

LEGAL NOTICE NO. 180

REPUBLIC OF TRINIDAD AND TOBAGO

THE ENVIRONMENTAL MANAGEMENT ACT, CHAP. 35:05

NOTICE

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

THE ENVIRONMENTALLY SENSITIVE SPECIES
(TRINIDAD WHITE-FRONTED CAPUCHIN) NOTICE, 2022

1. This Notice may be cited as the Environmentally Sensitive Citation
Species (Trinidad White-Fronted Capuchin) Notice, 2022.

2. In this Notice—

Interpretation
Chap 35:05

“Act” means the Environmental Management Act;

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

“captive breeding” means the process of breeding animals in
human controlled environments with restricted settings
such as wildlife reserves, zoos and other conservation
facilities, especially animals which have become rare in the
wild;

“disturbance” means any activity or event that disrupts the
natural functioning or processes, life or habitat of the
animal including hunting, poaching, prodding, restraining
or obstructing the animal;

“ecosystem” means a dynamic complex of plant, animal and
micro-organism communities and their non-living
environment interacting as a functional unit;

“endemic species” means a species or sub-species of fauna and
flora, or their populations, whose distribution is restricted
to a limited geographical area;

“Environmental Officer” means any person authorised under
section 33 of the Act;

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

“extinction” means the dying out or extermination of a species as a result of environmental forces such as habitat fragmentation, global change, natural disaster, overexploitation of species for human use or evolutionary changes in their members caused by genetic inbreeding, poor reproduction or decline in population numbers;

“habitat” means the natural home or environment of an animal, plant, or other organism;

“hunt” has the meaning assigned to it in accordance with rule 3(5) of the Rules;

“poach” means to illegally hunt or catch in contravention of protection under existing law;

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

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

“taking” means to capture physically or to obtain by using force;

“trade” means any export, re-export, import and introduction from the sea;

“transport” means to move, take or carry from one place, person, or group to another place, person or group by any means whatsoever; and

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

Designation
Part I

3. The Authority hereby designates as an ESS, the animal described in Part I.

Reason for
designation
Part II

4. The reason for the designation of the ESS is to meet the objectives set out in Part II.

Limitations
on use and
activities
Part III

5. The limitations on the use of and activities with regard to the ESS with which compliance is required, are as specified in Part III.

Permitted use
and mitigating
measures
Part IV

6. Subject to clause 5, the wise use of the ESS is permitted and the mitigating measures to be undertaken are as specified in Part IV.

PART I

DESIGNATION—DESCRIPTION OF THE ESS

<i>ANIMAL</i>	<i>COMMON NAME</i>	<i>SCIENTIFIC NAME</i>
	TRINIDAD WHITE-FONTED CAPUCHIN	<i>CEBUS TRINITATIS</i>

The Trinidad White-Fronted Capuchin is one (1) of two (2) species of non-human primates which is endemic to the Republic of Trinidad and Tobago, specifically the island of Trinidad. It is a slender, long-limbed monkey with a tan to light brown back and a white face and chest (see Photograph 1). The adult length, from the nose to the tip of the tail, is 81–88 cm (32–35 inches) with tail lengths averaging 41–45 cm (16–18 inches). The average weight of an adult is 2.5–5 kgs (5.5–11 lbs), with males weighing more than females. Trinidad White-Fronted Capuchins have pseudo-prehensile tails, robust and very dextrous arms and limbs.

Trinidad White-Fronted Capuchins have an average habitat range of greater than 80 hectares and are known to occur in various types of forests, including swamp forests, evergreen forests, mangrove forests and deciduous forests. In Trinidad, the species can be found in areas including but not limited to, the Central Range Forest Reserve and Wild Life Sanctuary, the Matura National Park and Nariva Swamp Managed Resource Protected Area Environmentally Sensitive Areas, the Northern Range, the Southern Watershed Wild Life Sanctuary and the Victoria-Mayaro Forest Reserve. It should be noted that the locations of Trinidad White-Fronted Capuchins are subject to change since animals are dynamic in nature.

