

**National Conservation Council**



Promoting and securing  
biological diversity  
and the sustainable use  
of natural resources  
in the Cayman Islands

v1.2 (final)

# Annual Report 2024



*Salvia caymanensis*, Cayman Sage,  
for which a Species Conservation Plan was completed in 2024.  
(Photo Matt Cottam, DoE, 2007)

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## **Chapter 1 Cayman Islands National Conservation Council**

### **1.1 Purpose**

The National Conservation Council (the Council, NCC) is established by, and to facilitate the goals of, the National Conservation Act 2013 (the Act, NCA), that is: to promote and secure biological diversity and the sustainable use of natural resources in the Cayman Islands; to protect and conserve endangered, threatened and endemic wildlife and their habitats; to provide for protected terrestrial, wetland and marine areas; and to give effect to the provisions of certain international conventions (the Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean region, the Convention on Wetlands of International Importance (especially as waterfowl habitat), the Convention on the Conservation of Migratory Species of Wild Animals, the Global Convention on Biological Diversity, and the United Nations Framework Convention on Climate Change).

### **1.2 Statutory Functions**

The functions of the NCC are set out in Part 2, section 3 of the Act, in particular in subsection (9):

- (a) subject to this Act, managing and making recommendations on the use of the Environmental Protection Fund;
- (b) promoting the biological diversity and the conservation and sustainable use of natural resources in the Islands;
- (c) co-ordinating the establishment and adoption by the public and private sectors of national policies for the conservation and sustainable use of natural resources, including-
  - (i) the use of wetlands and wetland resources; and
  - (ii) the excavation of aggregate and fill materials;
- (d) recommending and maintaining protected areas and conservation areas and conserving, maintaining and restoring their natural resources in accordance with Part 3;
- (e) conserving, maintaining and restoring populations and critical habitats of protected species in accordance with Part 4;
- (f) promoting the training of professional and voluntary personnel in the fields of research, management and wardening of protected areas and species and the other natural resources of the Islands;
- (g) promoting wider understanding and awareness of the significance of the ecological systems of the Islands, the benefits of conserving natural resources and of the provisions of this Act and the Conventions;
- (h) publicising the establishment of protected areas and the designation of protected species and raising public awareness, through educational programmes and other means, of the significance and value of protected areas and species and of the benefits that may be gained from them;
- (i) encouraging public involvement, particularly by local communities, in the planning and management of protected areas and the conservation of protected species;
- (j) promoting the adoption of guidelines by entities for the integration of conservation issues into their decision making processes and for the achievement of the sustainable use of natural resources;
- (k) promoting district, national and regional initiatives, including co-operative enforcement measures and mutual assistance in the enforcement of national laws, in order to further the objectives of the Conventions;

- (l) promoting national plans for emergency responses to activities or events, whether caused naturally or not, that present a grave and imminent danger to biological diversity and encouraging international co-operation to supplement such national plans;
- (m) promoting national plans for the sustainable management, conservation and enhancement, as appropriate, of sinks and reservoirs of greenhouse gases; and
- (n) carrying out such other functions and duties as are specified under this Act and the regulations;

and in subsection (12):

the Council, subject to any directions of the Cabinet, may make orders and guidance notes and issue directives for the purpose of giving effect to the provisions of this Act and such orders, guidance notes and directives may include-

- (a) criteria for identifying endangered or threatened species or other species needing protection under this Act;
- (b) criteria for evaluating proposals for the establishment and management of protected areas and for the measures required to protect and conserve protected species and their critical habitat;
- (c) criteria for the application for, and grant of, monies from the Fund;
- (d) criteria for the review, assessment and reporting of activities funded in whole or in part by monies from the Fund;
- (e) the form and content of a petition under section 16(3);
- (f) procedures for determining the circumstances under which permits and licences may be granted under Part 5;
- (g) measures governing the methods and conditions under which the captive breeding or artificial propagation of protected species may be allowed;
- (h) procedures for regulating and controlling wild populations and the import, introduction, possession, transportation and release of alien or genetically altered specimens;
- (i) procedures for consultation by entities pursuant to section 41(3); and
- (j) the carrying out of environmental impact assessments under section 43.

### **1.3 About this report**

This report is prepared in compliance with the duty set out in section 5 of the Act requiring the Council, no later than three months after the end of the financial year, to prepare and submit to the Minister a report of its activities during the preceding year, following which the Minister shall submit it to Cabinet for laying on the table of the Parliament.

This is the tenth annual report of the National Conservation Council and covers the period from 1 January 2024 to 30 December 2024 inclusive.

Somewhat presciently, at the Council's General Meeting of 4 December 2024 the Chairman Mr. Stuart Mailer presented a 'Council 2024 Year In Review Statement' which captured both the work but also the feeling of Council as of the end of 2024. That Review Statement is attached as [Appendix 1](#) to this Report.

