

# National Conservation Council

General Meeting

19 August 2020, 2pm,  
via Zoom: 875 4801 1691



## MINUTES

1. Call to Order
  - a. A quorum being present (see appendix) the meeting was called to order at 2:22pm.
  - b. The Chairman welcomed everyone and noted that the public and press were able to view the meeting on Zoom, and that it was also being broadcast live via YouTube.
  - c. The Chairman noted the expiry of certain members' tenure and thanked them for their service.
  - d. No interests were declared.
2. [WP-01 Confirmation of Minutes of 4 December 2019](#)
  - a. Council reviewed the minutes. No changes were made.
  - b. A motion was made to adopt the Minutes (moved by Patricia Bradley, seconded by Lisa Hurlston-McKenzie). The motion passed without objection.
3. Matters Arising From Previous Meeting
  - a. [WP-14 Interim Directive designating Critical Habitat for turtle nesting](#)
    1. On behalf of the Department of Environment (DoE) Director Gina Ebanks-Petrie briefed Council on the background to the motion, including examples where development control recommendations were not included in development approval and turtle nests were impacted or placed at risk (requiring physical intervention to protect the eggs, a sub-optimal approach).
    2. Gina Ebanks-Petrie proposed the motion, seconded by Patricia Bradley.
    3. Council considered the Motion.
    4. Council voted and approved the motion 5:0.
      - a. In Favour: Lisa, Patricia, Tim, Fred, Pedro
      - b. Abstain: Colleen, Gina, Chairman
      - c. Opposed: None
  - b. [WP-02 Ratification of Mangrove Conservation Plan Entry Into Force](#)
    1. On behalf of the Department of Environment Director Gina Ebanks-Petrie presented the background to the Plan and moved the Motion, seconded by Lisa Hurlston-McKenzie.
    2. Council considered the motion.
    3. Council voted and approved the motion 5:0.

- a. In Favour: Patricia, Lisa, Tim, Pedro, Gina
  - b. Abstain: Colleen, Fred, Chairman
  - c. Opposed: 0
- c. [WP-16 Meagre Bay Pond Management Plan Consultation Report](#)
- i. On behalf of the Department of Environment Fred Burton presented the background to the Plan and then the consultation report.
    1. Noted that the issue of 'fair market value' for land purchase in the area is for Lands & Survey and the landowners, not the Management Plan.
    2. Drew attention to the 5 minor changes made to the Plan based on public feedback.
    3. Put the motion for the Plan to go to Cabinet, which was seconded by Patricia Bradley.
      - a. That the amended Management Plan for Meagre Bay Pond be confirmed by the National Conservation Council and put forward to Cabinet, with the Consultation Report, with a recommendation for its approval.
  - ii. Council considered the Plan, with the 5 minor changes as outlined, and the Report.
  - iii. Considering the proposed changes to be minor the Council voted and approved the motion 4:0.
    1. Support submitting to Cabinet: Lisa, Tim, Gina, Pedro
    2. Abstain: Colleen, Fred, Chairman
    3. Opposed: 0
- d. Little Cayman Cat Cull
- i. Department of Environment Director Gina Ebanks-Petrie presented the conservation needs for a cull of feral cats, particularly on Little Cayman but also on Cayman Brac and Grand Cayman. She then presented the background to the offer to settle the Judicial Review of the previous decision by the Departments of Agriculture and Environment to undertake the Little Cayman Cat Cull. The Director also recapped the Council's agreement, pending ratification, to financially support the offer to settle.
  - ii. Director Gina Ebanks-Petrie moved the motion to ratify the ultimately unused authorisation for funds. The motion would also allow up to \$5,000 from the Environmental Protection Fund to be used for a future such settlement, if such a settlement is reached. This was seconded by Fred Burton.
  - iii. Council considered the motion and approved it 5:0.
    1. Supporting: Lisa, Patricia, Pedro, Tim, Gina
    2. Abstain: Colleen, Fred, Chairman
    3. Opposed: 0
4. Reports
- a. [WP-04 DoE Consultations & Licencing Report](#)
    - i. On behalf of the Department of Environment Director Gina Ebanks-Petrie presented the report.
    - ii. Council noted the report.
  - b. Public Education & Outreach

- i. [WP-05 Transitioning to a Greener Economy](#)
    - 1. Council noted the letter from the Council and the Department of Environment encouraging the Cayman Islands to seize the moment to transition to a greener economy.
    - 2. Council noted it had been submitted to the Governor, Premier, all Cabinet Ministers and their Chief Officers, the Deputy Governor and the Cabinet Office. The letter was then subsequently published on the DoE and Council websites and publicised in DoE social media posts.
    - 3. The proposals were generally well received by the public and used by other groups looking at Cayman's socioeconomic recovery.
    - 4. DoE will continue engaging in Public Education and Outreach (PEO) on the Council's behalf promoting the content of the report and encouraging buy-in by other partners.
  - ii. National Economic Reopening Planning
    - 1. The Department and Council met with Paul Byles, who was engaged by the Ministry of Tourism, regarding sustainable tourism recommendations in the Green Economy Transition letter, among other issues.
    - 2. The Green Economy Transition proposition has been recommended by a Council member to other national recovery (sub) committees. Climate change adaptation issues are (hopefully) being picked up by recovery (sub)committees and could be expanded in social media and other public education outreach. It is hoped that the Minister of Commerce would soon announce if any of the recommendations may be engaged in as part of wider Government initiatives.
  - c. Climate Change

