



30 April 2018

Screening Opinion for Proposed Event Area, Parking Area and Expansion of Pathway

Crymble Landholdings Ltd. 10E/36, 47 and 72, 10A/242 and 11B/17

Prepared by the Department of Environment for the National Conservation Council

The National Conservation Council's (NCC) Directive for Environmental Impact Assessments issued under section 3(12) (j) and which has effect under section 43(2) (c) of the National Conservation Law (NCL), notes that all activities listed in Schedule 1 will be considered against the screening criteria outlined in sections 1 to 3 of Schedule 1 of the Directive to determine whether an EIA may be required. These screening criteria are: the type and characteristics of development, the location of the development and the characteristics of the potential impacts.

The **proposed project** is for an Event Site (of 25.7 acres for up to 10,000 event attendees), two parking areas (5.3 and 7.3 acres for parking of 1,900 cars) and the widening of an existing gravel pathway through the mangroves from 15ft to 35ft as shown in figure 1 below. The proposal is to clear and fill the areas to between 10ft and 14 ft above mean sea level in order to create a space for music and cultural events to be held with parking nearby the site for attendees arriving by car. The surface of the sites is to remain as marl and crusher run with naturally occurring grasses being allowed to grow with landscaping in some areas, including as buffers between the sites and the existing residential properties across the old West Bay Road.

Permanent structures proposed on the event site include the perimeter fencing and utility connection structures. The permanent structures proposed on the parking areas are a parking kiosk for parking attendants on each. The event site and car parking area 1 are currently partially cleared man-modified areas with some remaining seasonally flooded mangrove wetland areas. The pathway widening is proposed to expand the existing footpath which leads from the proposed event site, under the ETH bridge through seasonally flooded mangrove wetland to the Cayman Islands Yacht Club. The proposal to widen the pathway from approximately 15ft to 35ft in order to allow the use of the pathway for pedestrians and golf carts to travel between parking area 2 and the event site. Parking area 2 is currently already cleared and man-modified.

Of particular environmental concern is the potential impact of the events facility to sea turtles, which are listed under the National Conservation Law (2013) as a species which are 'protected at all times' (Part 1, Schedule 1). This section of Seven Mile Beach, is an area of high density turtle nesting and impacts to nesting or hatchling turtles from event lighting (or exposure of existing lighting through the clearing of land), noise, litter pollution etc. will need to be assessed and minimised to the greatest extent possible. The coastal vegetation along this stretch of coastline is also very important as nesting turtles use it as a cue for laying their nests, and removal of vegetation and underbrush will likely result in nesting turtles becoming disorientated and crawling onto the former West Bay Road. The vegetation is also important to buffer the beach from artificial lighting, which is proven to result in the misorientation of turtle hatchlings. Such misorientations can (and do) result in the death of hatchlings as they crawl away from the beach towards the artificial illumination.

Having considered the proposal detailed in the planning application against the screening criteria outlined above, the Department of Environment (DoE) is of the opinion that the clearing and filling of the proposed event space, car parking and wider path area and the other minor infrastructure noted above **does not require an EIA** based on the following factors:

1. Site clearing and filling works are substantially underway and appear to be nearing completion on the site; the significant area of mangrove wetland habitat (including a large natural pond) and the biodiversity it supported no longer exists.
2. Whilst the facility has the potential to have significant adverse effects arising from noise, lighting and litter pollution, at this stage it is difficult to predict these likely impacts as the applicant cannot confirm the frequency, type and scale of events. However, the applicant has indicated during pre-application discussions it has been agreed with the Department of Planning that each individual event will be the subject of an application for a temporary building permit, which should allow for consideration of the impacts of events and supporting infrastructure such as stages, lighting etc. Under section 41 of the National Conservation Law (2013), the National Conservation Council should be consulted on these applications, in order to provide feedback to assist with minimising adverse environmental impacts of events.
3. The potential impacts of the facility would be best assessed through the granting of temporary planning permission for a period of 12 months, during which time monitoring should be carried out during events in order to assess potential environmental effects arising from light, noise and litter pollution. Future permissions can then be determined on the basis of these monitoring data.
4. Subject to planning permission being granted on a temporary basis (to allow for appropriate assessments to be conducted during the operation of events) and the inclusion of appropriate conditions as part of the grant of consent, the impact of events can be minimised. Recommended conditions include:
 - a) Planning permission shall be granted for a period of 12 months.
 - b) An environmental management plan (EMP) shall be prepared by the applicant and agreed in writing with the DoE, within three months of planning permission being granted. The EMP shall outline agreed assessments to be conducted, together with methodologies, during the twelve months temporary permission.
 - c) 20-30ft wide vegetated buffer areas should be created between the event site and parking areas and the existing residential areas nearby and the beach area, utilising existing vegetation and supplemented with additional planting as necessary. These buffers will assist in mitigating the impact of event noise and light on neighbouring properties and the turtle nesting beach and are likely to be significantly more effective than the proposed 4ft wide minimum landscape buffers.
 - d) No evening events should be held on the site during turtle nesting season (from 1 May until 30 November) without the express consent of the National

Conservation Council, as the potential impact to nesting and hatchling turtles is significant.

After considering the Screening Opinion detailed above, the NCC is required to issue its decision to the originating entity on the requirement for an EIA, pursuant to Section 43 (1).



Figure 1: The event site (orange), parking area 1 (red), parking area 2 (green) and the proposed pathway widening (yellow) (source: LIS 2013, Google Maps 2018 and DOE 2018)