



National Conservation Council Conservation Plan for Sea Turtles

National Conservation Law, section 17

This Conservation Plan applies to the following sea turtle species:

Green turtles (*Chelonia mydas*)
Loggerhead turtles (*Caretta caretta*)
Hawksbill turtles (*Eretmochelys imbricata*)
Leatherback turtles (*Demochelys coriacea*)
and all other species that may occur in Cayman waters including
Kemp's Ridley turtles (*Lepidochelys kempii*)
and hybrids

1. Conservation Status

All sea turtles covered by this Conservation Plan are listed on Part 1: Schedule 1 of the National Conservation Law (2013).

Internationally, they are classified for risk of extinction (IUCN Red List of Threatened Species 2018).

The species are also protected under the following International Conventions to which the Cayman Islands are party: the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES) Appendix 1, the Protocol to the Cartagena Convention Conserving Specially Protected Areas and Wildlife (SPAW) Annex II, and

the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Appendix 1.

Historically, the Cayman Islands supported one of the world's largest green turtle nesting populations, as well as abundant nesting by loggerhead, hawksbill, and leatherback turtles (Lewis 1940). However, by the early 1800s, massive commercial harvesting had caused these populations to crash. By the early 20th century, Cayman Islands sea turtle nesting populations were considered extinct.

Beginning in 1998, nesting beach monitoring surveys by the Department of Environment (DoE) revealed that nesting by green, loggerhead, and hawksbill turtles did indeed still exist but at critically low levels (Aiken et al. 2001, Bell et al. 2007). In recent years, numbers have increased with an annual average of 217 green nests, 237 loggerhead nests, and 8 hawksbill nests documented for the three islands between 2014 and 2018. Fertilisation success averaged 78% for loggerhead nests and 81% for green turtle nests, showing no reduction in fertility relative to larger populations (Bell et al. 2009).

Turtles nest repeatedly during a breeding season but do not nest every year, and their clutch frequency and remigration intervals can vary; this makes it difficult to precisely estimate population size from nest counts. However, since 2013, the DoE has operated a tagging and genetic analysis project for green turtles which indicates that the number of nesting female green turtles in Grand Cayman is critically small (99 green turtles tagged from 2013 to 2017, comprising the majority of the turtles nesting during that period). Based on corresponding nest count data, number of nesting females is expected to be lower for other islands and species.

Also through tagging and genetic analysis, the DoE has established that green turtles released by the Cayman Turtle Conservation and Education Center (CTCEC, formerly Cayman Turtle Farm) in the 1980s are now contributing to the increased number of green turtles nesting on Cayman's beaches (Bell et al. 2005, Barbanti et al. 2019). As loggerhead nesting numbers have also increased, and this species has never been released by CTCEC, this indicates the critical importance of conservation measures in the wild to protect nesting populations.

In addition to supporting green and loggerhead nesting populations, aggregations of juvenile hawksbill and green turtles have been documented and studied in the long term within the waters surrounding the Cayman Islands (e.g. Bell et al. 2008, Blumenthal et al. 2009a, Blumenthal et al 2009b, Blumenthal 2009c, Blumenthal et al. 2010) but

abundance of juvenile turtles at sea is difficult to establish and has not been quantified.

2. Ecology and Threats

Sea turtles are long-lived species which nest on tropical and temperate beaches and migrate thousands of kilometres across national boundaries and through international waters during their development and to reproduce.

Globally, major threats to sea turtles include habitat loss and degradation, artificial lighting on nesting beaches, legal and illegal overfishing, bycatch, pollution, increased human presence in their nesting habitats, and climate change.

In the Cayman Islands, turtles nest on sandy and rocky beaches around all three islands (Aiken et al. 2001, Bell et al. 2007) and forage on coral reefs, reef walls, hardbottom habitats, and seagrass beds (Bell et al. 2008; Blumenthal et al 2009b, Blumenthal et al. 2009c, Blumenthal et al 2010).

Satellite tracking has documented long-distance reproductive migrations in adult turtles nesting in the Cayman Islands (Blumenthal et al. 2006) and genetic research has demonstrated that local juvenile hawksbill turtles originate from jurisdictions spanning the Caribbean basin (Blumenthal et al 2009a).

Through 20 years of monitoring, the DoE has documented severe threats to the survival and potential recovery of nesting populations.

