

APRIL/MAY REPORT



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TABLE OF CONTENTS

1. Introduction.....	4
2. Workplan.....	4
3. Review of Reports.....	7
4. Conclusion.....	7
Appendix 1 Review of Reports.....	9
Figure 1 Workplan.....	4

1. Introduction

This report is the first in what will be a series of monthly reports, until December, 2014, to meet the terms of reference for the Technical Advisor consultancy component of the *Strengthening the Operational and Financial Sustainability of the National Protected Area System* project managed by Jamaica's National Environment and Planning Agency. In keeping with the consultancy contract, this report is submitted to the project's Project Manager.

The report contains the work identified in the contract for April and May, 2014 including the approved workplan for the consultancy and copies of the individual reports prepared and previously submitted to the Project Manager that reviewed the technical deliverables produced by other consultants assigned to various components of the project.

2. Workplan

The workplan (Figure 1) outlines the Technical Advisor consultancy tasks contained in the Long Term Agreement from April, 2014 to May 2016. An initial contract was signed to deliver components of the Long Term Agreement from April 16, 2014 to December 31, 2014, focusing mostly on the review of technical components of consultant reports as well as advising the Project Manager on the entire project as necessary.

EXPECTED DELIVERABLES <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List Activities and associated actions/tasks</i>	LEVEL OF EFFORT (in days)	PAYMENT		
			Funding Source	Budget Description	Amount (US\$)
Output 1 Prepare Workplan	1. Discuss project with Project Manager 2. Prepare workplan based on the discussion	1	UNDP/G EF	Professional fees	506
Output 2 Report on the review of relevant technical deliverables produced by the project consultants	1. Liaise with Project Manager on overall project and deliverables to be reviewed: - Make monthly Skype call - Send all emails to Project Manager and Administrator	5 days (per month)	UNDP/G EF	Professional fees	2530/month for existing contract for a total of 20,240, based on 5 days of work/month at the daily rate of \$506/day If contract is extended after December 31, 2014,

EXPECTED DELIVERABLES <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List Activities and associated actions/tasks</i>	LEVEL OF EFFORT (in days)	PAYMENT		
			Funding Source	Budget Description	Amount (US\$)
	<p>2. Review relevant technical deliverables (max of 8 per month):</p> <ul style="list-style-type: none"> - Review TOR scope of work - Review consultant document <p>3. Prepare report for Project Manager on acceptance of consultant's deliverables:</p> <ul style="list-style-type: none"> - Check report content against the TOR and ProDoc - Check content against the expectations of the PA system members (JNHT, Fisheries, Forestry and NEPA) - Check content against the expectations of the PA Managers/local communities (where applicable) - Check content against list of deliverable success criteria <p>4. Submit report to Project Manager for approval</p> <ul style="list-style-type: none"> - Use project copyright page - Use Report Template 				until project completion then a further \$43,010 for 17 months (17 reports) between January 2015 and May 2016 for this output/deliverable.
Output 3 Review training material and curriculum for protected areas	<p>1. Review training material</p> <ul style="list-style-type: none"> - Acquire training material from Project Manager and review and provide comments back - Acquire curricula from Project Manager, review and provide comments back - participate in 5 day training session 	15 Part of Long Term Agreement TBD with additional contract	UNDP/G EF	Professional fees	7590
Output 4 Conduct mid-term Protected Area financial scorecard assessment;	<p>1. Conduct Assessment</p> <ul style="list-style-type: none"> - Meet with Project Manager to discuss assessment process; - Assemble material to evaluate; - Conduct assessment and forward scorecard to Project Manager for comment. 	5 Part of Long Term Agreement TBD with additional contract	UNDP/G EF	Professional fees	2530

EXPECTED DELIVERABLES <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List Activities and associated actions/tasks</i>	LEVEL OF EFFORT (in days)	PAYMENT		
			Funding Source	Budget Description	Amount (US\$)
Output 5 Report on the findings of the mid-term financial assessment	1. Report on Findings - Based on comments from Project Manager in Output 3, prepare draft report on findings and submit to Project Manager for comments; - Incorporate Project Manager's comments into final report and submit to Project Manager.	5 Part of Long Term Agreement TBD with additional contract	UNDP/G EF	Professional fees	2530
Output 6 Conduct end of term financial scorecard assessment	1. Conduct Assessment - Meet with Project Manager to discuss assessment process; - Assemble material to evaluate; - Conduct assessment and forward scorecard to Project Manager for comment.	5 Part of Long Term Agreement TBD with additional contract	UNDP/G EF	Professional fees	2530
Output 7 Report on end of term financial scorecard assessment	1. Report on Findings - Based in comments from the Project Manager in Output 5, prepare draft report on findings and submit to Project Manager for comments; - Incorporate Project Manager's comments into final report and submit to Project Manager.	Part of Long Term Agreement TBD with additional contract	UNDP/G EF	Professional fees	5060
Output 8 Prepare a final report on the Consultancy documenting lessons learnt during project implementation and make recommendations to the Project Manager and by extension the Project Steering Committee for more effective implementation and coordination of project activities.	1. Prepare report for Project Manager on lessons learned from delivering Output 1 - Review all consultant reports with PA system managers and provide general and specific recommendations on reports meeting TORs and international standards	4	UNDP/G EF	Professional fees	2024
	2. Submit report to Project Manager for approval - Use project copyright page - Use Report Template		UNDP/G EF	Professional fees	
TOTAL (2014)		41			20,746

EXPECTED DELIVERABLES <i>And baseline, associated indicators and annual targets</i>	PLANNED ACTIVITIES <i>List Activities and associated actions/tasks</i>	LEVEL OF EFFORT (in days)	PAYMENT		
			Funding Source	Budget Description	Amount (US\$)
CONTRACT TOTAL	Long Term Agreement \$86,020	170			86,020

FIGURE 1 - Workplan

3. Review of Reports

During this initial reporting period, 10 reports were reviewed including:

- Policy and Legislative Framework
- User Fee
- Business Plan Blueprint
- Trust Fund Structure
- Co-management Agreements
- Seville Park Business Plan
- Stephney Forest Reserve Management Plan
- Fact Sheet 6-10
- Tax Legislation
- Conservation Easements on Private Lands

The reviews, which were submitted to the Project Manager as they were completed from referred consultant reports, are collated in Appendix 1. Additionally, discussions of some of the reviews were held with the Project Manager and the consultant involved to provide clarification and further direction.

