FISHERMEN AND FRIENDS OF THE SEA
c/o #34 Frederick Street, Port of Spain, Trinidad, West Indies
Tel: (868) 674-7911. Fax: (868) 674-5483. Cell: (868) 355-7671.
Email: ffosglobal@gmail.com

Press Statement

FFOS Initiates Legal Action Against George Aboud and Sons Ltd.

Date: May 2nd, 2018

Dear Editor/Newsroom,

Fishermen and Friends of the Sea (FFOS) have represented public interest issues in Las Cuevas since its inception in 1996.

In 2004 the current owner of the Las Cuevas Estate, George Aboud and Sons Ltd applied to the EMA for a Certificate of Environmental Clearance (CEC) for the establishment of a resort to include hotels, villas, spa, condominiums and auxiliary support services on the Las Cuevas Estate. The CEC was granted in 2006, which expired 3 years later as the proposed activity had not commenced.

In 2014, George Aboud and Sons Limited reapplied for a new CEC for the project, this time the EMA only acknowledged that there were only with 3 CEC designated activities compared to the 2006 CEC approved project which had listed 9 of the 44 activities considered to have substantial environmental impacts listed in the CEC Designated Activities Order, 2001.

The EMA deemed that the project required an Environment Impact Assessment (EIA) which was never conducted or submitted. There is no application or approval for works to be conducted on this Estate.

In February 2016, FFOS launched a direct private party action against George Aboud and Sons Ltd for clearing over 80 acres of vegetation on the Las Cuevas Estate. George Aboud was issued with a Notice of Violation for failure to apply for a CEC for the clearing of the land. However, the EMA denied FFOS any information on the resolution of this Notice of Violation.

In January 2018, FFOS filed another complaint to the EMA as excavators were modifying the course of the Rincon River, where it meets the beach.

FFOS have today filed a Notice of a Direct Private Party Action against George Aboud and Sons Ltd for the following activities:

1. Clearing over 1 hectares of the Las Cuevas Estate;(see picture 1)

Photo 1: Over one (1) hectare of forest trees have been bulldozed on the Las Cuevas Estate.

2. Grading a steep hill to build a road; (see picture 2)

Photo 2: A hill with a gradient of forty-five (45) degrees graded on the north-eastern boundary of the Estate

3. Constructing of a seawall coastal feature, part of which (over 200m) is already complete; (see picture 3)

Photo 3: Earth works for the construction of a seawall coastal feature

4. Excavating sand on the Las Cuevas Beach where Leather-back turtle eggs were unearthed. (See Picture 4,5,6, 7, 8 and 9.) The Leather-back turtle in an Environmentally Sensitive Species (hereinafter referred to as the "ESS"). Excavation works on the beach also resulted in compacting of turtle nests with up to 5 feet of additional sand in some places.

Photo 4: Heavy earth moving machine excavated sand on Las Cuevas Beach

Photo 5: Some of the excavated sand piled on Leatherback Turtles' nest on Las Cuevas Beach

Photo 6: Some of the excavated sand piled on Leather-back Turtles' nest on Las Cuevas Beach

Photo 7 and 8: Leather-back Turtle egg being unearthed and destroyed by the beach excavation.

Photo 9: Heavy earth moving machine driving on the nesting turtle site of Las Cuevas

5. Constructing the beginning of a road network at least 4km in length; (see picture 10)

Photo 10: Unpaved road networks have been constructed, have already been compacted and are ready for paving.

6. Modifying the course of the Rincon River; (see picture 11, 12, 13 and 14).

Photo 11: The Rincon River drainage systems flowing through the Las Cuevas Estate have been and continue to be modified.

Photo 12 and 13: Bridge being built over the modified water course.

Photo 14: Eight 7ft concrete cylinders to be used for drainage modification.

FFOS will continue to represent the voiceless communities of Las Cuevas, the Environmentally Sensitive Species, the Leather-back turtle and their habitat from degradation from which they are powerless to address.

Sincerely,

Gary Aboud
Corporate Secretary
Fishermen and Friends of the Sea
Tel-674-7911
Fax- 674-5483
Mobile- 355-7672
http://ffostt.com/
https://www.facebook.com/FFOSTT/

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