of accommodations and services in national parks.
- Section 13(2) – The Minister may make regulations for a range of activities related to national parks.
- Section 13(5) – The Minister may, by Order, provide for payment of fees by visitors to any park or protected area within the national parks system.
- Section 14 – The Council may accept voluntary contributions to provide for the objects of the Act.
- Section 15(1) – The Minister shall establish a special fund to be called the National Parks Development Fund.
- Sections 15(2)-15(5) – Deals with the operation of the Fund, with Section 15(4) stating that “The National Parks Development Fund shall be operated as directed by the Minister acting in consultation with the Council”.

Implications for Protected Areas:

- (a) The Act effectively creates the national system of protected areas for Grenada.
- (b) The Act provides for the establishment of a National Parks Authority, which would partially address some of the institutional coordination problems now being experienced. However, a major failing of the Act is that it does not provide any guidance on how existing protected management institutions are to be treated, as well as linkages between the provisions of this Act and other legislation dealing with protected areas.
- (c) Section 3(3) conflicts with Sections 3(2) and 10(1), and could result in disagreements within the Authority concerning the policy versus management role of the Council. The law should be revised to make the Council a full board of directors for the Authority, with the attendant fiduciary responsibilities. This would clarify the reporting lines between the Authority, Council, and Minister.
- (d) Public notice/review of the site management plans is codified within this Act, thereby facilitating the public participation process.
- (e) The use of concessions to provide a range of services in national parks, and the payment of entry fees to any park or protected areas, are enabled by this Act.

- (f) Sections 14 and 15 provide a mechanism to deal with management of funds and other contributions to the national parks system.
- (g) The direct involvement of the Minister and Council in the operation of the National Parks Development Fund is an issue that needs to be addressed. It was noted during the consultations that past discussions concerning the establishment of environmental trust funds were not conclusive due to the need by the political directorate to ensure that the Administration had unlimited access to the funds. The law should be revised to limit (or preferably prevent) such access. In any event, the fund now needs to be established and made operational; which means new regulations, design of a management framework, rules for directing access to the funds by the different management institutions, disbursement mechanisms, fund management, and other related activities.

13. **National Trust Act (No. 20 of 1967) (Cap. 207)**

- *“An Act for incorporating the Grenada National Trust with limited liability”.*
- Section 2 – Establishes the Grenada National Trust.
- Section 2(2) – In the event of dissolution of the Grenada National Trust, its assets shall pass to, and become vested in the Government.
- Section 5 – Buildings and lands can become vested in the Trust, to be held for the benefit of the people of Grenada, and those holdings shall be inalienable.

Implications for Protected Areas:

- (a) The incorporation of the Grenada National Trust through the mechanism of an Act of law is an example of an issue raised in connection to protected areas in Grenada; that is, is an institution established by an Act of Parliament truly a non-governmental organisation (NGO)? While the answer to that question may not directly affect the functioning of a particular entity, it raises the question of the independence of the NGO sector in Grenada.
- (b) The Government could use the Grenada National Trust as a vehicle for managing heritage properties.

14. **National Water and Sewerage Authority Act (No. 25 of 1990) (Cap. 208)**
Amended by Act 52 of 1991.

- *“An Act to establish the National Water and Sewerage Authority as a corporate body; to make provision for the transfer to the Authority of the*

assets and liabilities of the Central Water Commission; and to provide for connected matters”.

- Section 3(a) – Requires the Government to promote a national policy for water vis a vis “...*the provision of water supplies and the conservation, augmentation, distribution and proper use of water resources including the preservation and protection of catchment areas*”.
- Section 21 – Allows the Minister, on the advice of the Authority, to “...*specify and declare such area or any part thereof to be a protected area...*” when “...*special measures are necessary for the protection of the public water resources in or derived from specific areas...*”
- Section 38 – Catchment areas for the protection, conservation and maintenance of which the Chief Forestry Officer is responsible under any other written law shall be retained as forest reserves.
- Section 57 – This Act binds the Crown.