A number of other background reports, including the *Sustainable Financing Plan for Jamaica's System of Protected Areas 2010-2020*, the *Non-Market Economic Valuation of Protected Areas*, the *Protected Areas System Master Plan: Jamaica 2013-2017*, the *Protected Areas System Plan Legal Framework Final Report* and the *2013 Annual Project Review* were reviewed to provide context to the project and the Technical Advisor consultancy.

4. Conclusion

The past 45 days have been devoted to becoming familiar with the project and developing relationships with the Project Manager, other project staff and several consultants. With the June 1-13 mission to Jamaica, it is expected that the face-to-face meetings with the project staff, the

UNDP Country Office, other protected area managers, government officials and members of the public who are involved with the project will further inform the consultancy by providing the opportunity to learn much more and enable the Technical Advisor to give better advice to the Project Manager.

APPENDIX 1

Review of Reports

A. Policy and Legislative Framework.....	10
B. User Fee.....	13
C. Business Plan Blueprint.....	15
D. Trust Fund Structure.....	17
E. Co-management Agreements.....	22
F. Seville Park Business Plan.....	24
G. Stephney John’s Forest Reserve Management Plan.....	26
H. Fact Sheet 6-10.....	27
I. Tax Legislation.....	29
J. Conservation Easements on Private Lands.....	31

A. Policy and Legislative Framework

1. Report Review

This review deals with the report prepared by Hugh M. Salmon, dated March 25, 2014.

2.1 Report Terms of Reference

Component 1 – Review of policy and legislative framework for PAs in Jamaica including PA categories

1. Review draft and existing policies and legislation relating to PAs including the revision of policies and legislation regarding protected areas that are the responsibility of Forestry Department, NEPA/NRCA, Fisheries Division and Jamaica National Heritage Trust and make recommendations for adjustments where necessary.
2. Review policies, legal and institutional gaps of Agencies/Ministries (e.g., Mining and Energy, Trade, Housing, Tourism, Environment, Agriculture and Fisheries Division) and identify actions which will negatively affect the mandate of the Agencies involved in protected area management.
3. Review sectoral policies, identify and make recommendations for the removal of perverse incentives and inconsistencies that increase pressure on protected areas.
4. Examine specifically legislation related to urban and spatial planning and their role in PA management considering *inter alia* those related to Urban Development Corporation, Municipal and Parish Councils, Town and Country Planning Act etc. and provide recommendations for inclusion into the overarching legal framework
5. Review existing policies and legislation that will protect the tangible cultural heritage of Jamaica from activities that may have negative impacts.
6. Review legislative policy and administrative framework for PAs that utilize User Fees and provide recommendations for amendments to existing and proposed forms, licences, permits, tags, tickets, and decals required for the implementation of the User Fees Regulations for the respective PAs.
7. Provide advice on the legal implications associated with recommendations from the Protected Area Management Specialist, on existing protected area categories considering *inter alia* needs and international classifications represented by the International Union for the Conservation of Nature (IUCN) Protected Area Management Categories.

2.2 Report Presentation

The report is not well organized to reflect the issues to be addressed in the Terms of Reference.

There are minor spelling errors, report page numbers do not easily match the Table of Contents as different script is used, the Table of Contents referenced pages are inaccurate in some cases, there is no list of tables and the bibliography is not standard.

2.3 Report Content

Review draft and existing policies and legislation relating to PAs and make recommendations on adjustments.

Section 3 (policy), Section 9 (legislation) and Section 14 addresses this issue. The intent is to review policies and legislation of the four main agencies responsible for PAs and make recommendations on adjustments. The review of the legislation and associated policies is satisfactory although some conciseness, focusing on protected area issues, would be helpful. There are numerous and overlapping recommendations identified associated with these sections and it is unclear if these recommendations are agency recommendations, recommendations of the report or both. It would be helpful to state and consolidate these into specific recommendations for adjustments for each of the policies and then summarize the recommendations by agency.

Review policies, legal and institutional gaps on Ministries and identify actions which will negatively affect the mandate of the PA agencies.

Sections 4 and 14 deal with other government policies which may impact the mandate of PA agencies. As above, the review is satisfactory but could benefit from conciseness: as above, specific actions/recommendations on specific policies would be helpful in addressing new protected area legislation and revisions to other government policies that negatively impact protected areas. In the review of these other Acts, it would be helpful to note in which Acts take precedence.

Review sectoral policies and identify and make recommendations for the removal of incentives that increase pressure on protected areas.

Section 5 addresses some non-government sectoral policies but not others. The incentives associated with the agriculture, tourism, fishing, forestry, mining and transportation sectors that increase pressure on protected areas have not been identified and concomitant recommendations addressing the removal of incentives is not apparent.

Examine legislation related to urban and spatial planning and their role in PA management and provide recommendations for inclusion in overarching legal framework.

