

DRAFT Public Use Regulations for the Ostional Wildlife Refuge (RNVSO)

July 10, 2019 update- THIS is an English translation of a proposed Public Use Regulations NCA translated for members from 2018. This is NOT, and has nothing to do with the municipality proposed temporary regulations for building. For questions about this reach out to SINAC-MINAE to their official channels: telephone 2682 0400 / 2682-0937, to the official WhatsApp 8883 5111 or to its Facebook page: <https://www.facebook.com/RefugioNacionalOstional/>

This summary is not an exact translation of the original document; for brevity and readability we have left out some definitions and details. If you would like more information on a specific matter or matters, please let us know (info@nca.cr)

The full document in Spanish is available at [this link](#)

WHAT'S IN THE DRAFT

- Regulations pertaining to the activities in the public use area of the Ostional Wildlife Refuge. The regulations' goals are to preserve the Refuge's ecosystems and improve the visitor's experience.
- The public use area is defined as 50 meters from the high tide line, inland. (You probably have seen the yellow *mojones* —concrete cylinders — that mark the end of this area). The area also includes 3 maritime miles from the coast, the Nosara river mouth, mangroves and estuaries.
- Regulations specifying the activities that are allowed, restricted, and forbidden in the public use area for the Ostional National Wildlife Refuge.
- Regulations proposing a schedule of visitation to the beach for tourism activities (from 5:00 to 18:00), for turtle watching (from 18:00 to 00:00). For arribadas in Ostional Beach, the schedule will be defined by the Refuge administrator (ACT-SINAC).
- Regulations proposing to charge an entrance fee for visitors to the protected area: 1,600 colones for nationals and residents and \$12 for nonresidents. (Keep reading, they don't intend to charge it)

ACTIVITIES ALLOWED IN THE PUBLIC AREA OF THE REFUGE

- Swimming
- Recreational trips at the river mouth, as follows:
 - Individuals and companies must obtain a permit from the Refuge administration

- Only 4 boats are allowed in the area at the same time. * Keep in mind this is a draft, final number is open to discussion and might change base on feedback given by people that work on this sector.
- Rowboats and electric motorboats are allowed
- Kayak, stand-up paddle boards, and canoes are allowed
- Jet skis are not allowed
- The maximum capacity per boat is 20 people, including the guide and the captain * Keep in mind this is a draft, final number is open to discussion and might change base on feedback given by people that work on this sector.
- The minimum distance between boats is 100 meters
- The minimum distance between wildlife and boats is 10 meters
- Feeding wildlife is not allowed
- Tours can last a maximum of two hours
- Walking on the designated trails
- Surfing is allowed but is restricted on Ostional beach during arribadas and turtle hatchlings
- Surf tournaments are restricted to Guiones Beach; organizers must request permits
- Triathlons, bicycle races, and other large competitions are allowed. Organizers must request permits.
- Diving, snorkeling, and freediving are allowed as follows:
 - Visitors must report their location to the RNVSO and if possible share photos of the species they see
 - Freediving and snorkeling is allowed for recreational purposes in depths of up to 6 meters
 - Removing or relocating wildlife is not allowed, except for scientific research
 - A maximum of 5 people per guide is allowed for diving. * Keep in mind this is a draft, final number is open to discussion and might change base on feedback given by people that work on this sector.
- Cetacean (whale and dolphin) watching, as follows:
 - Boats with a running engine must keep a minimum distance of 50 meters when watching dolphins; boats with the engine off - 30 meters
 - The minimum distance for whale watching is 100 meters; if they are feeding or socializing, 200 meters
 - Animals should be approached diagonally from the back. Boats should move parallel to the animals, at a maximum speed of 4 knots (7km) per hour
 - A maximum of 2 boats may watch at the same time. Boats waiting should be 200 meters distance from boats watching
 - Maximum observation time is 30 minutes
 - Observers may not divert cetaceans from the direction they are swimming or divide them when they are swimming in groups
- Turtle observation from the ocean, as follows:
 - Minimum distance from the turtles is 5 meters
 - Observers may not get off the boat and swim with the turtles

- Olive Ridley Turtle observation in the ocean during arribadas as follows:
 - Boats must remain 2 maritime miles from the coast
 - Maximum speed is 2 miles (3.7 km) per hour
- Boats for people snorkeling and diving may be anchored in sandy areas only, not in reefs
- Research, filming, and photography are allowed. Interested people should ask the administration if their activities need permits.
- Fishing from the coast for personal consumption is allowed using rod, reel, or rope. Fishers need a license from INCOPESCA and permission from the administration of the Refuge and are limited to 5 fish per person. * As with other matters, final number is open to discussion and might change base on feedback given by people that work on this sector.
- Sport fishing
- Tourism fishing
- Artisanal fishing
- Surf schools must apply for permits and comply with requisites determined by the Refuge administration.