Implications for Protected Areas:

- (a) The National Water and Sewage Authority (NAWASA) has the authority under its enabling legislation to declare protected areas.
- (b) This Act makes no reference to the national parks system, even though all protected areas would fall within the system.
- (c) Clearly, the sites declared under the Forest, Soil and Water Conservation Act, and managed by the Chief Forestry Officer cannot be vested in NAWASA. However, there is no indication that the reverse cannot take place; that is, whether the Forestry Department can declare as a forest reserve a catchment already declared by NAWASA to be a protected area.

15. Noxious Weeds Act, 1912 (Cap. 213)

- “*An Act to make provision for the eradication of noxious weeds*”.
- Section 2 – Defines “noxious weed” as any plant so signified by a resolution in the House of Representatives and declared by Order published in the Gazette.

Implications for Protected Areas:

- (a) This Act provides a basis for management of alien invasive species in protected areas.

16. **Oil in Navigable Waters Act, 1928 (Cap. 218)**

Amended by Act 64 of 1979.

- *“An Act to make provision against discharge or escape of oil into the territorial sea of Grenada”.*
- Section 2(3) – Sets the scope for the application of the Act to be the territorial waters of Grenada and the harbours therein.
- Section 3(1) – Defines the penalty (\$50,000.00) for discharge or escape of oil.

Implications for Protected Areas:

- (a) The Act does not make the distinction between “allowed to escape”, “discharge”, and “accidental discharge”. One would assume that the penalty would be based on whether the discharge was deliberate, as a result of negligence, or simply an accident. The volume of discharge, and the type of oil discharged would also be important.
- (b) The Act opens the possibility for oil spill response, including linking site preparation and response efforts to a national programme. However, it does not go far enough in making the linkages between the national efforts and the regional response programmes, as well as the international conventions. This Act needs to be completely overhauled.

17. **Plant Protection Act (No. 19 of 1986) (Cap. 242)**

- *“An Act to provide for the control of pests injurious to plants, and to prevent importation of plants and animals harmful to agriculture”.*
- Section 3 – Gives the Minister power to prohibit importation or internal movement of plant, plant product, plant pest, soil or other specified article.
- Section 5 – Provides for a phytosanitary certificate to accompany all imports of plant, plant products, or other similar items.
- Section 10 – Places the onus on the occupier of land with plant pest to notify the Ministry.

Implications for Protected Areas:

- (a) Importation of species for re-stocking areas is regulated.

- (b) This Act forms one tool that Grenada can use in discharging its obligations under CITES and the Biosafety convention.

18. **Power-Craft Act (no. 22 of 1966) (Cap. 249)**

Amended by Act 15 of 1987.

- *“An Act to regulate the operation and use of power-craft, and for connected matters”.*
- Section 3 – Places restriction on the operations of the craft by requiring that the operator must be a person that has attained the age of 16 years (Section 3(a)), and that the craft must be licensed (Section 3(b)).
- Section 4 – Places restrictions on the use of power-crafts (defined as crafts that can attain speeds greater 5 knots), including restricting operation of the craft to greater than 200m from the shore (Section 4(2)).

Implications for Protected Areas:

- (a) This Act regulates the operations of jet skis and other crafts used in watersports within marine parks.

19. **Protection from Disease (Plants) Act, 1925 (Cap. 258)**

- *“An Act to provide for the eradication of plant disease”.*
- Section 5(1) – Permits appointed persons to enter lands for the purposes of the Act, whether or not that land has been declared to be infected.
- Section 6(1) – Requires the owner or occupier of land that suspects the existence of a notifiable plant disease on the land to notify the relevant authority.

Implications for Protected Areas:

- (a) Protected areas management institutions should develop protocols and appropriate institutional partnership arrangements for dealing with outbreak of pests and diseases.
- (b) Site managers should be aware of the laws requiring them to notify the relevant authority in case of the existence of plant diseases within their sites. This effectively means that the matter of threat analysis should be as broad as possible to ensure that the full array of man-made and natural threats is identified, and appropriate counter-measures designed.

