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Government's Move To Protect Wetlands At Odds With Private-sector Efforts To Dilute Environmental Law

by LADB Staff
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The Mexican government has taken additional steps to protect the country's wetlands, despite protests from the tourism industry that the conservation policies will discourage foreign companies from investing in the country's resorts. Tourism organizations, developers, and authorities at major resort cities are pushing for the Congress to modify a law approved in early 2007 to protect wetlands. This has raised concerns among environmental advocates, who have launched their own efforts to urge President Felipe Calderon's administration and the Congress not to cave in to these demands.

Mexico adds 45 wetland sites to international registry

As part of its campaign to protect environmentally sensitive areas, the Secretaria del Medio Ambiente y Recursos Naturales (SEMARNAT) in early February announced the addition of 45 wetlands to an international registry that promotes conservation and sustainable development. Mexico announced the incorporation of the new protected areas on Feb. 2 to commemorate World Wetlands Day. The last time that Mexico expanded its list of protected wetlands was in 2004, when 34 sites were added, also on World Wetlands Day. SEMARNAT said the newly protected areas were scattered throughout Mexico, primarily in coastal areas from the Baja California Peninsula to the western states of Sonora, Sinaloa, Jalisco, Nayarit, and Oaxaca to the Yucatan Peninsula.

A handful of the protected areas are in landlocked states, such as San Luis Potosi, Durango, Coahuila, and Chihuahua. With the new designations, Mexico has 112 sites registered under the International Convention of Wetlands. Mexico ranks second to Great Britain in the number of sites protected under the convention, which was signed in Ramsar, Iran, in 1971. Some of the more prominent sites recently added to the list include the Laguna de Chacahua in Oaxaca, the Oasis de la Sierra de la Giganta in Baja California Sur, the Estero Chalacatepec in Jalisco, and the Playa Ceuta in Sinaloa. Elvira said the designations would give SEMARNAT another tool to protect environmentally sensitive coastal areas and halt the disappearance of wetlands.

Last year, SEMARNAT reported that Mexico had lost more than 75% of its wetlands during a 24-year period. "Wetlands are essential to the well-being and health of human beings," Environment Secretary Juan Rafael Elvira Quesada said at a World Wetlands Day ceremony in Mazatlan, Sinaloa state. "They offer us great benefits, such as restoring aquifers, providing potable water, and maintaining biodiversity." Environmental advocates such as Greenpeace Mexico contend that the threat against the wetlands actually began in the late 1960s with the construction of the resort of Cancun in an area that is home to several coral reefs and fragile lagoons. Since then, tourism development has spread not only to other areas of the Yucatan Peninsula but also to other states along the Pacific Coast.

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Government to boost funding to protect sensitive areas

Elvira said SEMARNAT would have a budget of 140 million pesos (US$13 million) for protecting wetlands and mangroves during 2008, more than twice the 67 million pesos (US$6.2 million) allocated in 2007. Some of the funds will be used to hire additional federal inspectors, who will work with local universities and nongovernmental organizations (NGOs) to watch over the wetlands and mangroves. "As of this year, we will have about 55 mangroves that will be monitored on a permanent basis, with the goal of having 'zero deforestation' at those sites," said Elvira. Several state governments also joined in the commemoration of World Wetlands Day and pledged to take action locally, including Govs. Jesus Aguilar Padilla of Sinaloa and Marcelo de los Santos of San Luis Potosi who joined Elvira Quesada and other SEMARNAT officials in the commemoration. In Yucatan state, Gov. Ivonne Pacheco announced the creation of a task force composed of several cabinet officials to develop a strategy to protect wetlands and mangroves within the state. "We are going to halt the deterioration of these areas by promoting sustainable and responsible activities," said Pacheco. "We will bring the users of resources together with researches, government entities, and civil society to recover and protect this important ecosystem."