The Committee Chair gave a brief report of her activity on the Strategic Economic Advisory Council's Tourism and Hospitality Committee and the R3 Recovery Committee to ensure Council recommendations on sustainability and climate change are incorporated into those committees.
  - d. Environmental Assessment Boards (previously empanelled by Council)
    - i. ISWMS (Integrated Solid Waste Management System) – No activity – waiting to hear from project team when Terms of Reference (TOR) are ready to go to public, as well as the remediation report. TOR are just for the new ISWMS facility. The remediation is being addressed through a Risk Assessment, with options report.
    - ii. EW Arterial – EAB met with NRA on TOR for consultants to apply for the job of doing the EIA.
5. New Matters
- a. [WP-06 Annual Report 2019](#)
    - i. Council noted the Annual Report, and that it had been sent to the Minister for onward transmission to the Legislative Assembly.
  - b. [WP-07 Crownbeard Consultation Report](#)

- i. On behalf of the Department of Environment Fred Burton presented the proposed conservation plan, and the report of the recently completed consultation on the Plan.
  - ii. Fred Burton moved the motion to accept the consultation report and recommend the Crownbeard Conservation Plan to Cabinet for their consideration (along with consultation report). The Motion was seconded by Patricia Bradley.
    1. It was noted that there is a 60 day time period once the Motion is forwarded to Cabinet for the Cabinet to consider the Report and respond to the Council before the Plan comes into effect under the Law.
  - iii. Council considered and approved the Motion 4:0. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting.
    1. In Favour: Lisa, Gina, Tim, Pedro
    2. Abstain: Colleen, Fred
    3. Opposed: 0
- c. [WP-08 Ratification of Wyndham Groyne Screening Opinion](#)
- i. On behalf of the Department of Environment Director Gina Ebanks-Petrie presented the background on the coastal works application, the Department's review, and opinion that there was no need for an EIA. She moved a motion to ratify the screening opinion, which was seconded by Timothy Austin.
    1. Council considered the motion. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting. Council approved the motion 5:0.
      - a. In Favour: Lisa, Patricia, Pedro, Tim, Fred
      - b. Abstain: Gina, Colleen
      - c. Opposed: 0
- d. [WP-09 Aegiphila Consultation Initiation](#)
- i. On behalf of the Department of Environment Fred Burton presented the proposal to initiate consultation on the draft conservation plan for *Aegiphilia caymanensis*.
  - ii. The great rarity of the plant was noted. It is probably the most endangered Cayman endemic (only 2 plants were known when the plan was drafted), and possibly the least understood and studied. For these reasons the Department prioritised this species for the drafting of a conservation plan.
  - iii. Subsequently members of the public have reported *Aegiphilia* from two more, geographically distributed, areas. So the draft plan will be updated with this information before consultation.
  - iv. The conservation challenges and the responses within the draft Plan were outlined, including producing permits for landowners where the plants are naturally found. Movement of the plants is generally not a realistic option. Propagation has not yet been successful. Habitat protection will be needed, but will be complicated by the individualized nature of the plants (so critical habitat is not a viable protection measure at this time). Plants are too rare to allow handling, even attempts to propagate, without oversight. The Plan includes

publicizing the plant in the hopes of finding more specimens in the wild or in cultivation, and then issuing permits to the owners as a way of recording and recognizing their plants while protecting the individual specimens from future accidental destruction. Monitoring, research, and local propagation are needed, including collaborative work with local and international experts

If absolutely necessary transfer of the plants to protective management will be attempted but only where *in situ* conservation is failing. No export of live plants is likely to be allowed, not even from Grand Cayman to the Sister Islands, with the possible exception of international (*ex situ*) seed banking which may be carried out as part of conservation action administered under the Conservation Plan.