By nature, capuchin monkeys are very social and active but are very territorial. Capuchin monkeys are generally diurnal (active at daytime) and can be mostly commonly seen early in the morning. During these times, this arboreal (tree-dwelling) species can be seen in the middle canopy of the forest or foraging on the forest floor for food. Trinidad White-Fronted Capuchins spend their lives as part of troops, which can have an average size of 8–17 individuals. Troops usually have more females than males but there is one (1) dominant male, who is usually the leader.

Capuchin monkeys are omnivorous animals whose diets consist of seeds, insects, fruit, young birds, eggs and invertebrates. When foraging, capuchin monkeys use their strong tails to brace the weight of their bodies and allow them to hang upside down. The species is known to have strong jaws, hands with opposable thumbs, a strong grip and some independent finger movements. Capuchin monkeys can manipulate objects for use as tools such as sticks, leaves and rocks when foraging for food that is difficult to access, including encased seeds or larvae from tree barks and branches. Research suggests that non-human primates play a vital role as an indicator for diseases, such as Yellow Fever, and in maintaining ecosystems as plant pollinators and seed dispersers.

A mating and breeding season have not been assigned to Trinidad White-Fronted Capuchins. However, it appears that the majority of births occurs in the dry season. Successful mating and a gestation period, of approximately five (5) months, result in the birth of one (1) offspring. An infant nurses for an average of eight (8) months and maintains a tight hold on its mother until it is strong enough to explore on its own. Once an infant is under the age of two (2), it is fed, nursed and cared for by the maternal female as well as other females of the troop. Once a female gives birth and the infant survives, mating is postponed by the female for 1–1.5 years in order to care for her infant. Capuchin monkeys are polygamous, thus mating can occur with various partners once the age of sexual maturity is reached.

Threats to the species include hunting, poaching, capture for the pet wildlife trade, habitat destruction and fragmentation (e.g. agricultural, commercial and infrastructural developments, etc.) and monkey-human conflicts.



Photograph 1: Adult Trinidad White-Fronted Capuchin
Photo courtesy: Stephen Broadbridge via Caribbean
Discovery Tours
Accessed June 03, 2020

PART II

OBJECTIVES OF THE DESIGNATION

- I. Preservation of the ESS, which is endemic to Trinidad and Tobago, specifically the island of Trinidad.
- II. Preservation of the ESS, which throughout all or a part of its range is, or is likely to become, in danger of extinction and whose survival is unlikely if the factors jeopardising it continue to operate.
- III. In furtherance of Schedule I of the Rules, compliance with the Government's international obligations under the following Conventions:
 - (a) The Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"), which entered into force for Trinidad and Tobago on 18th April, 1984, under which the ESS is listed in Appendix II; and
 - (b) The United Nations Convention on Biological Diversity ("the Biodiversity Convention"), which entered into force for Trinidad and Tobago on 30th October 1996.
- IV. In furtherance of Schedule II of the Rules, the objectives of the designation are—
 1. Conservation of biological diversity and protection of the environment, including—
 - (a) maintenance of the species' abundance and diversity;
 - (b) preservation of the integrity of the species' populations to ensure reproductive and genetic viability;
 - (c) ensuring the conservation of the species;
 - (d) preservation of an indicator or sentinel species for diseases, such as Yellow Fever;
 - (e) preservation of a species of significant taxonomic importance as a subspecies; and
 - (f) preservation of a species that is high in aesthetic value.
 2. Logistic support e.g. environmental education, information sharing, etc., including—
 - (a) the conduct of research and the monitoring population of the species;
 - (b) the involvement of stakeholders in the management and protection of the species;

- (c) the development of awareness and educational programmes about the species for the public of Trinidad and Tobago; and
- (d) the development of a management and recovery plan for the species.