Section 9.2 provides a satisfactory review of the *Town and Country Planning Act*, *The Urban Development Corporation Act* and various statutes associated with municipal planning and makes some recommendations associated with a future protected area enactment. This issue appears somewhat lost in the abundance of other “Indirect Statutes” described in Section 9.2 that are mostly irrelevant to the Terms of Reference generally and this issue specifically. Section 14.2.2 also addresses this issue with a recommendation.

Review existing policies and legislations that will protect cultural heritage from negative impacts.

References in the narratives in Section 3.3, in Section 3.4.4 and Section 9.1 about the Jamaica National Trust and in Appendix 3 satisfactorily address cultural heritage policies and legislation. Appendix 3 gives an excellent example of proposed legislated amendments to assist in the protection of cultural heritage.

Review legislative policy for PAs that utilize user fees and provide recommendations for amendments to existing paperwork.

User fees are briefly addressed in Section 9.3, however the issue of reviewing the legislative policy for those PAs that utilize user fees and then recommendations on their implementation does not appear to have been addressed in the report.

Provide advice on the legal implications associated with recommendations from the PA Management Specialist on existing PA categories viv-a-vis IUCN PA categories.

Sections 2 and 14.2.1 are the only areas of the report that address IUCN PA categories. It is unclear if the PA Management Specialist has provided recommendations on this issue, and if so, what they are and what the legal implications of those recommendations are.

In Section 2, it would be helpful to provide a listing and definition of the IUCN categories and a brief listing of Jamaica's protected area system and the legislation, with direct quotes, that designates the component part of Jamaica's system that is currently found in Section 9. An example might be:

The ...*Act* grants authority for the ... to proclaim government land, leased or purchased land or donated land, as a national park. In addition, the Minister responsible for the *Act*, can declare government land to be a protected area for the purpose of...

Table 1 and Table 2 summarizes that but a narrative explanation would assist.

In Section 14.2.1, it is recommended that new legislation incorporate the IUCN categories but there is no analysis of the legal implications. I suspect there are none but if that is the case, it should be so stated. Should new legislation be enacted, there is, however, likely the need to link new categories with development and permitting associated with that category.

3. Conclusions and Recommendations

Generally, the review component of the policies and legislation issues identified in the Terms of Reference is satisfactory except for sectoral policies and their incentives that put pressure on protected areas, user fees and legal implications associated with the adoption of IUCN categories in potential legislation.

The recommendation component associated with the policies and legislation is not directly linked to the review component so recommendations are not necessarily specific to the review as required in the Terms of Reference. Section 14.0 captures some specific recommendations and observations but all recommendations in this Section should flow from the specific recommendations in the body of the report

The content of the report addresses numerous items that appear to have little relationship to the Terms of Reference including definition of a forest, communicable disease, banning nuclear weapons testing, much of Section 9.2 and much of Section 11. At best, these are peripheral issues and do not lead to recommendations.

It is recommended that the report be revised by:

- reorganizing so that its structure better reflects the Terms of Reference. Chapters should be utilized to reflect the particular issue in the Terms of Reference
- linking the review of each issue in the Terms of Reference, with a recommendation, if there is one
- addressing the deficiencies noted in sectoral policies, user fees and potential legal implications associated with adopting the IUCN category system in proposed legislation
- removing information that is not directly associated with satisfying the Terms of Reference to make the report more concise
- addressing the minor syntax and report structure anomalies.

B. User Fee

1. Report Considered

This review deals with the report prepared by Dr. Karl Reid, undated.

2. Report Terms of Reference

Develop a National User Fees Framework

- Through a participatory process and literature review, investigate fee structures/regimes currently employed nationally, regionally and internationally identifying strengths, weaknesses and best practices of each
- In collaboration with the Trust Fund expert, identify Trust Funds that have been created (locally, regionally, internationally) that also have a user fee system that funds the Trust Fund
- Based on review of best practices, develop a mechanism to ensure revenue accountability
- Make recommendations for a new and/or revised fee framework that meets the realities and needs of the NPAS in Jamaica
- Design mechanisms for implementation of user fees in PAs
- Based on research conducted and subsequent recommendations, develop a draft NPAS User Fees Framework
- Validate all findings with relevant stakeholders

3. Report Review

3.1 Report Presentation

There are some discrepancies in the draft report with the location of Tables in the report, a need to simplify and provide consistency to some of the Tables to improve their understanding, a need to number the annexes for easier reference, and a need to correct syntax where necessary.

These deficiencies should be addressed to improve the presentation of the final report.

3.2 Report Content

Through a participatory process and literature review, investigate fee structures/regimes currently employed nationally, regionally and internationally identifying strengths, weaknesses and best practices of each.

Types of fees common in protected areas and their general strengths and weaknesses, and potential ways to mitigate the weaknesses were reviewed and fee structures in a number of countries were presented in both the chapter allocated and in the annex. This section would benefit from more conciseness as well as a further identification of a fee schedule for all existing user fees in Jamaica's four major protected area systems and provide a comparison to elsewhere in the Caribbean. It would also be helpful to state central government's philosophy on supporting protected areas through its annual budget estimates, particularly based on the contribution they make to the tourism economy.

This section needs to be strengthened.

In collaboration with the Trust Fund expert, identify Trust Funds that have been created (locally, regionally, internationally) that also have a user fee system that funds the Trust Fund

There does not appear to be any reference to this issue. As the Trust Fund is fundamental to future financing of protected areas and as user fees will be a component of Trust Fund's success, this issue needs to be addressed.

Based on review of best practices, develop a mechanism to ensure revenue accountability

Revenue accountability is touched on in the review of strengths and weaknesses in the investigation on the types of fees and in the identification of factors influencing the likelihood of success of a user fee framework. However, a review of best practices employed in Jamaica and elsewhere and the development of mechanisms to ensure revenue accountability are not discussed.

