

# National Conservation Council

General Meeting  
(GT Library, 27 February 2019, 2pm)

## MINUTES

1. Call to Order
  - a. A quorum being present, see appendix, the Chair opened the meeting (1:07pm), enjoining members to speak loudly enough for guests to hear. Apologies were noted (see appendix).
  - b. No interests were declared.
  - c. Council noted the need for annual declarations of interests to be filled by members with the Secretary to the Council.
  
2. Confirmation of Minutes of 27 June 2018
  - a. Two minor edits were noted to the minutes for clarity.
    - i. 5.a.iii.2.e “Council noted that it was disappointed in the CPA decision not to ~~accept~~ **consider** its advice even though received several days before the CPA meeting and requested Planning provide notification in the future if input is not ~~(or is) received in time and will not (or will) be considered by the CPA.~~”
  - b. With the above changes the minutes were moved for acceptance by Patricia Bradley, seconded by Fred Burton, and unanimously accepted.
  
3. Matters Arising From Previous Meetings
  - a. DoE reported that operations officer Robert Walton is no longer stationed on Cayman Brac and so is no longer a Conservation Warden.
  - b. Planning undertook to get an answer to Council’s enquiry as to whether land clearing needs a separate permission from other applications/permissions.
  
4. Committees
  - a. Council noted the DoE reports of permits issued and specimens and items seized during the latter part of 2018.
  - b. Council also noted the section 41 consultations which occurred during the latter part of 2018.
    - i. One item had been redacted at time of publication, but had been heard by Cabinet by the date of the General Meeting. This was the ‘Adventures in Taste’ application for the clearing of turtle grass in Barkers. For transparency the DoE recommendations presented to Cabinet were posted to the DoE website once Cabinet had considered them.
  - c. Climate Change Committee
    - i. The Canadian High Commission jointly hosted with the Chamber of Commerce a round table on Climate Change and Infrastructure in the Cayman Islands. The Council thanked the Climate Change Committee Chair for representing the Council on a few hours notice. The meeting was attended separately by the Department of Environment.

- ii. The meeting was under attended but did allow interesting public and private sector perspectives to be shared, including about Canadian investors interested in the Cayman Islands and on the potential lack of investor confidence due to absence of local policy implementation on climate change, etc.
  - iii. The Canadian High Commission undertook that after returning to Jamaica they would speak with their counterparts in the UK High Commission regarding what was discussed, including access to various international climate financing by the Cayman Islands. The Conservation Council's Climate Change Subcommittee chair has also raised this issue with the Deputy Governor.
  - iv. The Department of Environment recommended to members of the round table that the needed increase in Cayman Islands activity on Climate Change needs to be managed from a central but cross-reaching part of the Cayman Islands Government, such as the Premier's Office or the Cabinet Office.
- d. DoE noted that a Public Education and Outreach officer has been hired within the Department, part of whose remit will be increased PEO activities on behalf of the National Conservation Council.
5. New Matters
- a. Licencing Requirement Waiver
    - i. DoE presented the motion which Council considered.
    - ii. Acceptance of the motion was moved by Gina Ebanks-Petrie, seconded by Lisa Hurlston-McKenzie and passed unanimously.
  - b. Change of Game Birds Season
    - i. The proposal by local hunters to change the game birds rules was presented by the DoE and considered by the Council.
    - ii. The motion to put the proposal out for public consultation was moved by Fred Burton, seconded by Franklin Thompson and passed unanimously.
  - c. Ratification of Kaibo EPF Decision
    - i. DoE presented the proposal to stabilise Kaibo public beach, including adding sand from the Rum Point sand shoal using money from the Environmental Protection Fund.
    - ii. Council found the proposal marginally acceptable and did not object to the money coming from the \$10 million of Environmental Protection funds the Government had earmarked for public beach acquisition. Council wished to reiterate, as they ratified their previous communication to the Ministry of Commerce, Planning and Infrastructure on this issue, that the funds should come from the \$10 million already approved by Finance Committee.
    - iii. With the above reiteration the motion to ratify the communication was moved by Gina Ebanks-Petrie, seconded by Nadia Hardie and passed unanimously.
  - d. Listing Land Crabs as Protected Species
    - i. DoE presented the background for and a verbal motion to list additional large land crabs on Part 2 of Schedule 1 to the Law, noting that this has no effect on people or crabs until a Species Conservation Plan is approved via a public consultation process.
    - ii. The motion to list land crabs was moved by Fred Burton, seconded by Tricia Bradley and passed unanimously.
  - e. Protected Areas Nomination Consultation Report 2018
    - i. DoE presented the report, which Council considered.

