

## Background Information on the Caletas Wetland

- The Caletas Ario National Wildlife Refuge (CANWR) was created by Executive Decree N° 33232-MINAE (La Gaceta, N°145 of August 11, 2006). Its area extends from Punta Coyote (Nandayure) to the Chapetón Estuary (Cóbano), with a total extension of 313.3 hectares of beaches, mangrove swamps, estuaries and Public Maritime Zone, including 19,486.3 hectares of Marine Protected Area.
- An extensive wetland of 150 hectares occurs next to the CANWR, inside the Public Maritime Zone, also known as the Caletas Wetland. It wasn't possible to include the wetland into the Wildlife Refuge at the time of its creation, because the farming companies Agropecuaria Caletas S.A., Desarrollos Agroturisticos Punta Coyote S.A., and Finca el Pencal S.A., claim the wetland is on private property, because of which it is necessary to wait for a final resolution of the Administrative Contencious Tribune (Exp. Judicial n° 00-000597-0163-CA) in a case that was promoted by the State Attorney itself, which seeks to nullify the deeds used for the "irregular" registration of the property.
- On May 2 of 2007, officers of the Tempisque Conservation Area (ACT) of the Ministry of Environment (MINAE) filed formal suit at the Attorney's Office in Nicoya for environmental damages (ACT-OSRH-249), as it was considered that the construction of a 1km gravel road through the Caletas Wetland, including dikes, drainages, and landfills, constitutes a clear violation of article 45 of the Organic Environment Law, which forbids activities that interrupt the natural cycles of a wetland ecosystem.
- On July 29 of 2008, PRETOMA filed a new suit at the Environmental Administrative Tribune (EAT) of the MINAE (Exp N° 303-08-03-TA), due to the continued construction of roads and landfills inside the Caletas Wetland.
- In November of 2008, during the 10th Conference of the Parties of the RAMSAR Convention, held in Republic of Korea, Costa Rica acknowledged in its National Report that the Caletas Wetland was under a due legal process headed by the State Attorney, due to the registration of the property by a private entity, and points out the several lawsuits that had recently been filed for damages to the wetland and associated wildlife.
- On April 3 of 2009, the EAT issued Resolution N° 390-09-TAA, through which an immediate precautionary measure was imposed, consisting in the halting of any activity in the wetland and the repair of the environmental damages. The EAT also requested an Environmental Damage Cost Study.
- On June 1 of 2009, the ACT issued report ACT-ASRH-335-09, which estimated environmental damages at 12 million colones (US\$23K). The report estimated that it would take up to 5 YEARS for the Caletas wetland to recover from the damages, from the moment the landfills and roads were eliminated.
- On June 23 of 2010, the Attorney of Nicoya (07-000506-414-PE) ordered the extraction of all the materials that were deposited in the wetland for the construction of the road, in accordance with article 140 of the Penal Process Code.
- On July 20 and 31 of 2010, a small airplane sprayed chemicals repeatedly over the Caletas Wetland, causing the massive mortality of fish and crustaceans in the mouth of the Río Bongo.
- On August 30 of 2010, Agropecuaria Caletas S.A., in retaliation for the exposure of the situation, proceeded to destroy a well that had been built by Pretoma 5 years ago to provide the volunteers that protect the nesting sea turtles of the CANWR.

*Evidently, Mr. Sylvester Feichtinger, the owner of Agropecuaria Caletas S.A., shows no respect towards the Costa Rican environment, the authorities of the EAT, the ACT, nor the Attorney of Nicoya. In spite of the precautionary measures imposed against his company, and the orders to pay fines and repair environmental damages, he simply ignores them without fear of any legal consequences.*

**What can you do?** If you are a member of an NGO, or a friend of one, you can help us expose this case to the world, so that our authorities grant this issue the importance it deserves, and eventually reverse the situation.

¡VOTE TODAY! The Caletas Wetland deserves the Grey Award for wetland conservation, granted by the World Wetland Network in the framework of the RAMSAR Convention (<http://www.worldwetnet.org/awards/how-to-vote/>). Visit the site, look for the Caletas Wetland in Guanacaste, Costa Rica's North Pacific coast, and vote for a Grey Globe Award.



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