Make recommendations for a new and/or revised fee framework that meets the realities and needs of the NPAS in Jamaica

This section identifies other fees in addition to the common fees found associated with protected areas and notes marketing and types of development are important to both attracting new fees and retaining existing fees and further notes that stakeholders should be engaged and protected area managers will need to develop detailed action plans to implement fees. However, recommendations and their rationale (purpose/objectives/what percentage of the overall revenue needs/who pays/which types of fees are at play/which PAs/which regulations need modification/who is consulted/training/relation to Trust Fund/communications/process and timing for fee increases/where does the revenue go and so on) leading towards a new or revised policy framework for user fees that meets Jamaica's needs are not presented.

This is a major shortcoming of the report.

Design mechanisms for implementation of user fees in PAs

While the report notes mechanisms for fee collection will need to be developed and makes some recommendations on central collection, payment options, education and training, no definitive structure for implementation of a user fee framework is presented.

This is a major shortcoming of the report.

Based on research conducted and subsequent recommendations, develop a draft NPAS User Fees Framework

The report proposes users fees for types of protected areas, including around protected areas, and stages for implementation of a user fee frame work. The fees presented are not complete as previously identified fees such as concession fees and permit fees are not included in the proposal. More importantly, a draft of an overall framework for user fees is more than a fee schedule as noted in the discussion of recommendations leading to a framework above.

Validate all findings with relevant stakeholders

The need to engage protected area managers and other stakeholders in the establishment of user fees is recognized in the report, referenced in the Acknowledgements and in recommended fees but it is not apparent in the report that the permittees or other stakeholders, such as the tourism sector, have had the opportunity to review and comment on the framework proposed. This should be clarified.

4. Conclusions and Recommendations

This report requires some significant revisions.

It is recommended that the report be revised by:

- strengthening the review of existing fee structures;
- identifying and reviewing Trust Funds that have a user fee component
- developing mechanisms to ensure revenue accountability;
- making recommendations for and drafting a user fee framework;
- designing mechanisms to implement user fees in Jamaica's protected area system;
- addressing the discrepancies in the presentation of the report.

C. Business Plan Blueprint

1. Report Review

This review deals with the report prepared by European Consulting for Developing Countries (ECFDC), undated.

2.1 Report Terms of Reference

Output 1.2

In association with the local Business and Finance Specialist and relevant stakeholders, lead the design and implementation of the business planning process ensuring they are based on best international experience.

2.2 Report Presentation

The report is more than satisfactorily presented with the exception of the list of Figures and Tables, harmonization of the Table of Contents headings with their corresponding heading numbers and the absence of an Executive Summary is absent.

On a geographic note, Section 2.3 provides a variable land mass for Jamaica and, in association with 2.5, a variable length of coastline.

2.3 Report Content

The main purpose of the report is to prepare a baseline template for the content of business plans for PAs and to recommend a business planning process to develop those plans ensuring best international practices are applied for the Jamaican context.

The report addresses the context of the assignment, reviews international standards for the preparation and content of business plans for protected areas and provides recommendations for the Jamaica protected area systems. The report also recognizes that there is a constant need to review content and process to ensure that the business plans are current and coordinated with other management initiatives within a particular protected area.

All of this content is addressed in a satisfactory manner.

A few sections of the report would benefit from a more complete treatment of issues raised. For example, in Section 3.1, the components of a PA management plan are discussed but these components listed are incomplete. In addition to those topics listed, PA management plans typically include management actions to reach management objectives and a plan for implementation.

In keeping with the Terms of Reference, examples of business plans, and their content, for international and Caribbean protected areas could also be discussed and referenced in the report's References.

Finally, there is a need for pro forms to be part of the financial component of the business plans in order to establish targets and then evaluate the measures taken, through the implementation of the business plan, to achieve the targets.

The discussion of the role of the private sector in Section 4.5.1 should be reviewed for balance. As there are excellent examples of private sector involvement in the management of protected

areas, there are excellent examples of where the private sector, by its very nature, can negatively impact the purpose of a protected area.

As stated, these observations are forwarded to make the report more complete.

3. Conclusions and Recommendations

This report addresses the Terms of Reference and is satisfactory in all respects.

The report should be accepted.

D. Trust Fund Structure

1. Report Considered

This review deals with the report prepared by Aukerman, Haas and Associate, dated April 4, 2014.

2. Report Terms of Reference

As a follow-up to the earlier report, *Recommendation for the Location and Administration of the Proposed National Protected Area Trust Fund*, that addressed and made recommendations on the compatibility of the National PA Trust Fund with existing local Trust Funds and on best practices as it relates to the establishment and operation of Conservation Trust Funds, the Terms of Reference for this report include:-

1. Design and implement an operationalization mechanism for the National PA Trust Fund ensuring compatibility with the CBF
2. Provide direction to developing PA Trust Fund Legislation
3. Design annual sustainable replenishment opportunities/cash inflows for the National PA Trust Fund for implementation
4. Identify needs, design and implement PA Trust Fund training programmes

In an effort to clarify the objectives of the assignment, the components in the Terms of Reference were adjusted by the authors. The adjustments, shown below under the objective shown above, are in keeping with the overall intent of the consultancy.

Objective 1: Design and implement an operationalization mechanism for the National PA Trust Fund (NPATF) ensuring compatibility with the CBF.

Development of National PA Trust Fund Structure:

- a. Outline sequentially, steps to be taken in establishing and managing the Trust Fund to be compatible with the CBF and to receive the annual desired inflows.
- b. Critique and provide recommendations for all proposed sustainable finance mechanism inflows for the National PA Trust Fund being developed within the timeframe of the con-

sultancy. With the aim of generating inflows to the National PA Trust Fund, provide minimum operating standards for the approved mechanisms, where applicable.