- ii. Tarpon Lake nomination has been reduced in an attempt to make it more socio-politically acceptable by reducing the perceived risk of making land on the other side of the Pond from the main road inaccessible by hypothetical future roads.
- iii. All proprietors of private land nominated for consideration support the nomination. (Else they would not be listed.)
- iv. 100 public responses were received, 93% were generally supportive.
- v. Certain mangrove keys in the North Sound are already protected areas. During the time between their nomination and protection the parcel numbers of certain keys changed. Keys that had previously either not had numbers, or were part of a larger parcel of keys, now have their own parcel number. This nomination is to protect these 'new' parcels, and includes water adjoining the mangrove keys to protect the ecological system of the keys.
  - 1. The nomination reflects the updated parcel boundaries as at the time of this decision.
  - 2. Concern was expressed over the ability to dredge seabed adjoining the protected areas to possibly make a canal, maybe, in the future, although there are currently no plans for any dredging in the area.
- vi. The Lower Valley Forest associated nomination elicited concern over the ability of adjoining landowners to engage in future development of their land and the actual presence, or absence, of a rare bat species in the forest.
  - 1. Council noted the objections to this nomination but noted also that the landowner had nominated their own land.
  - 2. Council further considered the nature of the objections and noted that the management planning for the protected area will, by Law, involve further public consultation and could address some of the concerns raised.
  - 3. It was noted that The Lower Valley Forest environment is environmentally valuable but becoming increasingly degraded and fragmented and will require the acquisition of additional land for greatest environmental effectiveness.
  - 4. Council pondered possible ways to protect the nominated area while alleviating adjoining landowner concerns. However the Law is clear and while some of the concerns raised are unlikely to occur there is no way to rule out what the Law says could occur.
  - 5. In its deliberation the Council balanced the conservation benefit of the acquisition, as part of the biological value of possibly eventually preserving a functionally significant area of the Lower Valley Forest, against the negative opinion of the adjoining landowners to the National Conservation Law and the Council.
  - 6. That the landowner had nominated their own land for conservation carried significant weight with the Council. Council felt that Cabinet would view each proposal individually (based on previous Cabinet decisions dropping certain parcels from a list of proposals), ensuring that a second round of consideration of the nomination, and objections, would occur as expected in the Law.
- vii. Council decided unanimously to submit all of the nominated areas to Cabinet for protection as there was sufficient merit in all of the proposals, including the

Lower Valley Forest and mangrove keys, to justify their consideration for conservation.

- viii. Council noted that unfortunately there were no land acquisition funds budgeted in advance this financial biennium. It is expected that a request for supplemental funds will be made. Lands & Survey have indicative values for the nominated areas, to inform the request for funds.
- f. Mangrove SCP Consultation Report
  - i. DoE presented the Mangrove Species Conservation Plan.
  - ii. This was the first species conservation plan to make it through public consultation and back to the Council.
  - iii. While there was limited public interest in the proposal it was generally supported by the public that participated. Non-support hinged upon a desire to address issues outside of the scope of the Plan.
  - iv. If Council approve the plan Cabinet have 60 days to respond or the Plan comes into force (NCL 17(6)).
  - v. The motion to approve the Species Conservation Plan and forward it to Cabinet was unanimously approved.
- g. Updated Oxitec ISO Certificates were noted, fulfilling a requirement of MRCU's Permit.
- h. Ratification of Grouper EPF Funds
  - i. DoE presented the background to and request for Environmental Protection Fund money for grouper research and education.
  - ii. Council considered that as there were unused EPF funds previously earmarked for marine species conservation projects that these could be used to support the grouper project this year.
  - iii. The motion was moved by Timothy Austin, seconded by Patricia Bradley and passed unanimously.
  - iv. Council noted that this was the second year such a request had been made and funding such an annual programme should not be an emergency every year. DoE concurred and reported it has already added the grouper funding request to its draft 2019/2020 EPF budget proposal.
- i. Guidance Notes for Consultation & Drafting on Proper Handling of Stingrays and Starfish
  - i. DoE presented the draft guidance notes. While the definition of "take" in the Law can include handling stingrays or starfish in order to continue to allow responsible stingray handling at the Sand Bar and Stingray City, and other sites for starfish, while prosecuting improper handling, there was a need to define clearly and simply what constituted improper handling.
  - ii. The guidance notes were based on stingray physiology and developed with expert veterinary and elasmobranch researcher advice.
  - iii. There would be several months of education, and legal drafting, between the Council's consideration of the guidelines and any approved guidelines coming into force. This includes a 'good handling' video being produced by the Guy Harvey Ocean Foundation (in conjunction with the DoE) for distribution to operators and the public. The loss of a Wildlife Interaction Zone licence is a possible penalty for a commercial operator not following the guidelines.
  - iv. Council noted that the efficacy of the guidelines would rely on adequate enforcement. Part of that will be encouraging continued public reporting of inappropriate handling, as now occurs, with Conservation Officers responding to these reports from the public.

v. Council approved the Guidelines unanimously.

6. Next Meeting

- a. Council noted that its next general meetings are scheduled for June 19, September 11, and December 4, at 2pm, at the Government Administration Building.

7. Any Other Business

- a. Iguana cull results were reported, and are posted on the DoE website regularly. The cull is going well but will need the additional \$5 million as expected to reach a successful conclusion at the end of 2019. Green Iguana breeding season is coming so an increase in catches is expected. Cullers will need to be active and effective to keep the breeding season from undoing their efforts to date.

8. Adjournment

- a. There being no further business the meeting adjourned at 3:54pm.

9. Attendance Appendix

<b>Council Member</b>	<b>27 Feb. 2019</b>	<b>Representation</b>
McFarlane Conolly	Present	Chairperson; East End and Sustainable Development
Franklin Thompson	Present	West Bay and Marine Conservation
Lisa Hurlston-McKenzie	Present	George Town and Sustainable Development & Climate Change
Dominic Williams	Absent	Bodden Town
Edward Chisholm	Apologies (sick)	North Side
Pedro Lazzari	Present	Sister Islands
Nadia Hardie	Present	National Trust for the Cayman Islands
Patricia Bradley	Present	Avifauna & Biodiversity
Fred Burton	Present	Terrestrial Biodiversity
Adrian Estwick	Apologies	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