OTHER ACTIVITIES

- Other social, cultural, or community activities on the beach must request a permit from the Refuge administration, which will analyze the request
- Chapter 5 sets forth guidelines for observation of turtles during arribadas or in isolation, of newborns or adults, on all beaches. All observers must be accompanied by an authorized local guide.
- Chapter 6 pertains to local guides and prescribes how a local person can become a certified turtle guide, as well as how to become certified as a general guide for other activities in the Refuge

ACTIVITIES NOT ALLOWED IN THE REFUGE

- Digging and collecting turtle eggs, seashells, rocks or any other animal, flora, or minerals from the beach, with the exception of the Ostional Development Association and their egg program as well as scientific research previously approved.
- Any sound system that can alter the behavior of wildlife.
- Riding motorcycles, quads, or any other vehicle, with the exception of emergency vehicles and trailers to load or unload boats in the areas previously defined. *Cars to houses in Guiones Sur will be allowed until residents have alternative access
- Domestic animals (including dogs and cats)
- Commercial goods and services that do not comply with the procedures defined in the regulations
- Bonfires, grills, and similar
- Camping
- Smoking

- Horses on the beach
- Surfing in Ostional during arribadas
- Holding newborn turtles
- Littering
- Using alcohol or drugs
- Cutting trees or extracting plants
- Jet skis, except in emergencies or to patrol the area
- Hunting, feeding, or capturing wildlife, except fish
- Carrying guns
- Introducing exotic plants and animals
- Nudity
- Signs not authorized by the Refuge administration
- Drones, except for research and activities authorized by the Refuge administration

NOSARA CIVIC ASSOCIATION FEEDBACK AND COMMENTS

Since September 2017, when the NCA board received the first draft of these regulations, we have been requesting changes and asking for clarification on several aspects. Some things have changed and some haven't. Here are the explanations we were given on the ones that haven't, and what we are trying to do about them.

Entrance fee

Charging an entrance fee is mandatory for all protected areas in Costa Rica, and the fee for entrance to Ostional has been set since 2014 in by [this decree](#). However, the Ostional administration hasn't been able to collect this fee and probably won't be able to, because they lack personnel and because the area's geography makes collection difficult if not impossible.

We have been working with the Refuge administration to open channels of communication with the tourism sector here in Guiones and Pelada. One of our goals is to agree on a financial model that can help the administration charge some version of this entrance fee via hotels and vacation rentals. The administration has been transparent with us confirming that they don't envision being able to implement the fee as it is in the proposed draft, but say they have to include this section by law.

Horses and Dogs

Similar to the entrance fee, domestic animals are not allowed in protected areas in Costa Rica since 1977 according to [this law](#), meaning many of us break the law almost every day (oops!)

Several horse tour operators and riders have formed an association and are in conversations with the administration to try to figure out a way to be able to perform their activities without breaking the law. We hope their conversations will be successful.

With regard to dogs, we are aware it will be hard to stop bringing your best friend to the beach with you. Just know you are breaking the law, and that a park ranger can ask you to leave.

IN CONCLUSION

It's no secret that one of the main attractions of our community is the beach—for locals and tourists. Most of our lives revolve around it. As Nosara has become [the fastest growing surf town in the world](#), it doesn't hurt to organize ourselves and make sure that what made us all come here remains as it is for many more years.

Nosara is special for many reasons. One of them is an undeveloped beach, for which we can thank the Ostional Wildlife Refuge. We get so much from our beach— let's give something back by complying with these regulations. If you don't feel like complying, know that park rangers are entitled to ask you to stop or leave.

If you have any questions, feedback or comments, please write to us. We will connect you directly with the Refuge administration or voice your concerns in their next meeting.