## 1.4 Composition of the Council

The Act regulates the composition of the Council. The Council is composed of thirteen voting members (section 3(2)):

- (a) the Director or his nominee from the Department of the Environment;
- (b) the Deputy Director of Research in the Department of the Environment;
- (c) the Director of the Department of Agriculture or his nominee from the Department of Agriculture;
- (d) the Director of Planning or his nominee from the Department of Planning;
- (e) a person nominated by the National Trust and appointed by the Cabinet; and
- (f) eight persons appointed by the Cabinet.

The Cabinet appoints the Chair. Amongst the Cabinet appointees at least four shall have relevant scientific or technical expertise and they are chosen such that there is at least one person from each of the six electoral districts. The Council for 2024 were as follows.

Representation	Member
East End	Steve Broadbelt
North Side	Dr. Ian Kirkham (Terrestrial Ecology Expertise)
West Bay	Lisa Hurlston-McKenzie (Climate Change & Sustainable Development Expertise)
George Town	Lucille Seymour, MBE
Bodden Town	Pierre Foster
Sister Islands	Capt. Harrison Bothwell (sadly passed in 2024)
National Trust	Frank Roulstone
Department of Agriculture	Brian Crichlow
Director of Planning Planning Officer, representing the Director of Planning	Haroon Pandohie  Richard Mileham
Director of Environment	Gina Ebanks-Petrie
DoE Deputy, Research	Timothy Austin
General Member	Patricia Bradley (Avifauna Expertise)
General Member	Stuart Mailer (Chairman) (Marine & Terrestrial Biodiversity Expertise)

*In Memoriam*  
Capt. Harrison Bothwell  
10 Sept 1947 – 27 Apr 2024

The Department of Environment (DoE) is charged with appointing a Secretary to the Council (section 6). John Bothwell, Manager of the Department's Legislation Implementation and Coordination Unit, has remained as Secretary throughout 2024 and since the Council's inception in 2014.

## 1.5 Conservation Act Amendments

At the end of 2024 the Government considered amendments to the National conservation Act. These included substantial changes to the processes of conservation

consultation under the Act, and to the Council itself. The Council was not consulted by the Cabinet on the contemplated changes. An amendment Bill was published on 31 December 2024. The Bill was subsequently withdrawn 31 January 2025, which will be reported on in the 2025 Annual Report.

- 31 December 2024; Government pushes forward with controversial conservation law changes - Minority government publishes contentious bill on New Year's Eve; <https://www.caymancompass.com/2024/12/31/government-pushes-forward-with-controversial-conservation-law-changes/>
- [National Conservation \(Amendment\) Bill, 2024 \(LG51, S1\) \(3\).pdf](#)
- 15 January 2025; Ministry Opens NCA Amendment Bill Consultation Channels; <https://www.gov.ky/news/press-release-details/ministry-opens-nca-amendment-bill-consultation-channels>
- 23 January 2025; As part of the Government's public consultation on the National Conservation (Amendment) Bill the National Conservation Council submitted its comments on the proposed amendments. <https://conservation.ky/wp-content/uploads/2025/01/2025-01-20-NCA-Amendment-Bill-Submission-v1-signed.pdf>

## **Chapter 2 Council Activities, January – December 2024**

### **2.1 Governance**

Section 3 of the Act governs the proceedings of the Council. Seven voting members of the Council constitute a quorum. The decisions of the Council are by simple majority and the chair has a casting vote only. The Council is obligated to meet in a place open to the public and cause to be prepared and published the agendas and minutes of all meetings. The Council may, subject to the Act, regulate its own procedure.

The Council's Manual of Policy and Procedure contains rules for administration of the Council, a Code of Conduct, and a procedure for Disclosure of Interests. The Council chose to adopt the model Code of Conduct proposed by the Commission for Standards in Public Life.

In respect of Disclosure of Interests Schedule 2 of the Act provides, in subsection 9:

- (1) If a member of the Council has any pecuniary or other interest in any matter to be dealt with by the Council he shall disclose the fact to the chairman and shall not take part in any meeting at which the matter is considered or discussed.
- (2) A member of the Council who fails to comply with subparagraph (1) commits an offence and is liable-
  - (a) on summary conviction to a fine of twenty thousand dollars and to imprisonment for two years; or
  - (b) on conviction on indictment to a fine of fifty thousand dollars and to imprisonment for five years,unless he proves that he did not know that matter in which he had an interest was the subject of consideration at that meeting.

- (3) A disclosure under subparagraph (1) shall be recorded in the minutes of the meeting of the Council.

Council members are also subject to the provisions of the Standards in Public Life Act and were required to file a declaration of interests with the Commission for that Act. Access to that register of interests would be through the Commission on Standards in Public Life.

The Department of Environment's Freedom of Information staff have been delegated to administer Freedom of Information requests to the Council.

## 2.2 Meetings

The Council held General Meetings in 2024 on 3 April, 19 June and 4 December. Agendas with working papers, and Minutes (once approved), of the meetings can be found at <https://conservation.ky/general-meetings/>. In accordance with the statutory requirement and the Council's Policy and Procedure Manual, the agenda and working papers for the meetings were published in advance and the public was able to view the proceedings of each General Meeting in full and live on YouTube. The meeting recordings can be viewed at [National Conservation Council \(NCC\) General Meetings - YouTube](#).