In Jalisco, the state government has budgeted resources for wetlands protection for the first time. "Historically, Jalisco has not assigned a budget for this purpose," said state environment secretary Martha Ruth del Toro Gaytan. "This year we have decided to place a strong emphasis on protecting our state's biodiversity." The state legislature in Chiapas also designated seven wetlands as protected areas. The move came just in time to prevent a prominent political family from developing one of those locations. "The family of San Cristobal de las Casas Mayor Mariano Diaz, a member of the PRI, was planning to build a residence on one of those sites," said the Mexico City daily newspaper La Jornada. Tourism industry seeks changes to wildlife-protection law The government's efforts to protect wetlands have come under attack from the tourism industry, which is pushing for Congress to water down the Ley General de la Vida Silvestre (LGVS), which Congress approved in December 2006 and which Calderon signed into law in February 2007. The legislation creates strong protections for coastal mangroves (SourceMex, February 14, 2007).

Under a plan proposed to Congress, developers would agree to pay a tax and replace displaced trees in exchange for being allowed to raze sections of wetlands. Organizations like the Asociacion Mexicana de Hoteles y Moteles (AMHM) contend that the law contains too many restrictions on where facilities can be constructed, which has made international developers hesitant to invest in Mexico. The organization warned that the goal of attracting US$3.3 billion in tourism-related investment this year is in jeopardy unless the law is modified. "Investments have traditionally been channeled to locations like Cancun, Los Cabos, and Puerto Vallarta, all of which are affected by the mangroves-protection law," said AMHM president Rafael Armendariz Balquez. "If we don't modify this law, our investment goal could be at risk."

The executives of some tourism-related companies said investors have not yet opted to withdraw their planned investments but are waiting to see what happens with the legislation. "These projects have not been halted but have been suspended," said Pablo Azcarra, vice president for hotel operations for Grupo Posadas. In October 2007, the Fondo Nacional de Fomento al Turismo (FONATUR) reported that at least three projects, representing investments of about 2 billion pesos
(US$186 million), were on hold because of the restrictions created by the LGVS. Still, FONATUR director Miguel Gomez Mont raised the possibility that the projects might be modified to comply with the law if the effort to change the law were to fail. Azcarraga said the tourism industry, through the Consejo Nacional Empresarial Turistico (CNET), has started to lobby key legislators to make changes in the law. "We are trying to convince members of the Chamber of Deputies to support the concept that growth can go hand in hand with sustainability," said the Grupo Posadas executive.

**Environmental advocates criticize developers' efforts**

This proposal to dilute the LGVS has come under fire from the environmental community. "The mangroves are part of a complicated ecosystem," said Raul Estrada, a spokesman for Greenpeace Mexico, who said it was "science fiction to say you can transplant mangroves." Greenpeace Mexico criticized the Calderon administration for not taking a tougher stance to oppose this plan. "There can be a lot of protected areas, but as long as the environmental policies of the Mexican government don't change and they don't respect the zones, nothing is going to change," said Estrada. Several Mexican scientists support this position. "The mangroves are more than a bunch of trees," said scientist Juan Jose Morales, winner of a Latin American prize for scientific research. "They are an ecosystem that is simultaneously simple and complex." Morales said the government should consider protecting mangroves and wetlands a matter of national security. In an interview with the Mexico City daily newspaper El Universal, he said these ecosystems are fundamental for the stability of Mexico's coastal zones, particularly because they provide protection against erosion during hurricanes, which are becoming more and more violent. T

The private-sector effort to water down the LGVS could face some obstacles in the tourism committee (Comision de Turismo) in the lower house, which would have strong input on any changes to the law. "We are aware of the complaints lodged by the private sector," said committee chair Deputy Octavio Martinez Vargas of the center-left Partido de la Revolucion Democratica (PRD). "Any developer who wants to invest [in the tourism industry] will have to ensure that the environment is protected." Martinez offered reassurances that his party would not support the modifications. "Our position has been to support the protection of mangroves and wetlands," he said. "We are not going to change that position." Critics are concerned that developers might try to push for the changes in the legislation through the Senate, where they have found a sympathetic ear from some members of the PAN, including Sen. Guillermo Tamborrel. Tamborrel's support for changes to the law puts him at odds with SEMARNAT and other PAN members, such as Deputy Javier Bolanos, who co-authored the LGVS. [Note: Peso-dollar conversions in this article are based on the Interbank rate in effect on Feb. 13, reported at 10.74 pesos per US$1.00]