National Conservation Council

General Meeting

(23 March 2022, 2pm, GAB 1038)
Broadcast to Public and Archived on YouTube
https://www.youtube.com/watch?v=mJ8Vm0xU2DQ

MINUTES

1. Call to Order
   a. Attendees, Apologies, Quorum
      i. Chairman MConolly confirmed quorum has been reached (see appendix) and the meeting in session at 14:10
      ii. Secretary JBothwell confirmed apologies from Patricia Bradley & Tim Austin, as well as GEPetrie who was in another meeting and will be arriving late.

   b. Declaration of Interests
      i. Chairman MConolly declared GEPetrie has a relational interest in WP5 and would be excusing herself.
      ii. LHMcKenzie declared she has joined the Ministry of Sustainability and Climate Resiliency (MSCR) on a temporary contract and would advise if she felt the need to abstain from voting.
      iii. No other interests were declared.

2. Confirmation of Minutes of 24 November 2021
      i. No changes, amendments or corrections were raised
      ii. AJackman moved to accept the minutes, SMailer seconded
      iii. Minutes were adopted.

3. Matters Arising From Previous Meeting
   a. Legal Challenges
      i. Cat Control (Little Cayman) Judicial Review
         1. GEPetrie – CIG is in the final stages of settlement of the Judicial Review application.
      ii. Directions to CPA Judicial Review
         1. GEPetrie – A date has been set for the 14th and 15th of June for the hearing.

   b. Bloody Bay Tourist Vessel Entry Permits
      i. Secretary JBothwell – All operations currently within Bloody Bay have an up-to-date permit.

c. Habitable Overwater Dwellings
    i. Secretary JBothwell – Cabinet had taken the decision on the application with Council's recommendation to adopt the draft policy for protected areas and that is now going back to Cabinet as a separate stand-alone paper for consideration.

d. Cabinet Approvals
    i. Approval to Purchase Areas for Protection
        1. Secretary JBothwell – areas for purchase include GC-Selina extension in EE, LC eastern interior, and CB Hemmington Forest extension.
        2. Negotiations are still in progress by Lands & Survey.

    ii. Approval to Protect Crown Properties
        1. Secretary JBothwell – Sand Cay in GC, some small mangrove cays on the West coast of the North Sound and one in Duck Pond GC, major part of Tarpon Lake and the eastern interior LC pond had also been approved.

    iii. Approval of Sybils Crownbeard Conservation Plan and Meagre Bay Pond Management Plan
        1. Secretary JBothwell – Cabinet also approved the Meagre Bay Pond management plan, and the species conservation plan for Sybil's Crownbeard in CB.

4. Reports
    a. DoE Public Education & Outreach
        i. Secretary JBothwell - Protected Area Public Nominations Period is now open and live on the website, 7 February – 13 May, www.Conservation.ky and being promoted through social media and other channels.

    b. Climate Change
        i. LHMcKenzie – Noted protected areas would contribute to global target of ending deforestation by 2030 and ecosystem functions would also be able to continue.
        ii. The net carbon removal services of these areas would hopefully be recorded in the annual National Green House Gas inventory to inform the National Energy Policy, & the climate change policy which is likely to be updated soon.
        iii. After the last GM in Nov visited a bamboo nursery with DoA Director with aim to offer carbon offset services for the RCIPS and Coastguard fleet. The zoned agricultural land is secured to outplant the seedlings with space to scale up for other CIG departments who may wish to offset their carbon footprints.
        iv. Public outreach material was provided for the Cayman Compass climate series fighting the tide which explored impact of sea level rise on low lying islands like Cayman.
        v. The climate change risk assessment draft report is expected soon for expert review and finalization. A tentative date in May has been set for the local stakeholder workshop.
        vi. GEPetrie – The stakeholder meeting will have the aim to rank the risks and inform actions and policies moving forward for mitigation and adaptation of climate change.

c. Environmental Assessment Boards
    i. ReGen/ISWMS (Integrated Solid Waste Management System)
        1. GEPetrie – DoE were informed the project has been paused while some contractual issues are worked out, therefore the EIA has also been paused.
    ii. East-West Arterial
        1. GEPetrie – The NRA have begun to tender consultants for the EIA for the E/W arterial so we can expect the Terms of Reference for the EIA to be released for public consultation shortly. DoE will be announcing the consultation period to ensure it's as widely known as possible.

