

“Island Ordinance for the establishment of the National Park Mt Scenery and protection of animal-, plant species and artifacts” (AB 2018.003)

Explanation to the Island Ordinance regarding the designation of Mt. Scenery and the northwestern part of Saba as a nature park and a list of protected plant and animal species

Nature Park Description

The Mt. Scenery Nature Park includes the area on the public entity Saba around the top of the Mt. Scenery from the 550 m altitude line, along the eastern border of the site owned by the SCF, also known as Muriel Thissel Park to the waterline at the North coast of the island and in the west of Troy Hill along the so called Island gut directly south of the Wells gut until the waterline by Well's Bay.

The nature park comprises roughly 1/4 of the island, consisting of dry tropical forest, tropical rainforest and cloud forest whose ecosystems offer a living environment for a variety of animal and plant species, including the mountain mahogany, a variety of orchids and ferns, various species of rare birds such as the tropic bird, audebon shearwater, brown trembler, 6 different species of bats and the red bellied racer snake.

Besides the rich nature, the nature park also includes a number of special archaeological sites, ranging from a historic Saba settlement (Mary's Point or Palmetto Point) to the oldest archaic Indian remains of the island or even of the whole of the Caribbean (Plum Piece).

The nature park also represents a considerable economic value because an important part of tourism relies on the nature of this area. The nature park also plays an important role in the cultural values of Saba.

Mt. Scenery on Saba is the highest point in the Kingdom of the Netherlands, and is covered with rich vegetation, including the unique cloud forest around the top with a wide variety of orchids, ferns and the rare mountain mahogany.

This is the most inaccessible part of the island due to the extremely steep slopes and deep ravines. Development as a nature park not only secures the special nature, but also maximizes the economic value of that nature, the dramatic landscape and the cultural-historical history of the area, which, due to its inaccessibility, virtually does not allow other uses.

The park is managed by a local non-governmental, non-profit foundation, the Saba Conservation Foundation, in cooperation with the Saba Archeological Center for the archeological heritage in the area, on the basis of a contract with the island territory that is evaluated every five years and renewed with any necessary adjustments. The management of the nature park focuses primarily on maintaining biodiversity, promoting sustainable use and protecting cultural and historical locations in the park. The aim is to protect the unique richness of the area and thereby make it possible to use the park in a appropriate way that can be both recreational and commercial.

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The establishment of the park as a special area fulfills the requirements of the SPAW Protocol. As such, the Executive Council will inform the Minister of LNV of this after the park has been set up, with the request to nominate the park for the SPAW Protocol and also to grant the status of National Park.

Legal Protection

Given the fragile nature and archaeological heritage, the increasing number of tourists walking the trails and climbing Mt. Scenery and in some cases picking and taking plants such as orchids and ferns, it is Saba's wish to legally secure and preserve this particular area for the future while maximizing the economic value of the area at the same time. In doing so, access to the area for residents and tourists remains assured and the small-scale use of the area can be continued. Sustainable development of the area is also possible.

Saba wants to regulate the responsible use of nature and accessibility to archaeological heritage, to strengthen sustainable tourism, while protecting endangered or special plants and animals, archaeological sites and artifacts of the island.

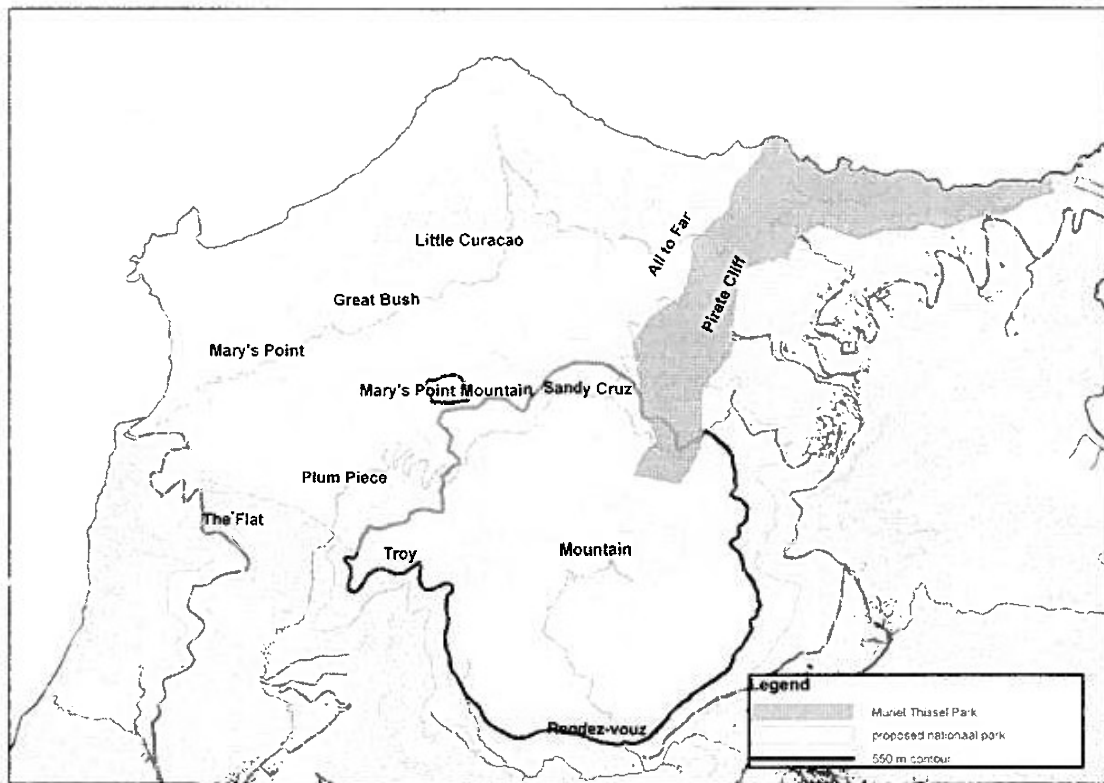
With the establishment of this area as a natural park for the preservation, maintenance and restoration of the special biological, ecological, educational, scientific, historical, cultural, recreational, archaeological, aesthetic and economic value, and the protection of endangered or special the international requirements for the protection of biodiversity, as expressed in particular in the SPAW Protocol, the Nature Conservation Act BES and of the archaeological heritage in accordance with the Treaty of Malta, are also fulfilled.