20. **Tourist Board Act (No. 29 of 1988) (Cap. 321)**

Amended by Act 20 of 1990.

- *“An Act to establish a board of tourism for the purpose of developing the tourist industry and promoting its efficiency, and to provide for connected matters”.*
- Section 11 – Sets out the duties and functions of the Grenada Board of Tourism, including Section 11(e) – *“to encourage, by such measures as it thinks fit, the development of amenities calculated to enhance the attractiveness of Grenada, Carriacou and Petit Martinique to tourists, with the emphasis on entertainment, conservation of local flora and fauna, deep-sea fishing and handicrafts”.*

Implications for Protected Areas:

- (a) The Act allows the Grenada Board of Tourism to become involved in the management of protected areas and heritage sites. Due to the broad scope allowed by the Act, it should be updated to insert specific references to the protected areas management institutions and relevant legislation.

21 **Bathing Places Act, 1903 (Cap. 28)**

Amended by Act 31 of 1958

- *“An Act to empower the Minister to make rules for the development, regulation and control of public bathing places on and around the coastline”.*
- Section 1 – Allows for the Minister to *“declare any bay or any portion of the seafloor to be a bathing place for the purposes of this Act”*

Implications for Protected Areas:

- (a) Protected areas may contain beaches suitable for bathing, particularly on Carriacou, and there is need to ensure that development activity permitted under this Act do not conflict with conservation objectives of the protected areas.

22. **Public Health Act, 1925 (Cap. 263)**

Amended by Acts 9 of 1973, 17 of 1973, 29 of 1973, and 40 of 1981.

- *“An Act to govern matters relating to public health”.*

- Section 17 – Requires the Sanitary Authority (established under Section 3(1)) to deal with a range of nuisances or matters deemed to be injurious to health.

Implications for Protected Areas:

- (a) The Public Sanitary Authority will have to approve the design and placement of sewage treatment and disposal facilities at the sites, as well as dealing with issues of solid waste management and food handling.

II. RELEVANT LAWS SINCE 1990

23. Environmental Levy Act, 1996 (No. 29 of 1996)

Repealed and replaced by the Environmental Levy Act of 1997.

- *“An Act to impose an environmental levy on certain goods and services, such as non-returnable containers and tipping services”.*
- The Act is managed by the Solid Waste Authority.
- The 1997 Act contains a revised, expanded Schedule of goods and services that are subject to the environmental levy.

Implications for Protected Areas:

- (a) The imposition of such fees on protected areas operations will increase both the cost of importation of goods and the cost of disposal of solid waste from the sites. Resolution of this issue has to be done at a system level, underscoring the need for the designation of a lead protected areas management institution in Grenada.

24. Fisheries (Marine Protected Areas) Order, 2001 (SRO No. 77 of 2001)

- Section 2 – Declares as marine protected areas (MPAs) the Woburn/Clarks Court Bay Protected Area and Multi-zone Management System and the Moliniere/Beausejour Marine Protected Area and Multi-zone Management System.
- Section 3 – States that the Fisheries (Marine Protected Areas) Regulations 2001 shall apply to the two areas.

25. **Fisheries (Marine Protected Areas) Regulations, 2001 (SRO No. 78 of 2001)**

- Section 2 – Defines terms such as “marine historical site” (structure, artifacts of human remains), “marine park” (part of marine protected area reserved for public recreation), “marine protected area”, “marine reserve” (special management for protection of natural resources), “marine sanctuary” (part of MPA used only for scientific study and research).
- Section 3 – Provides for the establishment of a Management Authority for MPAs.
- Section 4 – Introduces a provision for a Management Committee for MPAs.
- Section 5 – Sets the procedures and function of the Management Committee, which is to advise the Management Authority on all relevant matters except day-to-day matters.
- Section 6 – Makes general prohibitions for persons in a MPA.
- Section 12 – Allows for the granting of permits for specimen and artifact collection.