Council also conducts non-binding working groups approximately every three weeks in order to prepare for the general meetings. Council occasionally considers procedural items at these sessions or via correspondence, with those items then being ratified at the next appropriate General Meeting.

Matters for the Agenda are cast as Working Papers (or sometimes Information Papers) prepared by the Department of Environment (with the option for papers to be prepared by Council members either individually or representing Committees of the Council). Matters for decision are usually presented with a recommendation and a draft motion for approval as a resolution of the Council.

## 2.3 Entry Into Force of the National Conservation Act

The National Conservation Act, 2013 (NCA), came into force in stages through Commencement Orders in 2014, 2015, and 2016, with the exception of sections 46 and 47 of Part 7, which deal with the use and management of the Environmental Protection Fund and are the only sections of the National Conservation Act that still remain to come into force. In the 2024/25 National Budget the operating budget of the Department of Environment was funded from the Environmental Protection Fund. This and other uses (see Chapter 3) would not have been in keeping with the Council's 2016 Guidance Note on the Use of the Environmental Protection Fund under section 47 of the Act, if the relevant sections of the act were in force.

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*46(1) There continues to be established and managed an environmental protection fund to be used for the acquisition and management of protected areas and for measures to protect and conserve protected species and their critical habitat*

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## 2.4 Implementation of the National Conservation Act

### 2.4.1 Conservation of Wildlife (Part 4 of the Act)

The Cayman Sage Species Conservation Plan (drafted by the Department of Environment) was publicly consulted then reviewed, amended and approved by the Council. Cabinet was notified of the reviewed and amended Plan which would enter into force on 15 March 2025 unless written instructions otherwise were received from Cabinet before that date<sup>1</sup>.

### 2.4.2 Conservation of Land (Part 3 of the Act)

The public were invited to nominate any new areas for consideration for protection. The new nominations received were integrated into the list of areas previously nominated. Council amended and reaffirmed their list of general areas prioritised for acquisition as Protected Areas. Unfortunately no progress was made in either

- a) The acquisition & protection of new properties;
- b) The protection of suitable properties acquired by the Government (some possibly with the use of Environmental Protection funds); or
- c) The final designation as protected of lands approved in December 2021 and February 2022 by Cabinet for Protection, including land approved by Cabinet for acquisition and protection and subsequently acquired by Government.

## 2.5 Alien Species

### 2.5.1 Sister Island Alien Species Controls

In 2024 the Department of Environment continued to undertake the targeted removal of feral rats and cats in partnership with the Royal Society for the Protection of Birds (RSPB). In Cayman Brac this work occurred in critical brown booby nesting habitat. This has resulted in a remarkable improvement to the breeding success of these birds. In Little Cayman the alien species control work has already significantly reduced the take of juvenile rock iguanas by feral cats, thereby removing one significant threat to the continued health of that species' population on Little Cayman.

### LIONFISH

Lionfish remain a permanent problematic alien invasive species in the Cayman Islands. Though not a direct issue of the Council.  
<https://doe.ky/marine/lionfish/>

### 2.5.2 Alien Species Regulations

The National Conservation (Alien Species) Regulations (2022) came into effect during 2023, except for Part 3 which remains the subject of a Judicial Review application. It is hoped that the Judicial Review will be heard by the Court and decided in 2025.

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<sup>1</sup> Entry into force of the Plan occurred on 15 March 2025 and will be reported in the 2025 annual Report.

## Alien Species Controls on Little Cayman

Rodents are an invasive species to Little Cayman and present a biosecurity risk if their population goes unmanaged. The citizens of Little Cayman believe the feral cat population have kept the rodent population balanced, and controlling the feral cat population will result in an increase in the rodent population. Even though evidence from feral cat necropsies of cats caught in Little Cayman have showed very few rodent remains. In respect for community concerns rat population surveys have continued in conjunction with feral cat removals.

The house cat (*Felis catus*) has become invasive in the Cayman Islands, readily becoming feral and living and breeding in the wild around human habitations and throughout the interior of all three islands. Such feral cat populations are well documented to be extremely harmful to natural resources, and in the Cayman Islands their impacts on endemic, endangered and protected species are known to be severe.

### 2.5.3 Green Iguanas

The current Grand Cayman Green Iguana Culling Program, utilising a ‘bounty’ approach, officially began in November 2018, although smaller pilot programs had been trialled annually since 2016, and remained in progress through 2024.

The Department of Environment surveys the green iguana population on Grand Cayman annually (at the end of breeding season to account for hatchlings in the population). Unfortunately the Grand Cayman green iguana population remains above the target level of between 10,000 to 50,000 animals. Too long above this level and the population may again ‘explode’.