Nature Park Boundaries

The area that is now set up as a natural park is the area bounded in the east by the eastern border of the property owned by the SCF (Muriel Thissel Park) and in the west from Troy Hill along the deepest line of the Island gut directly south from the Well's gut to the sea and the 550 m altitude line between these two boundaries. This area immediately borders the marine park along the north coast.

A map on which the boundary of the nature park is accurately indicated is part of this explanation.

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Kaart van het Mt. Scenery Nationaal Park

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Explanation per article

Article 1

This article establishes the boundaries of the Park

Article 2

This article gives the Executive Council the possibility to introduce an access levy, for example to pay for the management. In the second paragraph, the inhabitants of the island are exempt from such a levy, so that they will not be restricted in the sustainable use or the access to the special nature and historic sites in the area.

Article 3

In this article, the public entity appoints the management of the area to the Saba Conservation Foundation; which has the necessary expertise and is equipped to carry out the management of nature in a proper way. In the second paragraph the specific management of the archaeological heritage in the area is assigned to the Saba Archeological Center because this foundation has the specific knowledge and equipment to manage such heritage in a responsible manner.

In the third paragraph the management is linked to a more detailed management agreement with the public entity. This agreement should cover at least a number of subjects to ensure that it is clear to both parties what the expectations of the management are, what must be done for it, what targets are set and what resources are available for this. The fourth paragraph states that this agreement will be revised every five years, so that expectations and means can be adjusted if necessary.

Article 4

This article gives the Executive Council the possibility to be able to control activities in the area, other than small and sustainable activities already taking place, by means of permits. Activities mentioned in the Park Management Agreement are exempted from a permit. Potentially harmful activities are bound to an Environmental Impact Assessment (EIA), which must meet a number of conditions

Articles 5 t/m 7

In Article 5, a number of animal and plant species are designated as protected or vulnerable and Article 6 specifies how they are protected. The designation of the species follows on the one hand from the obligations arising from the Convention for Migratory Species (Bonn Convention), the CITES Convention, the Sea Turtle Convention and the SPAW Protocol and on the other hand arises from the wish of the island to protect special species on the island or manage them in such a way that they are prevented from being threatened. The designation of

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species resulting from international agreements is dynamic, and changes to the relevant annexes of the said Treaties automatically have an effect on the protection of species in this Regulation.

Article 8

This article protects the archaeological heritage in the northwestern part of the island. The most famous places are the Mary's Point or Palmetto Point ruins and the very old, archaic Indian digs at Plum Piece. Without a permit from the Executive Council no excavations can take place or artifacts can be removed and this legally protects the cultural heritage of Saba in this area.

Articles 9 to 12

In these articles the procedure and rules regarding permit applications are given.

Article 13

In this article, the persons in charge of managing the Park are designated as supervisors and enforcers of the rules in this regulation. Furthermore, the Executive Council may appoint others for supervision and enforcement if necessary. .

Appendix 1. Protected species.

In the table below the protected species are listed in accordance with article 5.I. b, for which the rules of Article 6 apply.

name	Scientific name
Mountain Mahogany	<i>Freziera undulata</i>
Saba Black Iguana	<i>Iguana iguana</i>
Bridled Quail Dove	<i>Geotrygon mystacea</i>
Redbilled tropicbird	<i>Phaethon aethereus</i>
Audubon's Shearwater	<i>Puffinus lherminieri</i>
Brown Trembler	<i>Cinlocerthia ruficauda</i>
All hummingbirds	<i>Orthorhyncus cristatus</i> , <i>Eulampis jugularis</i> , <i>Eulampis holosericeus</i>
Red-bellied racer snake	<i>Alsophis rufiventris</i>

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All bat species	<i>Monophyllus plethodon, Ardops nicholli, Tadarida brasiliensis, Molossus molossus, Brachyphylla cavernarum, Artibeus jamaicensis, Natalus stramineus</i>
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Appendix 2. Vulnerable species

The table below lists the vulnerable species in accordance with Article 5.2. b, for which the restrictions of Article 7 apply.

name	Scientific name
All Orchids	<i>Orchidaceae</i>
All Ferns	<i>Ophioglossaceae</i>
West Indian Mahogany	<i>Mahagoni swietenia</i>
Saban anole	<i>Anolis Sabanus</i>
Saba Dwarf Gecko	<i>Sphaerodactylus sabanus</i>
Caribbean Elaenia	<i>Elaenia martinica</i>
Caribbean Martin	<i>Progne dominicensis</i>
Scaley Naped Pigeon	<i>Patagioenas squamosa</i>
Indigo Bunting	<i>Passerina cyanea</i>
Black-faced grassquit	<i>Tiaris Bicolor</i>
Black-whiskered Vireo	<i>Vireo altiloquus</i>
All warblers	<i>Mniotilta varia, Wilsonia citrina, Dendroica petechia</i>
Common Ground Dove	<i>Columbina passerina</i>
Scaly Breasted Tresher	<i>Alenia fusca</i>