V. In furtherance of Schedule III of the Rules, protection of an animal referred to in the following written law:

The Conservation of Wild Life Act, Chapter 67:01, in which section 2 defines a “protected animal” as one that is not specifically mentioned in the Second or Third Schedule of the Act. This would include the Trinidad White-Fronted Capuchin.

PART III

LIMITATIONS ON USE AND ACTIVITIES

Under Section 70(2) of the Act, “any person who knowingly or recklessly undertakes or conspires to allow any activity in an “environmentally sensitive area” or with respect to an “environmentally sensitive species” designated under section 41, which may have an adverse impact on the environment within such area or on such species, commits an offence and is liable, on conviction on indictment, to a fine of one hundred thousand dollars and imprisonment for two years.”

For the protection of the ESS, the following activities are prohibited unless otherwise approved by the Relevant Authority in accordance with existing law:

- (a) the taking, harming, poaching or hunting of the ESS;
- (b) the possession, transport, sale, exposure for sale, or trade of any specimen of the ESS, its parts and products;
- (c) the disturbance of the ESS at any time, particularly during breeding and gestation, as well as other periods of biological stress;
- (d) any action or development (including agricultural, industrial, commercial development) that results or is likely to result in habitat alteration, disturbance, destruction or would upset the integrity of the habitat or ecosystems upon which the ESS depends at any time;

- (e) dumping, littering or polluting, including the discharging or depositing of any substances in any area that results in or is likely to result in injury or death or would upset the integrity of the habitat or ecosystems upon which the ESS depends at any time; and
- (f) any other activity which, based on technical or scientific evidence, is determined to cause or is likely to cause harm to or death of the ESS.

PART IV

PERMITTED USE AND MITIGATION MEASURES

- I. The following activities are permitted with regard to the ESS, subject to existing law:
 - (a) educational activities related to the conservation, protection, characteristics and features of the ESS;
 - (b) non-destructive scientific research and captive breeding activities related to, *inter alia*, the conservation, protection, characteristics and features of the ESS, subject to the possession of a permit, issued by the Relevant Authority, which specifies limitations on the number, sex and life stage of specimens that are to be removed or translocated for such activities; and
 - (c) conservation-oriented management activities.
- II. The Relevant Authority shall implement mitigation measures to protect the ESS, including the following:
 - (a) protection, restoration, conservation and management of critical habitats, habitat corridors and ecosystems utilised by the ESS in any phase of its life cycle;
 - (b) regulation or management of adverse or harmful activities that threaten the existence or survival of the ESS, through the development and implementation of a species management and recovery plan for the ESS;
 - (c) development of further education, public awareness campaigns and local community conservation programmes to ensure the survival of the ESS and the protection of its habitat;
 - (d) synergising of existing legislation and regulations pertaining to the protection of the ESS;

- (e) development and implementation of research programmes and activities, to determine the status of the local population, distribution, habits, health monitoring, ecological requirements, breeding biology and carrying capacity of habitats and level of exploitation associated with the pet wildlife trade of the ESS, in collaboration with other relevant stakeholders;
- (f) development, implementation and subsequent review of monitoring programmes in relation to the population status and reproduction of the ESS;
- (g) sharing of information and research in relation to the ESS with the public, as determined necessary;
- (h) enforcement of the protection of current forest reserves, game and wild life sanctuaries and environmentally sensitive areas, including more stringent enforcement of existing laws;
- (i) evaluation of the actual or potential impacts on the ESS by activities, including agricultural, industrial and infrastructural development, illegal occupation of land, aquaculture and oil and gas exploration and production;
- (j) training of Environmental Officers and other persons involved in the management and protection of the ESS;
- (k) evaluation of the effectiveness of current and future regulation and enforcement efforts;
- (l) evaluation of the national and resource-user intrinsic and economic value of the ESS; and
- (m) development of bilateral and multilateral agreements for conservation and research of the ESS.

Dated this 26th day of August, 2022.

N. NATHAI-GYAN
Chairman
Environmental Management
Authority