Development of Operational Mechanism for the National PA Trust Fund:

- a. Review and determine how existing national protected area institutional arrangements such as the Protected Areas Committee, are impacted by or on the proposed National PA Trust Fund.
- b. If the recommendation for the use of an existing institution is accepted, review the current mandate of the institution recommended to house and administer the National PA Trust Fund and make recommendations on its relationship with the National PA Trust Fund to include their individual roles and responsibilities.
- c. If the recommendation for the use of an existing institution is not accepted, provide details for the establishment of the National PA Trust Fund as a stand-alone entity.
- d. Develop National PA Trust Fund organizational structure to include:
 - i. board composition
 - ii. recommendations on staffing
 - iii. description of positions and required qualifications
 - iv. operating policies
 - v. proposed annual operating budget and acceptable administrative costs
- e. Provide recommendations on the development of advisory and technical committees for the National PA Trust Fund to include draft Terms of Reference for each.
- f. Provide recommendations on the operations of a locally based endowment fund for the National PA Trust Fund and develop a draft operational plan for this.
- g. Review existing granting programme guidelines and procedures, forms and funding parameters to include project types and provide recommendations for amendments where necessary.

Objective 2: Provide direction to developing PA Trust Fund Legislation.

- a. In collaboration with the Legal Experts, provide recommendations toward the development of draft legislation requirements for the National PA Trust Fund.
- b. Review and comment on drafting instructions for National PA Trust Fund legislation developed by the Legal consultants and provide recommendations for amendments where necessary.
- c. Liaise with Regional Experts working with similar projects in establishing Trust Fund.

Objective 3: Design annual sustainable replenishment opportunities/cash inflows for the National PA Trust Fund for implementation.

- a. Assist the Business and Finance Specialists with the creation of an implementation plan for the Sustainable Finance Plan of the Protected Area System Master Plan that achieves the desired US\$ 1 million annual inflows (as per Project Document).
- b. Collaborate with the Business and Finance Specialists and other relevant stakeholders on the development of national user fee system(s) for protected areas to include:
 - i. Conducting a feasibility study on the design and utilization of an internet based National Protected Areas Pass Programme as per recommendation from Phase 1 of the consultancy. If feasible, design and implement the proposed internet based National Protected Areas Pass Programme. If not feasible, propose an alternative system.
 - ii. Collaborating with the Nature Conservancy (TNC) on the development of a proposed modest National PA Trust Fund fee associated with airline and cruise tickets
 - iii. Reviewing and providing expert critique on other proposed national fee systems (e.g. potential hotel guests opt-in fee for PAs) that will be considered as one of the new conservation finance mechanisms developed within the timeframe of the consultancy

- iv. Establishing minimum operating standards for Protected Areas to collect fees and be part of National PA Trust Fund grants Programme and national information web-site.
- c. Liaise with Regional Experts working with similar projects in establishing Revolving Fund.

Objective 4: Identify needs, design and implement PA Trust Fund training Programme.

- a. Conduct a short training needs analysis to include identification of training and sensitization needs for the development and execution of the National PA Trust Fund.
- b. Develop curricula and training materials for National PA Trust Fund management for key stakeholders.
- c. Design and implement training Programmes on National PA Trust Fund management for key stakeholders.
- d. Plan and implement stakeholder meetings on PA Trust Fund operations and management.

3. Report Review

3.1 Report Presentation

The report is satisfactorily presented although it would have been helpful if the sequence of the presentation was the same as reflected in the sequence of the objectives.

There is the odd spelling error.

3.2 Report Content

Objective 1

As congruence with the CBF is paramount for this objective, it would be helpful to reiterate the CBF requirements in some detail in the introduction to this Section.

Steps to be taken in establishing the fund, but not definitive timing, is satisfactorily covered in Chapter G. Steps in managing the fund to be compatible with CBF do not appear to be addressed although there is passing references to expenditures being guided by a management plan and controlled by the Board. This deficiency needs to be addressed.

Several Trust Fund inflows are recognized, the associated operating procedures addressed and general recommendations, including minimum standards, provided. This section is satisfactory for the purpose of meeting the Terms of Reference.

Both the PAC and the EFJ were reviewed. The relationship with the Trust Fund for the EFJ and PAC was satisfactorily addressed in Table 1. The impact of (relationship between) the Trust Fund and the four major agencies delivering protected area management, other than Trust Fund representation, was not addressed. This deficiency needs to be addressed.

The concept of the Trust Fund as a stand alone entity is satisfactorily addressed.

Much of the report dealt with the Trust Fund organizational structure, including board composition and staffing with skill sets. The revised Terms of Reference alluded to identifying staffing qualifications, operating policies and the provision of an annual operating budget. These items are not in the report other than the projected annual operating budget will be “in the US millions”.

This objective also included making recommendations on an associated technical advisory committee, including its role and representation. Recommendations on this committee was satisfactorily presented.

Recommendations on a locally based endowment fund for the Trust Fund, other than its mention in the draft legislation for the Conservation Trust and in Recommendation 17, and the development of a draft operational plan for that endowment fund were not addressed.

Finally, grant guidelines were satisfactorily reviewed and recommendations made in the proposed draft legislation (Chapter C).

Objective 2

All of the elements in Objective 2 in developing Trust Fund legislation were satisfactorily addressed.

Objective 3

No mention is made of the creation of an implementation plan to support the Sustainable Financial Plan to reach revenue targets. This should be addressed in some capacity.

An internet entrance fee program was reviewed and comparisons were made with a cash-based entry fee program but a feasibility study, as called for in the revised Terms of Reference, was not conducted to substantiate the conclusions of the review. A design of the internet entry fee program was suggested. The feasibility study should be conducted to determine the likelihood of success of either entry fee program.