Grand Cayman Green Iguana Population	
Year	Iguanas
2014	254,152
2015	408,749
2016	814,855
2017	1,060,687
2018	1,319,939
2019	103,020
2020	25,259
2021	87,751
2022	80,500
2023	229,111
2024	244,189

The ‘bounty’ approach was chosen both for rapidity of response to the problem, which had reached unacceptable levels by 2017 but also to leverage the programme as a form of *ad hoc* employment for interested Caymanians either as additional or occasional income, in addition to those persons interested in pursuing the programme as full-time independent-subcontractor employment. The ‘bounty’ programme also had the benefit of not requiring any additional Civil Service staff for the initiation or continuation of the programme. While initial programme management was by the Department of Environment the cull quickly grew to a level where the management could also be outsourced for maximum programme efficiency.

Cornwall Consulting remained as the contracted Cull Management Team throughout 2024, certifying and paying for the catches of the independent iguana cullers then billing the Government for the costs in aggregate. Though so far successful at its two goals (reducing numbers of green iguanas throughout Grand Cayman while providing *ad hoc* employment for Caymanians) there is growing

concern that the bounty style approach to control the green iguana population has reached the limit of its effectiveness. As iguanas become more skittish and dispersed the bounty per iguana has had to be increased. Still the population has continued to rebound. For the financial sustainability of the programme, and to target areas with low iguana catch rates but high social or biological value (including as possible refuges for green iguanas), new approaches will be needed in the future.

On Cayman Brac and Little Cayman, where green iguana numbers have not yet reached the level that a 'bounty' system would be effective, targeted green iguana culling continued led by the Department of Environment with the assistance of community volunteers. The establishment of green iguanas on either of the sister islands brings with it the potential for interbreeding between the invasive green iguanas and the endemic endangered rock iguanas. (Not initially thought possible until hybrid hatchlings were captured in 2016. Another hybrid hatchling was caught in 2019. Of these at least two clutches it cannot be expected that all hatchlings were captured (or killed by feral cats).)

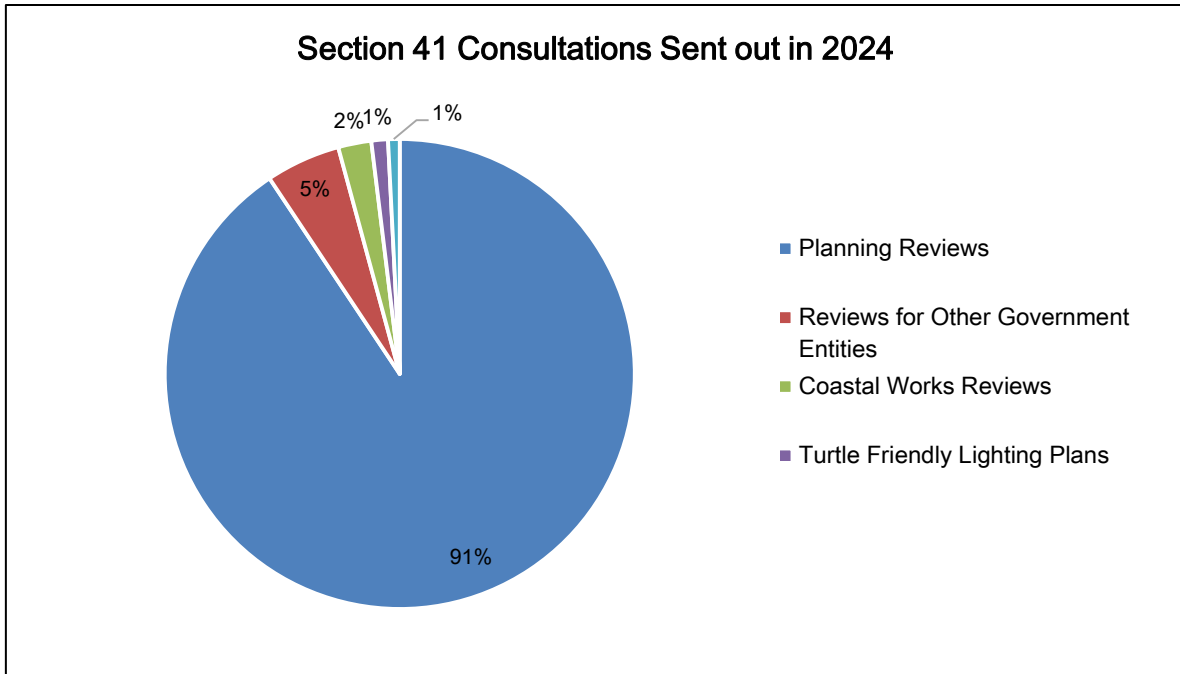
## 2.6 Section 41 Consultations

Under Section 41 of the National Conservation Act all Government entities are required to consult with the National Conservation Council before granting a permit or licence, or making some other decision, that would be likely to have an adverse effect on the environment. Section 43 of the Act allows the Council, where necessary, to require the proponent to carry out an Environmental Impact Assessment (EIA). When an EIA is initiated, the Council appoints an Environmental Advisory Board (EAB) to regulate the process.

The Council has delegated normal section 41 reviews to the Department of Environment (to the Director, as per section 3(13) of the Act) as an administrative function of the Act. This includes identifying any proposals which may require an EIA and reporting a Screening Opinion to the Council for the Council to decide if an EIA is required, or not.

