

National Conservation Council

Minutes of the General Meeting held at the Government Administration Building
Elgin Avenue, George Town, Grand Cayman
14 June 2017, 2:00 pm.

1. Call to Order

Notice having been duly given the meeting was called to order at 2:05pm. A quorum was present (see Attendance Appendix, below) and no interests were declared. Where relevant, updated meeting documents were made available in hard copy to members.

2. Confirmation of Minutes

The approval of the minutes of the meetings held on 22 March 2017 and 3 May 2017, subject to minor typographical amendments, was moved by Christine Rose-Smyth, seconded by Patricia Bradley and passed unanimously.

3. Matters Arising From Previous Meetings

Terrestrial Protected Areas – public lands. Five Grand Cayman Protected Area recommendations were approved by Cabinet in May. Barkers (where purchase negotiation with a landowner willing to sell is ongoing by Lands & Survey), Vidal (Barkers) Cay, Mangrove Cays (western edge of the North Sound), Central Mangrove Wetland parcels, Lower Valley forest parcels (pending survey and subdivision of land prior to purchase from proprietors). On Little Cayman only the Booby Pond reserve extension was approved. The Lands and Survey Department were conducting physical boundary surveys and negotiating property prices with included landowner(s).

It was noted that on completion of these transactions, protected land, whether protected by the Cayman Island Government or the National Trust for the Cayman Islands would amount to 12.35% on Grand Cayman, 3.2% on Cayman Brac, and 5.1% on Little Cayman. This remains far short of the approximately 20% of each habitat recommended by some international standards.

Council expressed its gratitude to the former Minister for the Environment for guiding the recommendations through Cabinet in the short time available, noted that the protection designations were a credit to Cabinet, and hoped for similar success with the new Government.

Environmental Impact Assessments

East-West Arterial Extension The EAB was still awaiting additional information for ongoing scoping, pending Government post-election administrative shifts.

Central Mangrove Wetland Arterial, Hutland Rd EW Extension, Hutland Rd S Extension No response had been received from the proponents within the time set out in the Guidance Note, or at all.

Removal of Beach Rock Seven Mile Beach Proponent had agreed to undertake the EIA. The empanelling of the EAB and scoping opinion phase were under way. Proponent had been advised that the scoping opinion would be subject to some delay.

Spice Drive extension No EIA had been required; alternative advice had been delivered.

Little Cayman Spine Road No response had been received from proponents.

4. Committees and Reports

DoE, Alien & Invasive Species Green Iguana Culling and Control Project DoE advised that culling had not been going well and no significant reduction in the Grand Cayman green iguana population was expected this year. The Department expects to propose a major Environmental Protection Fund request for a significantly revamped 2018 project. Council noted that a large drawdown on the Environmental Protection Fund for iguana control may not be an appropriate use of funds if significant green iguana presence and cull activity occurs in areas that are not environmentally sensitive.

Consultation and Licencing reporting WP-04 New Wildlife Interaction Zone applications continue to be received. DoE continues to receive representations from and to meet with users advocating for improved conditions especially at the Sand Bar. There are some actions that DoE can (and will) take but it was advised that most issues are tourism management related. DOE would be reaching out to the Department of Tourism to assess ways to address these issues.

Climate Change Committee. No report.

Public Education & Outreach Committee. No report

5. New Matters

Protected Areas

DoE presented areas in Grand Cayman and Cayman Brac for Council to consider advancing to the public consultation phase of the protected area designation process. All proposals involved owners who had indicated they were not unwilling to consider their land becoming a protected area, were within budget based on Lands & Survey's initial desktop valuations, all pending Lands & Survey negotiation with landowners, and the results of public consultation.

The sites are: (1) Barkers (16A 13 & 14) which expands on the recent protected area designations in Barkers; (2) selected Cayman Brac Bluff Face parcels; (3) Part (111A 11) of the proposed Cayman Brac Bluff Lighthouse National Park, and (4) Hemmington Forest, also in Cayman Brac. It was noted that a nomination for the corresponding Hemmington Bluff Face would follow successful protection of Hemmington Forest; a management plan for Hemmington Forest would be expected to recognise the historic nature of Hemmington Trail.