Legal turtle fishing was once a major threat to Cayman Islands sea turtle nesting populations and a major factor limiting their recovery, as the fishery focused on adult turtles (Bell et al. 2006). In 2008, a maximum size limit and extended closed season were introduced to focus legal take on smaller, less reproductively valuable size classes (Blumenthal et al. 2010). Since 2008, there has been no legal take of turtles. Re-targeting the fishery on larger turtles, or enlarging the pool of eligible turtle fishers to younger persons without a direct experience of and link to the historic turtle fishery of the Cayman Islands, would be likely to have a detrimental effect on turtle populations both locally and internationally.

Currently, illegal hunting has been identified as the most significant threat to adult turtles. Hardshell sea turtle species reach maturity at an average age in excess of 25 years, only a small proportion of hatchlings survive to adulthood, and mortality of large juveniles, subadults, and adults is naturally very low. Therefore, subadult and adult turtles have a

high reproductive value and illegal harvesting of these life stages may prevent the species from recovering. In a recent study, consumption of illegal wild turtle meat was relatively rare (0.3-3.5% of resident households consumed illegal wild turtle meat within the year prior to the study, representing 64-742 households) but due to the small size of turtle nesting populations, levels of illegal harvesting represent a significant threat (Nuno et al. 2018).

Upward nesting trends for both green and loggerhead turtles reflect the survival of the previous generation of sea turtles (those born more than 20 years ago). Future population trends will be determined by the current survival of their offspring, for which there are increased threats.

Artificial lighting on nesting beaches is the other primary threat to the survival of sea turtle nesting populations in the Cayman Islands. On an undeveloped beach, hatchling turtles emerge from their nests at night and orient toward the moon and stars reflecting off the ocean's surface. Artificial lights that illuminate the beach discourage female turtles from nesting and cause the misorientation of hatchling turtles (Bell et al. 2007), leading them toward land where they often die from exhaustion, dehydration, vehicles, or predators. A single light illuminating the beach can kill thousands of hatchlings.

These threats, as well as others which endanger Cayman Islands sea turtles, are the subject of this Plan.

3. Conservation objectives

The immediate goal of the species Conservation Plan for sea turtles is to prevent the local extinction of Cayman Islands green, loggerhead, and hawksbill nesting populations and to maintain or increase foraging populations for green and hawksbill turtles.

Long term goals of the Plan include continued recovery to allow sea turtles to fulfil ecological roles and to buffer against the risk of extinction in the face of global threats such as climate change.

Species success criteria:

In the case of species listed in Part 1 of Schedule 1, section 17(3) of the law requires that the Conservation Plan specify objective, measureable criteria which, when met, would result in a determination that the species be removed from Part 1 of the schedule.

There are no historical records of Kemp's ridley turtle nesting and, while historically present, leatherback turtle nesting has not been documented in the last 40 years. However, as migratory species with a range including the Caribbean sea, ridley and leatherback turtles may transit Caymanian territorial waters and hybrids between sea turtle species are rare but naturally occurring. For these species, downlisting criteria depend upon international status: international extinction risk downlisted to IUCN Red List status of Least Concern and delisting from SPAW and CMS.

Little basis is available to set quantitative estimates for optimal sea turtle population size for green, loggerhead, and hawksbill turtles.

Given the critically reduced numbers for all three species and their status as internationally vulnerable, endangered or critically endangered, the Conservation Council determines that the populations of sea turtles are currently, and are likely to remain for the foreseeable future, significantly and substantially below any optimal level.

Given inherent life history characteristics of turtles, especially long generation time and international migrations, it is anticipated that downlisting the species is likely to be a multi-decadal project. On the other hand, the Plan envisages that several of the conservation measures to mitigate immediate, critical threats to the survival of the species, will be complete within 6 years.

Assessment will be against the backdrop of international recovery of the species and by particular reference to the protection or other conservation measures of competent intergovernmental or international agencies or organisations.

For green, loggerhead, and hawksbill turtles, criteria for downlisting from Part 1 Schedule 1 to Part 1 Schedule 2 should be separately applied to each species and are as follows – all of the following must apply:

- International risk of extinction has been downlisted to IUCN Red List status of Least Concern.
- Species has been de-listed from SPAW and CMS.
- Nesting population abundance for the species has increased over 3 generations of monitoring.
- Cayman Islands breeding population size for the species is estimated to number at least 1,000 mature adults which are capable of reproduction, taking biased adult or breeding ratios into account.