Fees associated with visitors arriving by air or sea were reviewed and recommended. A limited basis for the fees, comparison with similar transportation fees elsewhere in the Caribbean and the expected contribution that these fees would generate was given. No costs of collecting the fees or

support from the cruise and airline industry as well as Jamaica Customs was indicated. Other potential national fee systems to support the Trust Fund were not addressed.

No minimum operating standards for PA fee collection and participation in Trust Fund grants were proposed. Recommendation 29 reiterates the need to do this. This issue needs to be addressed.

Objective 4

Objective 4 deals with conducting a training needs assessment for managers of the Trust Fund, stakeholders and partners charged with implementing the establishment and management of the Trust Fund and then designing and implementing the training program. This is, understandably, yet to be done and needs to await the decision to enact the legislation establishing the fund and how it is to be managed.

Chapter C Draft Legislation

The draft legislation should consider including a passage on protected areas in Part I, including the composition of the system of PAs and a register.

4. Conclusions and Recommendations

A number of the revised issues identified in the consultancy revised Terms of Reference were satisfactorily addressed and a number were not. In some instances, such as Objective 4, the entire objective has yet to be addressed.

It is recommended that the report be revised by:

- reorganizing the structure so that it better reflects the Terms of Reference;
- addressing the deficiencies in Objective 1, including steps in managing the fund ensuring compatibility with CBF, identifying the impact of the Fund on the 4 major managers of PAs, preparing operating policies and an annual operating budget for managing the Trust Fund and developing an operational plan for a locally based endowment fund;
- addressing the deficiencies in Objective 3, including commenting on the creation of an implementation plan to support the Sustainable Financial Plan, preparing a feasibility study on the setting and collection of entry fees to protected areas as well as other permit, service and transportation fees to support the Trust Fund and preparing PA operating standards to justify fees and participation in the Trust Fund grant program;
- commenting on Objective 4;
- considering adding a passage on protected areas in the draft legislation.

E. Co-management Agreements

1. Report Considered

This review deals with the report prepared by Hugh Salmon, October 30, 2013.

2. Report Terms of Reference

Review and development of Protected Area co-management agreements

1. Review and analyse existing PA co-management agreements/contracts and provide recommendations for amendments where necessary.
2. Based on the various analysis of co-management agreements/contracts, develop an overarching protected area framework for development of model protected area co-management agreements/contracts representative of each type of protected area
3. In collaboration with the relevant management bodies, conduct the recommended amendments, where necessary
4. Utilising the information gleaned from the various reviews conducted, provide recommendations on other PAs that may benefit from co-management agreements
5. In collaboration with the responsible government entity and utilizing the overarching protected area co-management agreements/contracts framework, develop model PA co-management agreements/contracts for the identified PAs ensuring each type of protected area is represented.

3. Report Review

3.1 Report Presentation

The layout of report does not adhere to the Terms of Reference requirement, the headings are incomplete and there are no page numbers. There is also the odd spelling error. The report should be reorganized to reflect the Terms of Reference.

3.2 Report Content

In the Introduction, pages 7-12, a review is conducted and definitions provided for issues that are not generic to the assignment. The introduction needs to focus on what co-management agreements are-Section 2 just touches on this-how do they differ from government PA management, why are they important (reference to CBD recommendations) and how do they integrate within overall PA management. This Section needs to be strengthened.

Review and analyse existing PA co-management agreements/contracts and provide recommendations for amendments where necessary.

This section of the report is satisfactory as five agreements were reviewed. Although not all are co-management agreements and some are in draft form, an analysis was conducted and recommendations made

Based on the various analysis of co-management agreements/contracts, develop an overarching protected area framework for development of model protected area co-management agreements/contracts representative of each type of protected area

The review of the five agreements did not lead to the development of an overarching framework for the development of a co-management model. This issue is not addressed satisfactorily.

In collaboration with the relevant management bodies, conduct the recommended amendments, where necessary

Other than discussions referenced in 5.2, it is unclear if collaboration was conducted in the review, analysis and recommendations on the other four agreements. This should be clarified.

Utilising the information gleaned from the various reviews conducted, provide recommendations on other PAs that may benefit from co-management agreements

In this section, various types of PAs are described and some have recommendations attached for co-management agreements, leases and MOUs. The focus needs to be on co-management agreements. The types of PAs managed by the four major PA managers should be reviewed, the concept and legality discussed with relevant management agencies and recommendations for the utility and support of co-management agreements forwarded. This section needs to be strengthened.

In collaboration with the responsible government entity and utilizing the overarching protected area co-management agreements/contracts framework, develop model PA co-management agreements/contracts for the identified PAs ensuring each type of protected area is represented.

There are no examples of recommended model PA co-management agreements provided. This is a major deficiency as the whole purpose of the consultancy leads to this requirement.

4. Conclusions and Recommendations

Only one part of the four parts of this report is completed satisfactorily.

It is recommended that the report be revised by:

- reorganizing the structure so that it better reflects the Terms of Reference;
- strengthening the Introduction on the purpose of co-management agreements;
- developing an overarching framework for the development of model co-management agreements as required in the Terms of Reference;
- strengthening the section on providing recommendations for co-management agreements for other PAs;
- developing a model co-management agreement that can be considered for each type of protected area.

F. Seville Park Business Plan

1. Report Considered

This review deals with the report prepared by Dr. Karl Reid, undated.

2. Report Terms of Reference

There does not appear to be a specific Terms of Reference for this consultancy and I assume it is part of increasing the effectiveness of protected area management by designing business plans for eight overall protected areas. The general Terms of Reference are:

Using the adopted PA guidelines/framework and recommendations from the business financing and management specialist, design a business plan for New Seville Heritage Park in conjunction with the Park's manager and other relevant stakeholders.

