



Incidents Report Form

Nature Foundation St Maarten

Incident name: Damaged Sea Grape Trees on Mullet Bay

Date: Friday September 17th, 2021 and Tuesday September 21, 2021

Time: 11:32 AM, 13:45PM

Staff members NFSXM involved: Star Peterson (ranger) and Melanie Meijer zu Schlochtern (Manager)

Involved organizations: Da Waterhole Mullet Bay

Involved persons:

NFSXM equipment used: pickup truck, Camera

Summary of the incident:

On Friday September 17th, 2021: A concerned citizen has reported that the recent development of "Da Waterhole" beach bar is taking place on mullet bay beach. Some trees were cut to make room for a walkway alongside the container located next to the development. Upon arrival on the location, it was found that two sea grape trees were damaged and trimmed significantly. One tree was completely cut in half, all the way down to the roots. The damages to these trees were assessed to be unnecessary and the trees were healthy and are an important part of the beach habitat and recreation activities.

Tuesday September 21, 2021: A second visit to the site was conducted. Upon arrival A full building structure was erected on what seemed to be the walkway mentioned previously. This is most concerning due to the close proximity to the shoreline, where large storm surge is regularly experienced. Any damages to these structures can lead to large amounts of pollution entering the water ways as well as building material. Adding the fact that essential trees were damaged during the construction, the foundation may become compromised due to the die off of the trees losing integral natural erosion prevention systems.

Biological and environmental info:

Sea grape trees are integral to protecting the beach from erosion and storms. Structures such as "Da Waterhole", the Parking Lot, and in some cases the road which is passing through Mullet Bay are also being protected from storm surge and erosion due to the sea grape trees. Permitting development to take place on important beach will lead to negative environmental impacts on the beach. Those changes can be irreversible and can lead to a less resilient coastline at Mullet Bay. Sea grape trees and shrubs act as a continuous sand trap. The accumulation of sand by the leaves, limbs and stalks plays a major role in the construction of the beach. Without the stabilizing and accreting effects of Sea grapes and other salt-tolerant plant species, the beach system become more vulnerable to erosion. To put it simply, sand stored on beaches provides protection to homes and other structures from the effects of coastal storms.

These trees also provide beach goers and families shade and wind protection while using the beach. Many families, residents and visitors, use these trees for recreational activities, making Mullet Bay one of the most popular beach. It may seem like just one tree, but the trees need the dense network to provide adequate resistance. The removal of one tree can lead to the falling of another and slowly create a negative chain effect.

Mullet bay Beach is an important sea turtle nesting beach, which multiple nests each year. Sea turtle species are locally and internationally protected by law and their nesting habitat cannot be disturbed or damaged. Removing trees and permitting significant development on this beach, will lead to a serious disturbance of a sea turtle nesting ground.

Legislation:

- In regards to VROMI property (beaches), a Civil Works Permit must be requested if the felling, clearing, or cutting of trees is taking place. In accordance with article 28a of the zoning ordinance.
- St. Maarten Beach Policy states 1.) The beaches must be usable for everyone, both local and tourist alike, for recreative purposes. 2.) Developments that physically have a negative influence on the recreative use of beaches will be opposed. 3.) The beaches will be protected against natural and human influences, that sever their recreational and natural function.
- Local St. Maarten's legislation; 'Protected animal and plant species are all animal and plant species belonging to the native fauna or flora, listed in Annex I of the Bonn Convention, Annexes I and II of the SPAW Protocol, Annex I of the CITES Convention and Annexes I and II to the Turtle Convention' (National Decree on Nature Management and Protection Article 16).
- Based on ARTICLE 17 of the Nature Conservation Decree St. Maarten, it is illegal to kill, wound, capture, pick-up, and have animals that belong to a protected animal species, to directly or indirectly disturb their environment resulting in a physical threat or damage to the fauna or to commit other acts which result in disturbance of the animal. It is also forbidden to upset an animal belonging to a protected species, to disturb damage or destroy its nest, lair, or breeding place, as well as to take the nest of such an animal. Transportation of any sea turtle body parts or products is prohibited. Also, it is forbidden to pick-up or to destroy the eggs of animals belonging to a protected species, which Sea Turtles are.

Recommendations:

It is recommended that further expansion of development on Mullet Bay Beach should not be permitted, especially when this leads to damages of trees and sea turtle nesting grounds. It is crucial that Mullet Bay beach keeps its recreational and environmental characteristics, especially due to the popular use by residents and tourists alike. However, also the sea grape trees, and other beach vegetation are critical to prevent erosion and protection from storms, therefore removal or damaging these trees and vegetations are strongly discouraged. It is recommended to not permit tree removal or tree damaging activities on Mullet Bay Beach.

The recorded tree damages are influencing the recreational use of the beach, which is against the purpose of beaches, according to the beach policy. It is recommended to look if the business has received the required permits to remove or damaged sea grape trees. It is suggested to implement environmental compensation measures, if damages are being permitted by the government on Mullet Bay Beach, such as significant tree replanting activities with a certain level of success rates required. The building structure, which was added in the last days, have additional concerns. This structure can easily be damaged during storms and swells, causing a pollution on the beach and in the water. It is recommended to not permit buildings to be located on the beach habitat.

Pictures:

Photos taken on: Friday September 17th, 2021



Walkway were sea grape trees were cut.

Photos taken on: Tuesday September 21, 2021



New building structure built on 'walkway'. Several sea grape trees were cut and trimmed for this.



Branches of sea grape trees being cut.



Large branch of sea grape tree which was cut off.



Branch and root damaged from sea grapes



Other viewpoint from damaged sea grape trees.