Implications for Protected Areas:

- (a) The two declared MPAs are managed by the Fisheries Division, not by a Management Authority as provided in law. The establishment of a new institution only for MPA management may not be feasible or desirable at this time. As such, the institutional arrangements stipulated under this law should probably be set aside.
- (b) The reasons for the designation of MPAs are similar for the designation of protected areas under the National Parks and Protected Areas Act (1990). The rationalisation of these two legislative instruments is a necessary step in the further development of a system of protected areas in Grenada.

26. **Physical Planning and Development Control Act 2002 (Act No. 25 of 2002)**

- *“An Act to make fresh provision for the control of physical development, to continue the Land Development Authority, to require the preparation of physical plans for Grenada, to protect the natural and cultural heritage, and for related matters”.*
- Section 3 – Lists the objects of the Act, including Section 3(e) *“protect and conserve the natural and cultural heritage of Grenada”.*

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- Section 5 – Maintains the Development Control Authority.
- Section 13(1) – Requires the Head of the Physical Planning Unit to prepare a physical plan for the whole of Grenada.
- Section 14(2)(a) – The physical plan may allocate land for conservation and development purposes.
- Section 19 – Provides the authority to the Development Control Authority to regulate development.
- Section 25 – The Development Control Authority may require and environmental impact assessment (EIA) for particular developments, especially those set out in the Second Schedule of this Act. Section 25(4) provides for the establishment of a fairly elaborate EIA process in Grenada.
- Part VI (Sections 40-50) deals with conservation of natural and cultural heritage.
- Section 40 – Identifies the Development Control Authority as the “...*national service for the identification, protection, conservation, and rehabilitation of the natural and cultural heritage of Grenada in accordance with the United Nations Convention for the Protection of the World Cultural and Natural Heritage...*”
- Section 41(1) – Establishes a Natural and Cultural Heritage Advisory Committee to advise the Development Control Authority on matters pertaining to protection of natural and cultural heritage, with Section 41(2) setting out the functions of the Committee, and Section 41(3) listing its composition.
- Section 42(1)(b) – Allows the Development Control Authority to adopt lists of sites, monuments, and buildings compiled by the Grenada National Trust.
- Section 44 – Permits the Development Control Authority to make interim preservation orders to protect any building, monument, or site from threat ad development activity. An interim preservation order will have duration of ninety days, and if the Development Control Authority does not list the property during that time, a second interim preservation order for the same property cannot be issued for twelve months thereafter.
- Section 45 – Requires the owners and occupiers of listed buildings to be responsible for the conservation and rehabilitation of listed properties. However, the Development Control Authority has the responsibility to assist the owner/occupier of the property with accessing technical and financial support.

- Section 46(1) – The Development Control Authority can designate heritage conservation areas, where there is a group of buildings of outstanding universal value. This section also introduces the notion of using buffer zones to protect heritage conservation areas.
- Section 47(2) – This provision deals with the declaration of environmental protection areas, defined as places of natural beauty or natural interest (including submarine and subterranean areas) that are not forest reserves, wildlife sanctuaries, national parks, protected areas, or marine protected areas under any enactment.
- Section 62 – This Act binds the Government.
- Section 63 – Repeals the Town and Country Planning Act (Cap. 322) and the Land Development Control Act (Cap. 162).
- First Schedule – Lists the matters to be addressed by physical plans, including the allocation of lands for protected areas (Item 3) and protection of natural resources (Items 4-6 and 9).
- Second Schedule – Lists the matters for which an environmental impact assessment should be required. It includes 14 types of development, and development generating various forms of pollution, and any development in the coastal zone or in protected areas.

Implications for Protected Areas:

- (a) The national physical plan is supposed to zone/allocate land for conservation and protected areas.
- (b) The authority of the Development Control Authority to regulate development activities implies that, in the absence of any overriding provision in the protected areas legislation, construction within protected areas would be subject to the development control process.
- (c) Protected areas staff should have the skills to review EIAs for developments in the general vicinity of the sites, particularly when said developments are likely to have a negative impact on protected areas resources.
- (d) The identification of the Development Control Authority as the national agency for management of world heritage resources/sites will require a formal and sustained partnership with other protected areas management institutions in order to adequately address natural heritage management issues.