3. Report Review

The overall intention is to have content consistency in business plans for all of Jamaica's protected areas that require a business plan. This report was in the process of preparation at the same time as the model blueprint for business plans and as such is at some variance with the recommended format in the blue print model. However, there are many models for protected area business plans: what is significant is that the contents of the business plan meet the needs of the protected area.

This report partially meets those needs and some sections of the blue print model have been incorporated.

3.1 Report Presentation

The Table of Contents needs headings to match the content of the report, Similarly, there is a need to ensure that the page numbers match the content, that pages referenced for Tables, Illustrations, Boxes, Maps and Charts are all reflective of the content of the report and that a decision is made on a page numbering system. On some pages, the text is in blue.

Consideration needs to be given to the structure of some of the Tables (2,3,4,8,9,13,14,16) where structure is disjointed. Font size and style in the Tables needs to be consistent and numbers generally should be rounded for easier comprehension. There are many gaps in the structure of the text that also need to be addressed.

The bibliography needs to be standardized.

Although the report includes many components of a business plan, reorganization of the content is needed. Conceivably, with the acceptance of the model blue print, that structure will be employed in the reorganization of this report.

3.2 Report Content

The Executive Summary needs to be simplified-purpose of the business plan/purpose of the heritage park /summary highlights of the business plan.

The content of the background (overview) of the park in this report would benefit from more information about the park's management plan as management plans drive business plans. Summary information about park visitation (how many and from where), natural and cultural features, including their location, and proposed development and business opportunities would be helpful in this section. Some of the information is found in other locations of the report but it is part of the background and should be referenced in the background.

Sections 4 and 5, the analysis section, would also benefit from consolidation. The review of other heritage sites, in Jamaica and elsewhere in the Caribbean, should be summarized with the detail placed in an annex. Section 7 includes an environmental analysis which should be moved to this section as should Section 10, 11 and 14 and information on pages 48-50, Table 6 and 7 and accompanying text. This section should also include a statement on factors for success which is partially addressed in section 13.

Section 6 is the business plan. In this section, there needs to be an introductory statement on how the business plan will support the park's management plan and then an operating plan (management and personnel/performance planning/training/contracts/hours/fees/policies/capital maintenance and development/issues/monitoring/plan review to be addressed), marketing plan (strategy/products), financial plan (assumptions/projections/proformas) and overall implementation plan must be developed. This report includes portions of all those component plans but they are currently disparate and incomplete.

The purpose of the review of the structure of the JNHT is unclear.

4. Conclusions and Recommendations

As noted, the report currently contains many components of a business plan but reorganization is needed and some areas need to be strengthened.

It is recommended that the report be revised by:

- reorganizing the report to conform to the accepted business plan model for protected areas;
- significantly expanding the operational plan and financial plans to address the issues noted above;
- addressing discrepancies in the presentation of the report.

G. Stepney John's Forest Reserve Management Plan

1. Report Considered

This review deals with the report prepared by Ms. Marilyn Headley, 2014.

2. Report Terms of Reference

In 2013, NEPA and the Forestry Department executed an MOU for the Forestry Department to do, among other activities, a management plan for Stepney John's Vale Forest Reserve. The

Forestry Department has established a policy on the development of forest management plans which has guided the preparation and presentation of this plan and this review.

3. Report Review

3.1 Report Presentation

Other than the reversal of the chapter on Laws, Policy and Administration with the chapter on Management Strategies, the report mirrors the established Departmental policy.

Several of the tables (Strategy 1 and 4) would benefit by a better layout of the text, there are minor errors of syntax and the bibliography should be standardized.

3.2 Report Content

The Introduction would benefit from mention of how the forest reserve generally contributes to Jamaica's protected area system, including the proposed category (IUCN) system and specifically to conservation values such as endangered species and/or habitats or cultural values such as heritage sites, if they exist.

For consistency, and in keeping with the policy, it would be helpful if the management strategies in Section 3 reflected the management headings in Section 2. A proposed zoning plan to complement the strategies would also be helpful.

It would also be helpful in Section 4.1 to spell out the anticipated role of the partners and any specific tasks expected of them during the life of the plan.

4. Conclusions and Recommendations

The report should be accepted.

The Department may wish to consider amending the policy for the preparation of management plans by:

- including a vision for a forest reserve;
- including a section on administration (staffing/training/infrastructure and equipment/financial management) for a forest reserve;
- including a section on disaster management;
- incorporating an overall implementation schedule.

H. Fact Sheet 6-10

1. Report Considered

This review deals with six Fact Sheets prepared by the Public Awareness Specialist, including:

- Fact Sheet #5 Protected Area System Master Plan
- Fact Sheet #6 Understanding Ecosystem Services
- Fact Sheet #7 Financial Mechanisms for Jamaica's Protected Areas
- Fact Sheet #8 Partnerships for Managing Jamaica's Protected Areas
- Fact Sheet #9 Jamaica's Biodiversity
- Fact Sheet #10 Knowledge, Attitudes and Practice Study on Jamaica's Protected Areas

2. Report Terms of Reference

As part of the overall objective of supporting outcomes and project activities related to the design and implementation of a national public awareness and education campaign, this project includes:

- Development of public awareness materials for print and electronic media;
- Development of messages for public education campaigns;
- Facilitation of the promotion of teacher awareness on PAs

3. Fact Sheet Review

3.1 Fact Sheet Presentation

The six fact sheets are very well presented and well written for their audience with graphics, photographs and narrative. All six are consistent in layout and simplicity.