- Published, peer-reviewed quantitative analysis shows the probability of extinction of the species in the wild is less than 10% within 100 years.
- Less than 10% of sea turtle nesting habitat is impacted by artificial lighting.
- Area, extent, and quality of nesting habitat is otherwise maintained or improved.
- Turtle friendly lighting in sea turtle nesting habitat is required by a legal mechanism which does not depend on the species Part 1 Schedule 1 listing under the National Conservation Law.
- Illegal harvesting does not pose a significant threat to survival of the nesting population or juvenile foraging aggregation of the species.
- An index of abundance for foraging aggregations of the species has been established.
- Source populations have been identified for foraging aggregations of juvenile turtles of the species.
- Published, peer-reviewed quantitative modelling indicates that legal harvesting of juvenile turtles of the species would be sustainable and would not jeopardise or put at risk any population of the species.
- A management plan has been developed fully setting out the actions and protections which would be necessary to prevent further decline should the species be removed from Part 1 of Schedule 1.
- The Council can certify, in terms section 16(8) of the Law, that sufficient and significant reasons exist, based on generally accepted scientific procedures and clear and reasonable evidence, that the population levels and conservation status of the species is such that protection under Part 1 Schedule 1 is no longer necessary.

4. Conservation Strategies

The major objective of this species Conservation Plan is to adopt the following measures for the protection of sea turtles:

- Designate critical habitat (Section 5).
- Continue to regulate domestic legal turtle fishing (Section 6a)
- Continue to regulate international trade (Section 6b)
- Regulate domestic trade in turtle products to reduce illegal hunting (Section 6c)
- Regulate introduction or re-introduction of turtles into the wild (6c).
- Regulate take of turtles caused by artificial lighting (6d), operation of vehicles on nesting beaches during the nesting season (6e), bonfires (6f), and disturbance (6g).
- Ensure consultation on development proposals impacting sea turtle critical habitat (Section 6h)
- Support research, monitoring, and public education efforts (Sections 6i-6k).

5. Habitat protection

Sea turtle critical habitat is defined as beaches which have had the highest density of turtle nesting over the monitoring period (1998-2018).

The width of critical habitat is the sea turtle nesting habitat from the low water mark to the vegetation line (defined as the line of woody/permanent vegetation or the closest impermeable structure).

The purpose of designating sea turtle critical habitat is to create zones for special protection of nesting turtles.

Maps designating sea turtle critical habitat may be updated every 5 years to designate or remove areas as appropriate.

Sea turtle nesting habitat is defined as beaches where sea turtle nesting has occurred or is likely to occur. The width of sea turtle nesting habitat is from the low water mark to the vegetation line (defined as the line of woody/permanent vegetation or the closest impermeable structure). For location and extent of nesting and critical habitat, see the Grand Cayman, Little Cayman, and Cayman Brac nesting and critical habitat maps.

6. Additional conservation measures

a. Fishery Licenses

No take of sea turtles is permitted at any time except in accordance with a license issued under section 22 of the Law, the National Conservation Council (License and Permit) Directives, 2016, and this species Conservation Plan.

Council may grant licenses for traditional, legal fishing of sea turtles for consumption within the islands, provided it is satisfied that:

- 1) Licenses are limited to those persons who have traditionally taken turtles by traditional methods in the Cayman Islands and who were in possession of a turtle license granted under the Marine Conservation Law (2013 Revision).
- 2) The activity will not significantly reduce or be detrimental to the survival of any regionally, geographically, or otherwise identifiable population of the species.
- 3) Take is justified as sustainable and compatible with this Conservation Plan. Adult and sub-adult turtles are particularly vulnerable to overfishing and take of turtles within these size classes is not compatible with this Conservation Plan.
- 4) License conditions are in accordance with all conditions outlined in the National Conservation Council (License and Permit) Directives, 2016. These conditions shall include but not be limited to: a prohibition of take of hawksbill turtles, a closed season encompassing April to November (inclusive), and a maximum size limit of twenty-four inches curved shell length. Use of spear guns and anchored nets and take of turtles from the waters of West Bay Beach, George Town Harbor and any bay or sound inside the reef crest is also prohibited.

b. International trade

No import or export of turtles or turtle products will be permitted without permission under the Endangered Species Trade and Transport Law (as currently in force at the time).

c. Domestic sale of turtle products and introduction or reintroduction of turtles into the wild.

