

JUDICIARY POWER
FEDERAL JUSTICE OF FIRST INSTANCE
JUDICIAL SECTION OF THE STATE OF PIAUÍ
CENTER FOR PUBLIC POLICY CONCILIATION
LAWSUITS CASE 22371 -35.2011.4.01.4000/7100
PLAINTIFFS: THE FEDERAL PROSECUTOR'S OFFICE
DEFENDANT: THE FEDERAL GOVERNMENT AND OTHERS

MINUTES OF RECONCILIATION HEARING

On the twenty third day of December of the year two thousand and sixteen at nine o'clock, in the Hearing Room of the 5th Court of the judicial section of PiauÍ, located in the main building, at Av. Miguel Rosa, n ° 7315 - Neighborhood: Redenção Teresina-Pi - Zip Code: 64018-55Q/phone: (86) 2107-2800 / 2801, present the Hon. Federal Judge of the 5th Court, Dra. MARINA ROCHA CAVALCANTI BARROS MENDES, alongside, hereinafter nominated assistant, at the appointed time, the present hearing session was declared open.

Present: The Federal Prosecutor, Dr. TRANVANVAN DA SILVA FEITOSA, the Prosecutor of the State of PiauÍ, Dr. LUÍS SOARES DE AMORIM; the representative of SEMAR, Dr. CARLOS ANTÔNIO MOURA FÉ; the representative of IBAMA, Mrs. EUGENIA VITÓRIA AND SILVA DE MEDEIROS; the representative of ICMBio, Mr. DANIEL CASTRO; The Prosecutor of ICMBIO and IBAMA, Dr. JOSÉ EVALDO BENTO MATOS JÚNIOR; The Representative of INTERPI, Mr. LUSIVALDO BARRETO TAVARES; The representative of INTERPI, Mrs. JESSICA MESQUITA BARROS; The representative of NGO "Rede Ambiental do PiauÍ", Mrs. TÂNIA MARIA MARTINS SANTOS; Representative of the "Rio Parnaíba" Foundation, Mr. AIRAN SILVA LOPES; The Federal Attorney, Dr. WILDSON KLELIO COSTA ASSUNÇÃO. The hearing session was also attended by the observer conciliator Mr. FRANCINALDO CARVALHO DE OLIVEIRA JÚNIOR. **After the proceeding had begun**, according to audiovisual records, it was given the right to speak to ICMBIO, the State of PiauÍ, the Federal Prosecutor's Office and to the representatives of environmental protection organizations. ICMBIO stated that there is no opposition with regards to the reopening of the procedure to protect the area of "Serra Vermelha" which has already been excluded and is the subject matter of this proceeding. It was cited the difficulty of establishing a new National Park, adjacent to an existing one, especially considering the current budgetary and administrative difficulties. Therefore, it would be more feasible to once again extend the Serra das Confusões instead of establishing the Serra Vermelha National Park. It was added that there are particularities in the area of Serra Vermelha, but also similarities that brings it closer the rest of the Serra das Confusões, so that the singularity of the area can be managed by the own management plan of the park by zoning. The State of PiauÍ reaffirmed its intention to promote the total protection of the discussed area herein, through the geographical expansion of APA do Rangel and its transformation into a total protection area. It was added that there are several procedures in progress to protect areas of great environmental importance from PiauÍ. It was clarified that there was a change in the position of the State of PiauÍ regarding the matter, due to the change in the existing factual context. Questioned by the MPF about the possibility for the State to compensate the JB Carbon

company if the full protection of the area is implemented, the State of Piauí informed that the intention is to use mechanisms specified in the new Code, such as legal reserve compensation and environmental reserve quota. The Federal Prosecutor's Office, on the other hand, argued that the claim of the Federal Prosecutor's Office in this lawsuit, is to see the area in question protected by the Federal Government and not by the State of Piauí. They did not oppose the expansion of the Serra das Confusões National Park to the detriment of the establishment of the Serra Vermelha National Park, where the area in question, in one way or another, would be totally protected. The environmentalists joined to manifestation of MPF as to the necessity for protection by the Federal Government.

It was added that the Serra Vermelha has a singular vegetation, which would justify their own preservation unit, but the expansion of the existing park satisfies the claim for total protection of the organization. By The Hon. Judge, then, following agreement was established:

- ICMBIO undertakes the responsibility to reopen the proceedings for the expansion of the Serra das Confusões National Park, to contemplate the discussed area herein, using, if needed, the studies that have already been conducted to instruct the previous proceeding. The duration of the administrative proceeding is expected to be one year.

- The State of Piauí demonstrates, with this act, its agreement with the expansion of the total protection of the area, including it in the Serra das Confusões National Park. It also undertakes the responsibility to provide technical support to ICMBIO in the of the administrative proceedings of the expansion.

The Hon. Federal Judge ratified the agreement reached by the parties, considering it legitimate and valid. It was set a time-period of 1 (one) year for the verification of the obligations of each party, extendable according to the reasoned request of the parts. It was determined that in the event of obstacles to the implementation of the terms herein agreed, during the established time-period, must be noticed in the case file, to be overcome, wherever possible, through conciliation.

The present parties of this session are considered summoned. I, _____ (Liana Silva do Amaral), designated conciliator, have typed this term which, if read and found to be correct, is signed.

Federal Judge
MENDES

MARINA ROCHA CAVALCANTI BARROS

Federal Prosecutor

TRANVANVAN DA SILVA FEITOSA

Prosecutor of ICMBio and IBAMA

JOSÉ EVALDO BENTO MATOS JUNIOR

Representative of ICMBio

DANIEL CASTRO

Representative of SEMAR

CARLOS ANTÔNIO MOURA FÉ

NGO Rede Ambiental do Piauí

TÂNIA MARIA MARTINS SANTOS

Representative of FURPA

AIRAN SILVA LOPES

Representative of INTERPI

LUSIVALDO BARRETO TAVARES

Representative of INTERPI

JESSICA MESQUITA BARROS

Federal Attorney

WILDSON KLELIO COSTA ASSUNÇÃO