- (e) The requirement for a Natural and Cultural Heritage Advisory Committee is a potential area of conflict with the National Heritage Trust.
- (f) This Act does not repeal the National Heritage Protection Act, and therefore the functions of the National Heritage Trust cannot be subsumed by the Development Control Authority. The same is true for the provisions of the National Parks and Protected Areas Act, 1990.
- (g) The provision for interim preservation orders is a potentially useful mechanism for sites that have previously been proposed for protected area status. However, even under this scenario, where it is assumed that background information on the site is readily available, the effectiveness of the provision depends on the linkages between the Development Control Authority and the other relevant agencies, as well as the efficiencies inherent in the relevant management processes. Given the timelines usually displayed for passage of statutory rules, a timeline longer than the current 90 days may be necessary for the effective use of the provision for interim preservation orders.
- (h) Section 45 places an additional burden on the Development Control Authority if it intends to deal with heritage sites. This additional burden will obviously require additional human and financial resources dedicated to this purpose.
- (i) The provision for the declaration of environmental protection areas excludes protected areas declared under other acts. However, areas of natural beauty that need special protection will likely include other types of protected areas. As such, it is prudent to make more formal links between this Act and other legislation dealing with protected areas declaration and management.

III. Draft Laws Undergoing Review

27. Environmental Management Act (Draft of January 17, 2006)

The proposed Environmental Management Act is an attempt to coordinate the policies and activities of the various public institutions involved in environmental management in Grenada. As part of a changed landscape of institutional arrangements, the new law would create an Environmental Management Agency and formally establish the Sustainable Development Council.

This proposed new law would impact substantially on protected areas policies, development, and management in a number of ways. Based on the language in the draft of January 17, 2006, the provisions relevant to protected areas are shown below.

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- Section 4(3) – Lists the functions of the Agency, including: 4(3)(b) – *“coordinate environmental management functions performed by governmental organizations, agencies, and persons in Grenada including natural resource conservation and management;”*
- Section 4(3)⁹(1) – States that the new agency would be the entity to prepare and submit reports to the Secretariats of the MEAs.
- Section 4(3)(n) – The new agency would be responsible for identifying, designating, and managing marine and terrestrial protected areas.
- Section 15(1) – Would require any developer undertaking a project listed in the Fourth Schedule to have the prior approval of the new agency. Item Number 13 of the list of projects contained in the Fourth Schedule deals with natural conservation areas. The functions listed, including the creation of national parks and the formulation of policies for forests and water catchment areas, are all functions currently undertaken by existing agencies.
- Section 20(1) – Would require every government entity listed in the Third Schedule (list of governmental agencies exercising environmental functions) to prepare an environmental management plan within one year of the enactment of this proposed law, and bi-annually thereafter.

III. Relevant Laws not Reviewed

- National Parks and Protected Areas (Fees) Order 1992

⁹ Section 4(3) shows up twice in the numbering sequence.

APPENDIX 6: Institutions Exercising Environmental Functions

Government Agencies

- Physical Planning Unit – Ministry of Finance
- Sustainable Development Council – Ministry of Finance
- Ministry of Foreign Affairs and International Trade
- Ministry of Tourism, Civil Aviation, Culture, and the Performing Arts
- Grenada Tourist Board
- Extension Division – Ministry of Agriculture
- Pest Management Division – Ministry of Agriculture
- Fisheries Division – Ministry of Agriculture
- Landuse Division – Ministry of Agriculture
- Lands and Survey Department - Ministry of Agriculture
- Forestry and National Parks Department - Ministry of Agriculture
- Ministry of Carriacou and Petite Martinique Affairs
- Ministry of Works, Communication and Transport
- Public Health Department – Ministry of Health, Social Security, Ecclesiastical Affairs and the Environment
- Environmental Unit – Ministry of Health, Social Security, Ecclesiastical Affairs and the Environment
- Royal Grenada Police Force
- National Water and Sewerage Authority
- Grenada Solid Waste Management Authority
- Grenada Ports Authority
- Grenada National Trust
- Housing Authority of Grenada
- Local Government
- Hazard Mitigation Council/National Disaster Management Agency
- Science and Technology Council
- Grenada Coast Guard