3.2 Fact Sheet Content

The content reflects the other components of the overall *Strengthening the Operational and Financial Sustainability of the National Protected Area System* program and is likely sensitive to government protocols. In addition, the fact sheets are educational and inclusive as they inform on the support beyond government.

Several comments for consideration:

- overall, acronyms are not required unless important to shorten the narrative;
- a caption location of some of the photos would be helpful to the reader in the event they wish to go there;
- overall, more heritage/cultural photographs to celebrate that component of protected areas;
- in Fact Sheet #7, the narrative in the debt for adaptation swap referenced should be reconsidered as the example used is not a direct protected area funding option;
- in Fact Sheet #7, if known, a reference to the value of the PA system to the Jamaica economy;
- in Fact Sheet #9, it would be helpful to recognize examples of red listed species;

4. Conclusions and Recommendations

The fact sheets are more than satisfactory.

I. Tax Legislation

1. Report Considered

This review deals with the report prepared by Todd Gartner and Paul Wasmund, April 2014.

2. Report Terms of Reference

The terms of reference for this report is uncertain. There does not seem to be any reference in Component 1 of the International Legal Expert project for this review of Jamaican tax legislation as it pertains to private land conservation. However, this is an important issue for background on potential legislated changes to support the protected area system. As such, the report will be reviewed within the scope of the title of the report.

3. Report Review

3.1 Report Presentation

Improvements to the report's presentation would result if:

- Headings were used in the Table of Contents;
- Table of Contents preceded the Executive Summary;
- Page numbers were added to the List of Figures and the pages in Table of Contents matched with Figure location in the report;
- Figure 3 and 4 were labeled;
- Minor errors in syntax were corrected;
- In References, documents were separated from interviews and all publications referred to in the report were included.

Consideration might also be given to simply eliminating Figures 1,2,4,6 and 7 and using bullets to highlight the information presented in the Figure box.

3.2 Report Content

The following comments are forwarded to help clarify components of the report.

In the Executive Summary:

- It should be specified that this review addresses taxation mechanisms meant to encourage private landowners to protect natural and/or cultural features that they own and are of national significance;
- It should be recognized that some owners will adopt an easement or some like conservation instrument without any form of financial incentive;
- All three tax types should be briefly mentioned;

- In paragraph 3, the comment should be definitive:-is there a need for an amendment to current tax legislation or not.

In the Introduction:

A definition of each tax should be given (property tax/transfer tax/income tax and any other form of taxation associated with water/forest/agriculture/heritage and private land conservation) and a description of the applicable legislation that imposes the tax and how the tax is imposed.

In the Section on Property Tax:

The review considers common property and forest property, using the latter as an example as of statutory relief. Are there other properties that qualify for statutory relief such as watersheds or heritage conservation that should be reviewed?

As is done in the Section on income tax, it would be helpful to report on the differences between individual, corporate and organizational property tax schedules, note the limitations, if any, on their application for conservation purposes and present recommendations for amendments to the tax schedules to make them more attractive for conservation.

If the de-rating relief is not associated with private land conservation (it is unclear), it does not need mention. Similarly, with proven hardship.

In the Section on Income Tax:

As the report recognizes that the present limitations for deductions for income tax purposes is a barrier to private land conservation, it would be helpful to conduct a comparison on the limitations for deductions found in other countries in their efforts to use ecological/cultural gifting to reduce taxable income, including capital gains tax, as an incentive to conserve private land, review the comparison's potential application to the Jamaican experience and present recommendations for amendments to make gifting more attractive for conservation purposes.

In the Section on Transfer Tax:

It would be helpful to present some recommendations in this section that would encourage conservation.

In the Section on Recommendations:

It would be helpful to specify and reiterate the recommendations associated with each type of tax reviewed.

4. Conclusions and Recommendations

The report would benefit from consideration of the comments above.

Finally, comments on potential government acceptance to creating additional tax concessions and editorialized in the Executive Summary, the section on income tax and the Recommenda-

tions section, should be removed as any acceptance will be a government decision, based on all options presented.

J. Conservation Easements on Private Lands

1. Report Considered

This review deals with the report prepared by Todd Gartner and Paul Wasmund, April 2014.

2. Report Terms of Reference

The terms of reference for this report is uncertain. Component 1 of the International Legal Expert project is intended to develop national protected areas legislation and supporting legal framework and includes:

- Assess PAs that may require conservation easements and make recommendations for the establishment and adoption of these and include recommendations on compensation to land owners.

This report does not address this component of the overall International Legal Expert's terms of reference as no assessment of existing protected areas was reported on and recommendations for compensation to land owners were not presented but the report does address its title: review of previous and on-going efforts to establish conservation easements on private lands in Jamaica. This review will focus on the latter.

3. Report Review

3.1 Report Presentation

Improvements to the report's presentation would result if:

- Headings were used in the Table of Contents;
- Traditional Easements, TNC and R2R were noted as "Previous Efforts" in Table of Contents;
- The report had page numbers;
- Minor errors in syntax were corrected;
- In References, documents were separated from interviews and all publications referred to in the report were included.

3.2 Report Content

The report satisfactorily reviews previous and on-going efforts to establish conservation easements.

Some minor suggestions for improvements include:

- In the Introduction, and for context, include a reference to the overall project;
- Provide a legal definition of conservation easements;

- Provide some examples of existing easements in Jamaica's protected areas;
- Provide some examples of compensation costs associated with existing easements in Jamaica's protected areas;
- Briefly comment on other mechanisms, such as conservation covenants/natural area protection tax exemptions/compensation for heritage designation, that could be employed to further conservation on private lands.

4. Conclusions and Recommendations

It appears that the authors experienced some difficulty in completing their assignment. Consideration should be given to having NEPA provide some assistance with sister agencies to allow the work to be finalized