The Department of Environment (DoE) responded to 877 consultation requests under Section 41 of the National Conservation Act (NCA) on behalf of the National Conservation Council (NCC) in 2024. Out of 877 consultation responses, there were 795 Planning Reviews, 45 reviews for other Government Entities (including the Ministry of District Administration and Lands, the Ministry of Education, and the Port Authority of the Cayman Islands), 20 Coastal Works Reviews, 10 Turtle Friendly Lighting Plans, and 7 Pre-Application Reviews. It should be noted that 86.7% (760) of reviews were located in Grand Cayman, 10.8% (95) in Cayman Brac, and 2.5% (22) were in Little Cayman.

<b>Section 41 Reviews (2024)</b>	
Planning Reviews	795
Reviews for other Government Entities	45
Coastal Works Reviews	20
Turtle Friendly Lighting Plans	10
Pre-Application Reviews	7
<b>Total</b>	<b>877</b>



*Breakdown of the categories of reviews sent out by the DoE in 2024.*

*Breakdown of the categories of reviews sent out by the DoE in 2024.*

The DoE has an established three-week turnaround time for all responses sent under Section 41 of the NCA. Overall, the DoE was able to send out 79% of its reviews within the three-week turnaround in 2024 which is just under the internal target of 80%. By category, the DoE was able to achieve the targeted turnaround percentage for “Planning Reviews” (80%), “Turtle Friendly Lighting (TFL) Plans” (90%), and “Reviews for Other Government Entities” (80%).

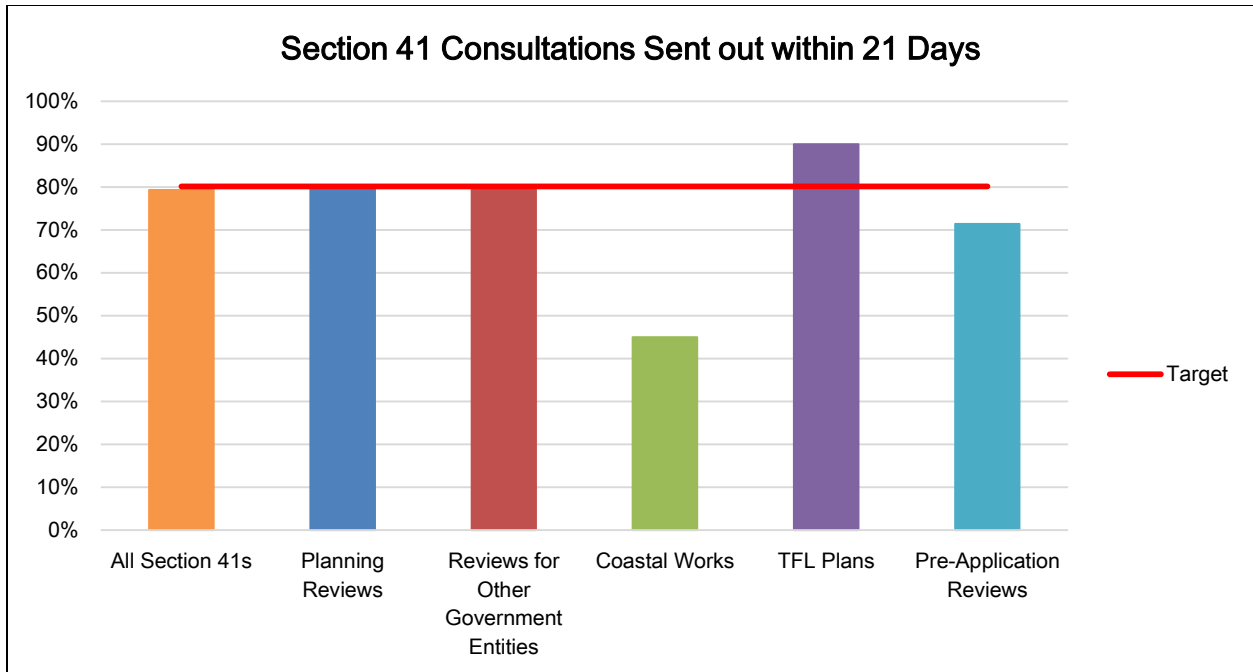


Figure 2. Percentage 2024 reviews sent out by DoE within the established 3-week turnaround.

### Planning Reviews

In 2024, 795 (91%) of the consultation responses sent out by the DoE were addressed to the Planning Department/Central Planning Authority (CPA)/Development Control Board (DCB). Of the 795 Planning Reviews sent out, 692 (87%) were in Grand Cayman, 83 (10.5%) were in Cayman Brac, and 20 (2.5%) were in Little Cayman.

It should be noted that Planning applications can have multiple consultations and, therefore, multiple Planning Reviews from the DoE. To clarify, the DoE sent out 795 Planning Reviews in response to 725 Planning applications. Therefore, the following values do not include duplicate applications.