On motions made as follows:

- 1) Barkers parcels, proposed by Lisa Hurlston-McKenzie, seconded by McFarlane Conolly;
- 2) Cayman Brac Bluff Cliff Face parcels, proposed by Wallace Platts, seconded by Patricia Bradley;

- 3) Cayman Brac Lighthouse parcel, proposed by Patricia Bradley, seconded by Gina Ebanks-Petrie,
- 4) Cayman Brac Hemmington Forest parcels, proposed by Fred Burton, seconded by Christine Rose-Smyth and McFarlane Conolly;

IT WAS RESOVED that each of the nominations proceed to consultation.

Change of nomination schedule for protected areas

It was noted that Council had, by Gazette Notice dated 17 June 2016 set 1st August to 31st October as the period in which nominations under Section 9(1) of the NCL for designation of protected areas would be received for consideration; due to the change in government financial year end it would be convenient to change the nomination period.

On a motion made by Fred Burton, seconded by Lisa Hurlston-McKenzie **IT WAS RESOLVED** that the Council decision made at the 31 May 2017 preparatory work group to revise the nomination period to 15 June – 15 September be ratified and approved. The Secretary was directed to arrange a new Gazette notice.

It was also confirmed that the 2016 nominations which had not yet been acted upon remained live and would not require resubmission by nominators.

MRCU Oxitec Application for approval of island-wide release - WP-02 and WP-03

The Chair noted that the Applicants' had, prior to the commencement of the meeting, requested to address a point in the DoE Screening Evaluation (WP-03). Chair noted that Council had not adopted formal provisions for applicant representations in person, however she would permit the single issue to be addressed, advising that such new information could delay the final decision.

DoE presented a summary of the Screening Evaluation of the application (WP-02). The conclusion was that there were no identified pathways carrying a combination of risk and likelihood sufficient to justify an independent Risk Assessment under the Council's Guidance Notes.

The Screening Evaluation included recommendations for conditions to be attached to any approval of the release. Dr Lacroix of Oxitec was invited to address the condition that parent stock of mosquitoes producing the eggs in the U.K. be fed on synthetic blood. Dr Lacroix advised that Oxitec had described the feeding system in the previous applications. Oxitec uses regulated donor horse blood in the U.K. as synthetic blood is not as well accepted and results in reduced egg productivity of the parent population. It was hard to feed mosquitoes on animal blood through a membrane, compared to human blood through skin, and synthetic blood (through a membrane) was harder still. Dr Lacroix submitted copies of documents demonstrating that the production of donor horse blood was highly regulated through both E.U. and U.K. requirements and undertook to provide further information in writing. Dr Lacroix further submitted that there were no horse-hosted human pathogens in the UK and blood is tested and certified for sterility. DoE acknowledged that the purpose of the condition was to ensure that the proper safeguards for feeding the parent stock were adhered to irrespective of the nature and source of the food.

In Council discussion of the motion to approve the application and the recommended conditions it was noted that:

- a. A section 35 permit is primarily concerned with protecting biodiversity thus the condition for approval by the Chief Medical Officer.
- b. Council had received an interim (2nd) West Bay activity report (first phase of operational rollout of the Oxitec technique) and are looking forward to receipt of the final report to include relevant comparison to previous Brazilian results, in particular trials after 2013 at Piracicaba.
- c. The assessments provided did not include potential impacts on Antillean Nighthawk, a wet-season breeding bird. While nighthawks may likely prefer larger prey it was still an oversight.
- d. It was important that monitoring for persistence or spread of OX513A around release area(s) be maintained.
- e. The prior risk assessments noted in the Screening Assessment include Oxitec reports. It was noted that Council was placing reliance on the independent assessments, i.e. USFDA 2016, Brazil 2014, Malaysia 2010.
- f. World Health Organisation (WHO) recommendations when supporting continued testing of Oxitech & *Wolbachia* techniques had emphasised the use of randomised control trials (RCTs). It was suggested that MRCU/Oxitec should address the extent to which RCTs were feasible in the rollout.
- g. Noting that Moscamed in Brazil had recently chosen to use sterilisation by irradiation, the Cayman Islands Government should continue to assess other emerging mosquito control technologies for efficacy and cost.
- h. Discussions with the Water Authority and the existing requirement of Water Authority approval as part of Certificate of Occupancy checks for the fit-out of new facilities.