Non-Governmental Organisations

- Carriacou Environmental Committee
- The Nature Conservancy
- SunSeekers
- St. Georges University
- Ocean Spirit
- Boat tour operators
- Swansea University
- WIDECAS
- Grenada Community Development Agency

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- Agency for Rural Transformation
- Friends of the Earth-Grenada
- St. Andrew's Development Organisation
- St. Patrick's Development Organisation;
- Several community based organisations.

**APPENDIX 7:
Matrix of Policy, Legal, and Institutional Issues for Watershed Management in Grenada**

Source: Department of Economic Affairs. 2001. National Report: Integrating Management of Watersheds and Coastal Areas – Grenada. Ministry of Finance. July 2001.

Legal and Policy

	Problems Identified	Intended Goals	Barriers/ Constraints	Actions
Development and/or enhancement	Inadequacy of laws and regulations; Lack of standards	Comprehensive legal and regulatory framework; Development of appropriate standards	Outdated and irrelevant legal framework; Inadequacy of baseline information	Legal review; Environmental audit; Standards development
Harmonization	Lack of clear jurisdiction Lack of coordination	Efficient and effective delivery systems	Turfism; Inadequate information flow	Consultations; Education and training
Enforcement, monitoring and compliance	Weak enforcement, monitoring and compliance mechanisms	System of self policing to be instituted	No system of reporting and accountability	Public awareness campaign
Multi-lateral environmental agreements	Multiplicity of agreements; Agreements not tailored to national circumstance	Rationalised system of multilateral agreements.	Lack of capacity	Ratification of agreements; Implication of objectives

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Institutional (Government, Non-governmental and Private Sector)

	Problems Identified	Intended Goals	Barriers/ Constraints	Actions
Institutional framework (development and/or enhancement)	Multiplicity of institutions, laws and regulations; Lack of land use policy	Rationalized system for environmental management; Reduction in land use conflicts	Turfism; Land tenure rights	Environmental audit and legislative review; Development of policy; Public awareness
Capacity building	Inadequate infrastructure; Lack of adequate human resources	Infrastructure and human resources development	Lack of resources	Investment in physical capacity, education and training
Stakeholder participation and awareness	Centralized decision making system	Civil society and generally public participation in decision making process	Lack of capacity within civil society; Mistrust of motives of civil society by government	Development of institutions involving government and civil society

Institutional (Government, Non-governmental and Private Sector)

	Problems Identified	Intended Goals	Barriers/ Constraints	Actions
Research and Development	Lack of planning capability	Development of research capacity	Insufficiency of funds and human capital	Institutionalization of research capacity, education and training
Information and decision support systems	Lack of baseline information	Development of management information system	Insufficiency of funds and human capital	Procure adequate equipment; Engage technical assistance for education and training
Social and cultural issues	Lack of appreciation of the importance of environmental issues; Lack of political will; Lack of concern for environmental issues	Ensure that social and cultural activities are consistent with environmental conservation and preservation	Resistance to change	Public information and awareness campaign; Enforcement of laws

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Financial

	Problems Identified	Intended Goals	Barriers/ Constraints	Actions
Investments/funding (national and international funding institutions)	Insufficient financial resources for: Maintenance/rehabilitation Studies Human resources Education and public awareness Infrastructure development	Develop the capacity to fully address issues	Insufficient funds available; Absence of integrated action plan	Meeting of donors; Funding to be sourced for facilitating obligations under various ratified conventions
Economic instruments	Inadequate incentive mechanism for conservation; Lack of integration of watershed and coastal management issues in national planning	Develop and implement economic instruments for conservation; Integrated development planning	Low priority for environmental issues; Status que been defended	Studies to be done; Public awareness