In 2024, the DoE:

- Directed conditions for 46 Planning applications (6.3%) that had the potential to adversely impact a Protected Area or Critical Habitat of a Protected Species under the NCA.
- Recommended refusal or deferral for 8 Planning applications (1.1%). Most of these applications were for the wholesale clearing and/or filling of a parcel with no approved or pending development application.
- Did not direct refusal for any Planning applications.

In 2024 no section 41 consultations were found by Council to require an EIA.

A few EIAs were continued from 2023.

- Cayman Islands Airport Expansions, voluntarily submitted for EIA and agreed by Council.
- ReGen Integrated Solid Waste Management System (ISWMS); concluded in 2024.
- East-West Arterial
- Port Zeus Brac Marina, voluntarily submitted for EIA and agreed by Council.

The status of all active EIAs can be found on <https://conservation.ky/current-eias/>. Any that have produced public reports can be found on <https://conservation.ky/eia-reports/>. The NRA have also produced their own webpage explaining the need for the EIA of the East-West Arterial, <https://youreia.caymanroads.com/>.

EIAs remain international best practice at a relatively minor cost for those projects that require them, especially compared to the potential savings they can identify for the project. They are an important tool for assuring the public that environmentally, socially and economically appropriate decision-making is occurring. The activation of EIAs in local legislation has gone a long way to raising the profile of the Cayman Islands which in February 2013 were assessed as “weak” in each of the four areas of environmental governance (species, sites, development control and people) evaluated by the Foundation for International Environmental Law and Development (FIELD<sup>2</sup>). Having EIA legislation also assists the Cayman Islands in achieving commitments made under the Convention on Biological Diversity, the Ramsar Convention, the 2001 Environment Charter, and the Cayman Islands Constitution Order 2009.

Unfortunately, the non-acceptance of Council recommendations, or even Directions under the Act, in some instances remains a significant problem. Non-acceptance of Direction could leave the non-complaint Government agency, or even private sector entities acting on the advice or permission of the non-compliant Government entity, open to legal challenge or prosecution.

Despite the 2023 court rulings which have confirmed the application of the Act, certain entities continue to fail to properly consult the Council as required by law. This resulted in the Council having to again file a Judicial Review where the CPA failed to consult the Council, similar to the previous 2023 situation, and where only a Juridical Review could give the CPA the legal authority to reconsider their issued decision. Rather than submit to the quashing of the erroneous decision by the Court the CPA chose to dispute the case.

During the hearing the CPA recognised that they had acted erroneously by not consulting. However the Judicial Review continued in order to decide other aspects of administrative law. A court decision is expected in 2025.<sup>3</sup>

## 2.7 Climate Change

While the NCC Climate Change Committee remained active during 2024 the most significant development was the approval by the Cayman Islands Government on 25 September 2024 of a National Climate Change Policy. The Council recognises and lauds the efforts led by the Ministry of Sustainability & Climate Resiliency, and in consultation with various public and private sector stakeholders, to create and have accepted a policy which outlines a 26-year plan (2024-2050) and addresses identified climate risks in a proactive and impactful way (adaptation), while reducing the country’s contributions to greenhouse gases (mitigation).

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<sup>2</sup> <https://doe.ky/wp-content/uploads/2025/02/FIELD-assessment-environmental-protection-frameworks-overseas.pdf>

<sup>3</sup> On February 5, 2025, the Grand Court of the Cayman Islands delivered its judgment on this case, in favour of the NCC on all points. <https://conservation.ky/2025/02/05/grand-court-rules-in-favour-of-ncc-for-planning-judicial-review/> Which will be reported in the 2025 Annual Report.

In 2025 and beyond urgent action is needed to lessen or avoid the high costs and serious hardships resulting from current climate risks, which could be significantly exacerbated if the country is not sufficiently prepared. The National Policy is a strategic pathway for a more climate-resilient future for the benefit of all aspects of life in the Cayman Islands, and the key to its success is in the collaboration of everyone – government ministries, non-government organisations, the private sector and the people of the Cayman Islands. The National Conservation Council looks forwards to doing its part in achieving these necessary national goals.

More information can be found at <https://www.gov.ky/sustainability/climatechangepolicy>.

## Chapter 3 Financial

All accounts for the National Conservation Council and the Environmental Protection Fund are held and administered by the relevant Departments and Ministries of the Cayman Islands Government. Accounts for financial reporting or auditing purposes should be sourced from the relevant Departments & Ministries, or the Treasury Department and Ministry of Finance. The following information is for qualitative purposes only and are as reported by the Treasury Department and Department of Environment. **Additionally the Ministry of PAHITD is understood to have purchased land using the EPF in 2024.** The DoE conducted projects with approved EPF funds, e.g., the green iguana culling programme, and provided administrative services for the NCC from the Department's general budget, e.g., public education and outreach advertisements calling for public nominations of areas suitable for protection.