On a motion made by Lisa Hurlston-McKenzie and seconded by McFarlane Conolly **IT WAS RESOLVED** that the application (WP-02) be approved and a permit under section 35 be issued for the amounts of eggs and releases stated in the application, such permit to expire on 30 June 2019, subject to the following conditions being satisfied:

- a. A plan for disposal of wastewater from all current and future rearing facilities for OX513A in the Cayman Islands is submitted and implemented to the satisfaction of the Water Authority and the Department of Environment, such that no potential exists or can be created for OX513A *Aedes aegypti* to breed in wastewater containing tetracyclines from these facilities.
- b. Prior to any OX513A *Aedes aegypti* being transported to or released on Cayman Brac or Little Cayman, tests are conducted by the applicant to establish whether OX513A *Aedes aegypti* are at all capable of hybridizing with *Aedes mediovittatus*, and that expansion of OX513A *Aedes aegypti* releases to the Sister Isles be subject to separate consultation with the NCC after completion of these tests.
- c. Active monitoring for persistence or spread of OX513A *Aedes aegypti* is continued on a permanent, ongoing basis in and around all release areas and around rearing facilities, and that any anomalous occurrences are reported to the Council immediately and investigated by the applicant as a matter of urgency.
- d. Receipt and review of additional information related to the use of horse blood for brood food, and U.K. regulatory certificates for horse blood production and screening to be provided as they are updated/available.
- e. Positive views of the Chief Medical Officer on both horse blood being used as brood food and the overall proposal.

Little Cayman Conservation Warden Appointment (WP-05)

On a motion made by Wallace Platts and seconded by Patricia Bradley IT WAS RESOLVED that the Council decision made at the 12 April 2017 preparatory work group to appoint Michael Guderian as a Conservation Warden for Little Cayman with the powers and immunities provided by section 48(4) and 48(5) of the National Conservation Law other than the power of arrest, be ratified and approved in all respects.

6. Next Meeting

27 September, 2017, 2-5pm, Government Administration Building Rm 2112

7. Any Other Business

Correspondence

Council response to an editorial opinion published in the 5 June 2017 issue of the Cayman Compass was recorded (WP-06). It was noted that the Compass chose not to publish the response, in part because the open letter was published in other local media and on Radio Cayman.

Director DoE noted that, at the time of publication DoE had not received the hotel applications mentioned in the editorial for review. Having since done so it had been assessed that no environmental impact assessments would be necessary for either application as submitted. It was explained that DoE was familiar with the sites, with the type of development that would occur there, the proposals were within setbacks and other normal requirements, and one developer had worked with DoE in advance of their formal submission which enabled the proponent to propose a development in keeping with the pre-existing natural features which made the site attractive for development in the first place. The potential need for strategic assessments before approving two major hotel developments, or for improved setbacks from coastlines, are other agencies' remit and not unique to these developments.

As was set out in the Council response, since the relevant part of the Law was commenced in August 2016 the DoE has reviewed 368 applications of which less than 2% were required to conduct an Environmental Impact Assessment to allow the relevant authorities to make fully informed decisions.

New Minister for Environment

Council closed by reiterating its congratulations to the Hon. Dwayne Seymour, JP, on his appointment as the Minister for Health, Environment, Culture and Housing and looked forward to working with him to carry on the important work started under the National Conservation Law towards the goals of conserving native species and habitats, treasured by all with enduring ties to the Cayman Islands, and the critical ecosystem services they provide for the wellbeing of current and future generations.

8. Adjournment

There being no other business the meeting was adjourned at 3:53pm.

9. Attendance Appendix

Council Member	14 June 2017	Representation
Christine Rose-Smyth	Present	Chairperson; Bodden Town, Plants, Terrestrial & Marine Biodiversity
Davy Ebanks	Apologies	West Bay and Marine Conservation
Lisa Hurlston-McKenzie	Present	George Town and Sustainable Development & Climate Change
McFarlane Conolly	Present	East End and Sustainable Development
		North Side
Wallace Platts	Present	Sister Islands and Terrestrial Biodiversity
Christina Pineda	Alternate *	National Trust for the Cayman Islands
Patricia Bradley	Present	Avifauna & Biodiversity
Fred Burton	Present	Terrestrial Biodiversity
Adrian Estwick	Absent	Director of Agriculture
Haroon Pandohie	-	Director of Planning
Colleen Stoetzel	Present	Planning Officer, representing the Director of Planning
Gina Ebanks-Petrie	Present	Director of Environment
Timothy Austin	Present	DoE Deputy, Research
John Bothwell	Present	Secretary

* Catherine Childs, Education Programmes Manager for the National Trust, participated as a non-voting representative