5. New Matters
    a. Police Record Exemption
        i. Secretary JBothwell – The motion was made to facilitate the issuing of permits to certain classes of persons, it is proposed that
            1. Active Coast Guard officers be added to the persons exempt from providing a police record for individual permits; and
            2. Lionfish permits and sein net licenses be added to the classes of permits and licenses for which the exemption applies.
        ii. Moved by GEbanksPetrie / Seconded by AEstwick
        iii. The motion was carried with none opposed. PF abstained.

    b. Land Ltd Hotel EIA Screening Ratification
        i. DoE issued the screening opinion for this project on 7 Jan 2022
        ii. Council also considered possible assessments the CPA could employ to help gauge the impacts of development outside of an EIA including:
            1. Hotel needs assessment
            2. Water quality assessment due to the proposed extension of canal
            3. Section 41(3) requires the CPA to take into account the views of Council.
        iii. Council therefore decided the project did not need an EIA.
        iv. Ratification moved by SMailer / Seconded by HBothwell

    c. Beach Bay Residences Tower EIA Screening Ratification
        i. DoE issued the screening opinion for this project on 12 Jan 2022
        ii. Existing phase 1a has planning permission so phase 1b may only be considered with cumulative effects
        iii. Phase 1b is considered habitat of critical importance for the White-tailed Tropicbird.
        iv. It is recommended that should the development be given permission, a condition be included that there be no clearing of vegetation within the 100 foot coastal setback.
        v. Section 41(3) requires the CPA to take into account the views of Council.
        vi. Council therefore decided the project did not need an EIA.
        vii. Ratification moved by JHarvey / Seconded by PFoster.

viii. The motion was carried with 4 in favour, none opposed and 3 abstaining – RMileham, GEbanksPetrie & LHurlstonMcKenzie

d. Annual Report 2021
    i. Secretary JBothwell – NCC Annual Report 2021 was provided to Council who may now suggest any changes required before being presented to Minister Panton for tabling in the LA.
        1. Typo was identified and corrected on page 9 in the name of Vista Del Mar.
        2. SMailer asked if the revised version had been sent out.
            a. Secretary JBothwell confirmed that it had.
            b. Chairman MConolly suggested the report be reviewed a final time and accepted by round-robin vote.
            c. All agreed.

6. Next Meeting
    a. June 15th, September 21st, December 14th 2022
        i. GEP noted the 15th is the JR hearing
        ii. Council decided June 22nd as the preferred change of date
        iii. Sept 21st may conflict with NT AGM. Date may be adjusted.
    b. All meetings 2pm, open to public via video broadcast.

7. Any Other Business
    a. HBothwell noted rodent control in the Brac appeared to be affecting other animals including crabs and rock lizards. Asked if it was possible to change the poison.
        i. AEstwick noted it is not DoA but DoEH responsible for pest control
        ii. GEPetrie advised DoE would investigate with DEH, including ways to mitigate.
        iii. HBothwell advised pest control companies may be doing the same

8. New Matter
    a. Seymour Mixed-Use Development 5C 192 & 193 s41 Review Ratification
        i. GEPetrie excused herself as she has a personal interest in this item.
        ii. Secretary JBothwell advised the Council of his own family relation to the applicants in question but not an interest which would present an issue with presenting the documents for Council's consideration.
        iii. The site is man-modified and noted with low ecological value.
        iv. The existing house which is proposed to be demolished is listed on the National Trust Heritage Register and as having been built in 1927.
        v. It is noted the site is not located within a historic overlay zone but the Boggy Sand WB Historic Overlay Zone is located adjacent to the site and it is recommended that the National Trust be consulted on the application.
        vi. JHarvey moved to ratify the decision / AEstwick seconded
        vii. The motion passed with 4 in favour, none against
        viii. RMileham, LHurlstonMcKenzie & SMailer abstained, GEPetrie absent (recused) for vote.

9. Adjournment
    a. There being no other business, the meeting was adjourned at 15:03.

10. Attendance Appendix

Council Member	**23 March 2022**	**Representation**
McFarlane Conolly	Present	Chairperson; East End
Jessica Harvey	Present	George Town; Marine & Terrestrial Affairs
Lisa Hurlston-McKenzie	Present	West Bay; Sustainable Development & Climate Change
Edward Chisholm	-	North Side
Pierre M. Foster	Present	Bodden Town
Harrison A. Bothwell	Present	Sister Islands
Annick Jackman	Present	National Trust for the Cayman Islands (Executive Director)
Patricia Bradley	Apologies	Avifauna & Biodiversity
Stuart Mailer	Present	Sustainable Development
Adrian Estwick	Present	Director of Agriculture
Haroon Pandohie	-	Director of Planning
Richard Mileham	Present	Planning Officer, representing the Director of Planning
Gina Ebanks-Petrie	Present	Director of Environment
Timothy Austin	Apologies	DoE Deputy, Research
John Bothwell	Present	Secretary