<b>Environmental Protection Fund (EPF) 2024 Disbursement Details (CI\$) (Department of Environment)</b>			
<b>Description</b>	<b>Budget</b>	<b>Actual Expenditure</b>	<b>Over/Under</b>
Sister Islands Rock Iguana Programme	\$ 50,000	\$ 29,797	\$ 20,203
Cayman Parrot Amnesty	\$ 15,000	\$ 10,250	\$ 4,750
Turtle Friendly Lighting	\$ 100,000	\$ 38,706	\$ 61,294
Coral Reef Restoration	\$ 100,000	\$ 120,949	-\$ 20,949
Legal Advice for NCC	\$ 75,000	\$ 219,701	-\$ 144,701
Green Iguana Programme	\$ 750,000	\$ 748,191	\$ 1,809
Nassau Grouper Monitoring	\$ 35,000	\$ 32,699	\$ 2,301
<b>TOTAL</b>	<b>\$ 1,125,000</b>	<b>\$ 1,200,295</b>	<b>-\$ 75,295</b>

Legal advice for NCC relates to the Judicial Review which the Council had to contest (defend and bring) in 2024 (or bills paid in 2024 for legal services rendered in 2023). However as the Council was successful and was awarded costs in all of its cases the over-budget in 2024 should notionally be recouped at a later date, though likely not to be reflected in future DoE EPF accounts at the time.

<b>Environmental Protection Fund (EPF)</b>				
<b>Disbursement Details (CI\$) (Treasury Department)</b>				
<b>Approval</b>	<b>Purpose</b>	<b>Authorised Disbursement</b>	<b>Date of Transfer</b>	<b>Amount Disbursed From EPF Fund</b>
<b>Parliament of the Cayman Islands -</b> Report of the Standing Finance Committee on the <b>Appropriation (Financial Years 2024 and 2025) Bill, 2023</b> Friday, 15th December 2023  Cabinet CP 501/24 15 October 2024	Min Sustainability & Climate Res. Appropriation EA 165 George Town Landfill Remediation Works in the 2024 Financial Year.	\$ 1,400,000.00	31 December 2024	\$1,166,720.96
	Min Sustainability & Climate Res Appropriation SCR 3 Environmental Services and Research Funding to defray the cost of Department of Environment operations \$6,381,713 and \$6,731,019 in 2024 and 2025, respectively, totalling \$13,112,372	\$ 13,112,732.00	31 December 2024	\$5,807,673.27
	Ministry of PAHITD. EA148 The cost for the Environmental Impact Assessment for the East West Arterial.	\$ 4,000,000.00	31 December 2024	\$1,998,665.29
	Ministry of PAHITD, EA 168 The remediation cost for the Kaibo Public Beach Park & the Morgans Harbour Dock rebuild project.	\$ 2,500,000.00	31 December 2024	\$142,425.40
<b>TOTAL WITHDRAWAL/DISBURSEMENT 2024</b>				<b>\$9,115,484.92</b>

<b><u>PAHITD Land purchases in 2024 from the funds drawn down from the EPF for the 2024/25 budget</u></b>		
99A	83	\$1,842,500.00
74A	61	\$815,000.00
48B	3	\$12,800.00
45A	19	\$1,172,500.00
48E	13	\$267,000.00
110A	23 & 28	\$2,885,902.43
101A	7	\$450,000.00
99A	154	\$325,000.00
88A	3	\$650,000.00
25B	243	\$455,000.00
48B	6(Part) *	\$4,800.00
47A	11(Part) *	\$30,000.00
* Acquisition pending, Meagre Bay Pond adjacent portion of land only. (Meagre Bay Pond is a Protected Area.)		

## **Appendix 1: National Conservation Council 2024 Year In Review Statement**

Good afternoon Council Members and good afternoon to the listening and viewing public. As this is our last meeting of 2024 I would like to take a few minutes at the start of this meeting to look back at our work and accomplishments over the year.

Despite a number of challenges, the Council has managed to complete a variety of work items this year. However, in accordance with the National Conservation Act, many of these items still require Cabinet's final approval or consent.

I will start with the fact that, notwithstanding Cabinet's approval in 2021 and 2022 of the addition of a number of parcels of land to our protected areas and that although Protected Area Orders have been drafted for these parcels, as required under Section 7 of the NCA, these Orders have not yet been issued or Gazetted by Cabinet. The Cabinet-approved protected areas ensure sustainable public access to some of our environmentally and culturally notable areas such as Sand Key in South Sound, Tarpon Lake on Little Cayman, and Hemmington Forest in Cayman Brac. Some less accessible, but no less environmentally important, parcels in the Central Mangrove Wetland

and Salinas Reserve on Grand Cayman and the undeveloped eastern interior woodland of Little Cayman were also approved for protection. Protected Areas are a critically important strategy to aid us in addressing the double threat of biodiversity loss and climate change. As such, the parties to the international Convention on Biological Diversity (which includes the UK and by extension the Cayman Islands) in their most recent meeting at the end of last year agreed a target of protecting 30% of land by 2030. It is therefore extremely important that we are focussed and deliberate about establishing protected areas that include representative examples of the range of native habitats which exist on our islands for the benefit of future generations. Accordingly, we await Cabinet issuing the Protected Area Orders for these important parcels at their earliest opportunity.