- 1) All turtle products for sale, gift, donation, etc. must have a permanent unique non-reproducible marking system (e.g. barcode). Additionally, products for consumption must be sold, gifted, etc., in sealed containers with a tamper-evident seal and remain in these containers until they are opened to be cooked. Marking systems and tamper-evident seals shall be in a form approved by the DoE.
- 2) All eggs, or hatchlings, or turtles introduced on Cayman's beaches or released into Cayman waters, regardless of source, must comply with terms and conditions set out in a permit issued by the Council to ensure that best practice is followed. Species protection provisions within other laws and regulations may apply.

d. Turtle Friendly Lighting.

Under the National Conservation Law, "take" means to "collect, hunt, kill, destroy, damage, injure, disturb, harass, harm, wound, capture, molest or impede a live specimen in any way or to attempt to do so, and includes incidental take". Specimens include eggs.

Recognising the definition of "take" under the National Conservation Law, which prevents incidental taking, such as the death, etc., of hatchling turtles or the disruption of adult turtle nesting activity by artificial lights which shine into nesting habitat, "turtle friendly lighting" shall be implemented in sea turtle nesting habitat through a phased approach.

It is the policy of the Cayman Islands that turtle friendly lighting is lighting designed in such a way so as to ensure that the point source of light or any reflective surface of the light fixture shall not directly, indirectly, or cumulatively illuminate the beach, nor shall it be directly or indirectly visible to an observer standing on the beach, so as not to "take" turtles. Turtle friendly lighting minimises the impacts of artificial lighting as outlined in the DoE's Technical Advice Note.

Turtle friendly lighting will be implemented in two phases:

New development or temporary development (as defined in the Development and Planning Law (2017 Revision): from the date on which this species Conservation Plan comes into force every government entity (including but not limited to, the Central Planning Authority and the

Sister Islands Development Control Board) shall require the use of turtle friendly lighting (as defined in this Plan and in accordance with a Turtle Friendly Lighting Plan to be approved by the DoE) in any application coming before them for planning permission where the development or activity would be adjacent to or impacting sea turtle critical habitat.

In the case of its powers in relation to coastal works in Cayman waters, Cabinet is requested to require the use of turtle friendly lighting (as defined in this Plan and in accordance with a Turtle Friendly Lighting Plan to be approved by the DoE) in any application coming before them for permits where lighting required would be adjacent to or impacting sea turtle critical habitat.

Existing Development: Proprietors of existing properties along sea turtle critical habitat shall replace all lighting that directly, indirectly, or cumulatively illuminates the beach with turtle friendly lighting (as defined in this Plan and in accordance with a Turtle Friendly Lighting Plan to be approved by the DoE) within three years of this Plan coming into force. This shall include roadway lights which directly, indirectly, or cumulatively illuminate the beach.

Following the expiration of this grace period, any person responsible for a light which takes a turtle in critical habitat (being to kill, injure, disturb, or impede it, including diverting it from its path to the sea) is liable for prosecution under the National Conservation Law for take of a turtle.

e. Operation of vehicles and equipment on turtle nesting beaches during the nesting season.

Driving or operation of vehicles, heavy equipment or construction equipment in sea turtle nesting habitat between May to November inclusive is likely to have a negative impact on the protected species, particularly through compaction of sand which can crush turtle nests or accidental excavation of turtle nests with heavy equipment. Therefore, to prevent inadvertent take of the protected species, it shall be unlawful for any person to operate a motor vehicle, except as detailed below, in or upon turtle nesting beaches from 1 May to 30 November. Exceptions to this prohibition are:

- a) Permitted beach cleaning vehicles and equipment (permits to be issued under section 20 of the National Conservation Law);
- b) Ambulances or other life rescue and law enforcement vehicles;

- c) Construction vehicles or heavy equipment which are authorised through planning permission, subject to the express consent of the National Conservation Council that no turtle nests are present prior to vehicles accessing a turtle nesting beach;
- d) A work vehicle consisting of a single passenger, all-terrain vehicle used to move water sports vehicles to and from storage and maintenance areas, or
- e) Any other such vehicle that is permitted under section 20 of the National Conservation Law.

f. Avoidance of impacts from beach bonfires.