- v. It was noted that given the extremely endangered nature of the species no realistic criteria for down-listing can be posited at this time.
- vi. The motion to initiate consultation on the draft conservation plan for *Aegiphilia caymanensis* was moved by Fred Burton and seconded by Lisa Hurlston-McKenzie.
- vii. Council considered the motion. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting. Council approved the motion 4:0.
  - 1. In Favour: Pedro, Gina, Tim, Gina
  - 2. Abstain: Colleen, Fred, Chairman
  - 3. Opposed: 0

e. [WP-10 Savannah Connector Ratification](#)

- i. On behalf of the Department of Environment Director Gina Ebanks-Petrie presented the proposal for ratification. Council noted the EAB update regarding the E/W Arterial. Council noted the background to the proposal. Particularly that the proposed route is on man-modified land and aligns as closely as possible with current development.
- ii. Council notes to the NRA the need for an engineering design that would not flood adjoining residential areas, as well as minimise environmental impacts.
- iii. The motion to ratify the screening opinion on the Savannah Connector road was moved by Gina Ebanks-Petrie and seconded by Fred Burton.
- iv. Council considered the motion. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting. Council approved the motion 4:0.
  - 1. In Favour: Lisa, Tim, Pedro, Fred
  - 2. Abstain: Colleen, Gina, Chairman
  - 3. Opposed: 0

f. [WP-11 Ratification of Westin Screening Opinions](#)

- i. On behalf of the Department of Environment Director Gina Ebanks-Petrie presented the background of the applications and screening opinions. Particularly the proposed works and their possible impacts.
- ii. Council noted the screening opinions.

- iii. The motion to ratify the screening opinions was moved by Gina Ebanks-Petrie and seconded by Patricia Bradley.
  - 1. That the proposed development as reviewed does not need an Environmental Impact Assessment, provided that sufficient additional information is provided upon which the Central Planning Authority may make a fully informed decision regarding the planning development application.
  - 2. This amended the draft motion to correct that it is a Planning (Central Planning Authority) not Coastal Works (Cabinet) decision.
- iv. Council considered the motion.
  - 1. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting.
  - 2. Council stressed the need expressed in the screening opinions for additional studies and the uptake of the mitigating recommendations, though a full EIA is not needed for the proposed works.
- v. Council passed the motion 3:0
  - 1. In Favour: Tim, Pedro, Fred
  - 2. Abstain: Colleen, Gina, Chairman
  - 3. Opposed: 0
- vi. Council inquired regarding the uptake of the additional studies recommended in the screening opinions.
  - 1. DoE is unaware of the status of the recommendations
  - 2. Planning is unaware of the status of the recommendations but the application has not yet been heard by the CPA. The Planning review of the application is still ongoing, which includes consultation with the applicant regarding comments received, and there has been no response from the applicant regarding the Council's specific comments.
- g. [WP-12 Turtle Camera EPF Ratification.pdf](#)
  - i. On behalf of the Department of Environment Deputy Director Tim Austin presented the background to the proposal and moved the motion for ratification, seconded by Fred Burton.
  - ii. Council considered the motion and approved it 5:0.
    - 1. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting.
    - 2. In Favour: Pedro, Fred, Lisa, Patricia, Gina
    - 3. Abstain: Colleen, Tim, Chairman
    - 4. Opposed: 0
- h. [WP-13 Coral EPF Ratification](#)
  - i. On behalf of the Department of Environment Deputy Director Tim Austin presented the background to the proposal and moved the motion for ratification, seconded by Gina Ebanks-Petrie.
  - ii. Council considered the motion.
    - 1. There was concern that if further stingray work were needed there would be no funds available as intended. DoE suggested that if limited

stingray work is needed in 2020 the Department budget could cover it. The EPF allocations reset in 2021 if significant stingray, or coral, work were needed in late 2020 or at any time in 2021.

2. The National Trust representative, Nadia Hardie, offered their support for the motion as an ad hoc (non-voting due to expiry of Council appointment) member of the meeting.
  - iii. Council approved the motion 5:0.
    1. In Favour: Pedro, Fred, Lisa, Patricia, Gina
    2. Abstain: Colleen, Tim, Chairman
    3. Opposed: 0
  - i. [WP-15 Update of Council Manual](#)
    1. The Secretary presented the motion and background, including all square-bracketed portions as full parts of the proposal, for Council's consideration.
    2. Council considered the motion. The motion was moved by Lisa Hurlston-McKenzie and seconded by Gina Ebanks-Petrie. The motion was carried 5:0.
      - a. In Favour: Patricia, Tim, Pedro, Fred, Gina
      - b. Abstain: Colleen, Chairman
      - c. Opposed: 0
6. Next Meeting
    - a. 2 December 2020
      - i. Council Noted
  7. Any Other Business
    - a. No other business
  8. Adjournment
    - a. There being no other business the Council adjourned at 4:13pm

## 9. Attendance Appendix

<b>Council Member</b>	<b>19 Aug. 2020</b>	<b>Representation</b>
McFarlane Conolly	Present	Chairperson; East End and Sustainable Development
Franklin Thompson	Absent	Appointment Lapsed - West Bay and Marine Conservation
Lisa Hurlston-McKenzie	Present	George Town and Sustainable Development & Climate Change
Dominic Williams	Absent	Appointment Lapsed - Bodden Town
Edward Chisholm	Absent	Appointment Lapsed North Side
Pedro Lazzari	Present	Sister Islands
Nadia Hardie	Present	Appointment Lapsed - 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	1	Secretary
Marco Whittaker	Present	Planning Officer, observing for the Director of Planning