Bonfires on the beach can elevate the temperature of turtle nests, preventing them from hatching, and hatchling turtles can be attracted by the light of the fires and drawn into the flames. In issuing permits for Beach Bonfires, Department of Environmental Health (DEH) shall consult with the DoE regarding impacts on turtle nesting.

g. Guidelines for turtle interactions

The following guidelines shall apply to avoid contravention of the law relating to disturbance (take).

- A distance of at least 30ft (10m) shall be maintained from any nesting turtle on the beach.
- No unauthorised personnel shall dig in or around a turtle nest or handle turtle eggs.
- A distance of at least 50ft (15m) shall be maintained from mating turtles at sea.
- Sign-posted high density turtle breeding areas should be avoided.
- Turtles of any size encountered at sea shall not be chased, touched, caught, ridden, or fed.

Taking of turtles in circumstances other than as permitted in this Plan constitutes an offence under s.33 of the National Conservation Law.

h. Consultation on development proposals

Guidance Notes to Government Agencies issued under the NCL (Gazette Issue 05/2015, 2 March 2015) set out criteria to determine which government agency actions require consultation with the National Conservation Council under s.41 of the National Conservation Law.

In making recommendations to government agencies on decisions that may affect sea turtles, the National Conservation Council will seek to advance the objectives of this Conservation Plan.

i. Exceptions for research

The DoE is authorised to carry out research on sea turtles, including capturing, handling, and collecting non-lethal scientific samples. The DoE may authorise additional researchers and persons volunteering for or otherwise acting under the auspices of the DoE with a letter of appointment from the Director. In authorising research and monitoring projects and protocols, the Director may apply conditions under which researchers and volunteers shall operate, aimed at minimising any potential impacts on sea turtle species.

j. Monitoring and research

The Department of Environment will conduct monitoring and research on sea turtles which may include but is not restricted to:

- **Continuing the Marine Turtle Nesting Beach Monitoring Programme:** Since 1998, DoE has conducted a daytime systematic survey along the beaches of the Cayman Islands to assess annual abundance and distribution of nesting and to aid in conservation efforts.
- **Continuing in-water research programme:** DoE has carried out in-water monitoring of sea turtles since 2000, wherein turtles are captured, tagged, and released to assess habitat utilisation, movement patterns, growth rates, demographics, management needs, and trends in abundance.
- **Continuing mortality and incident tracking:** DoE documents and spatially references mortalities, injuries, and incidents of illegal hunting for turtles of all life stages.

- Continuing research to provide **answers to specific management questions**: DoE should continue to seek funding, where needed, to carry out additional management-relevant research.
- Continue **Socioeconomic research** to refine estimates of threats and monitor effectiveness of interventions.

k. Public outreach, education and awareness

Education efforts include involvement of volunteers, public events, media releases, and production of educational materials. Wherever possible, education materials should be linked with the Cayman Islands National Curriculum and subject to evaluation of effectiveness.

7. Implementation, Evaluation and Review

Responsibility for implementing this Plan lies primarily with the National Conservation Council and the Department of Environment.

Maps designating sea turtle critical habitat may be updated every 5 years.

This Conservation Plan will be evaluated occasionally by the Department of Environment and at such time that any revision appears to be necessary, the Department will bring proposed revisions to the National Conservation Council.

Costs of Implementing this Plan:

The cost of these conservation measures will be borne under the DoE's annual budget for species conservation and management, grants from the Environmental Protection Fund, and additional grant funding as required and available. The exceptions to this will include costs to be borne by collaborating partners (e.g. Cayman Turtle Conservation and Education Centre Ltd. in the marking of turtle specimens for sale) and owners of beachfront properties in critical habitat for the installation of turtle friendly lighting prior to the expiration of the grace period.

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Legal Basis

Section 17 of the National Conservation Law, 2013 requires the National Conservation Council to formulate and adopt a conservation plan for each protected species whose range includes the Islands.

Schedule 1, Part 2 of the Law designates protected species which require protection under this Law other than for such limited hunting or collecting of specimens as may be permitted by regulations or a Conservation Plan [section 16(1)(b)].

Species Conservation Plans must set out the steps which the Council considers to be necessary to achieve the conservation and survival of the species and their critical habitat.

Priority is accorded to the development of Plans for threatened or endangered species that are at risk from development projects or other forms of economic activity, or that would otherwise be most likely to benefit from such plans.

Species Conservation Plans may take into account traditional cultural needs and applicable regional programmes under the various biological, conservation and climate change Conventions to which the Cayman Islands are party [section 6(2)(j)]