In accordance with Section 17 of the Act, the NCC is also charged with formulating and adopting Conservation Plans for each protected species whose range includes the Islands. Section 17 sets out a comprehensive process to be followed before a Conservation Plan can be formally adopted, which includes public consultation and final approval by Cabinet. Today we will consider formal Council approval of the Conservation Plan for Cayman Sage which may be extinct in the wild but has been saved in cultivation. We expect this will join the

Conservation Plans for wild sea turtles and seabirds, and the proposal to enable the management of land crabs by listing them on Part II of the Protected Species Schedule under the NCA, all of which are pending Cabinet's final consent. Management recommendations contained in the Conservation Plan for our native seabirds include measures to address predation of nesting adults and chicks by feral cats and other predators. Predator control activities on Booby nesting habitat on the Bluff on Cayman Brac, designed to protect nesting adults and fledging seabirds, have had very promising results with fledging success increasing from only 12.5% in 2021 to 77.8% in the 2023 nesting season when predator control activities commenced. The DoE continues to collaborate on this very important work with the Royal Society for the Protection of Birds and other international experts in this area by way of a UK-funded Darwin Grant. The Conservation Plans which the Council and the DoE have produced based on this work will help to ensure that these beautiful native animals and plants will be around for the benefit of future generations of Caymanians, and as a means for all Caymanians now and in the future to connect with their environment and the environment of their forefathers.

Under delegated authority from the NCC, this year the DoE provided recommendations and guidance on the potential environmental impacts associated with approximately 663 proposals and projects. This consultation procedure which is outlined in Section 41 of the Act is the means by which government entities are required to consider the impacts of their decisions on our natural environment before those decisions are finalised, so that any recommended mitigation measures can be fully taken on board.

Additionally, the Environmental Assessment Board (EAB) which is a sub-committee of the NCC was involved in the management and review of 5 Environmental Impact Assessments, all related to major infrastructure projects being proposed either by private sector (Port Zeus) or public sector entities (the East West Arterial EIA and three airport projects being considered by the Cayman Islands Airports Authority -- one each for the Owen Roberts International Airport, Charles Kirkconnell International Airport and the Little Cayman Edward Bodden Airport). The Draft Environmental Statement which summarises the findings of the EIA for the proposed East-West Arterial project is scheduled to go out for public consultation in January 2025, followed by the required public consultation on the Draft Terms of Reference for the Little Cayman airport in February.

Unfortunately, there is still a narrative being pushed by some that provisions in the NCA are slowing down economic development and causing an imbalance between conservation and development. Those who promote this narrative have concluded (erroneously from our perspective) that amendments to the NCA which seek to redress this perceived imbalance are urgently required. However, as the Council has repeatedly pointed out, the facts simply do not support this narrative.

In addition to the rate and scale of physical development taking place in the country which is blindingly obvious to all residents, in the month of October alone the DoE, under delegated authority of the Council, processed 84 Planning Applications from the CPA for review under section 7 of the Development and Planning Act, with most of the applications being reviewed within the agreed timeline and only a few requiring consultation with the applicants to clarify questions. One application was recommended for refusal on the basis that it does not meet coastal setbacks, and is adjacent to a Marine Protected Area and turtle nesting beach. Three applications were recommended for refusal based on administrative matters as they were over Crown property and thus required a Coastal Works Permit rather than planning permission. There were no directed refusals, and conditions of approval were directed in four instances. Recently,

we have seen an increasing number of applications submitted for review because the CPA have issued a directive to the Planning Department to circulate **all** planning applications to the DoE under Section 7 of the Development and Planning Act, regardless of their significance. We continue to encourage the CPA to utilise the Council's Guidance Notes to assist them with identifying which of their applications would likely cause adverse environmental effects, and therefore require a review under Section 41 of the National Conservation Act. By following the NCC's Guidance Notes, the CPA can reduce the unnecessary delay for their clients and increase the fairness and consistency between applications.

The false narrative that the National Conservation Council and the National Conservation Act would somehow restrict development was a prevalent feature of long-standing objections to the NCA raised by certain vested interests before it was passed into law. Unfortunately, those objections have been kept alive throughout the now almost 11 years of the NCA's implementation, along with continued scaremongering that having protected species present on one's land will somehow result in automatic refusal of all development. As we have seen, even if there is an endangered iguana on the land, permission can still be, and has been, issued for its development. The Act and the Council promote informed decision-making and

sustainable development that requires environmental concerns to be considered by decision-makers, just as they would be expected to consider social and economic issues. However, this approach does not expect all parties to participate in a process of informed decision-making. For example, before engaging in major private or public sector projects, decision-makers must actively seek to understand all the benefits as well as all the costs of each proposal and they ought not to only rely on the anticipated benefits put forward by the proponents.

The NCA Section 41 reviews are a good example of how and why the Council is able to function more efficiently through its unique hybrid structure, with technical and scientific expertise being provided by three government departments as well as by appointed Council members. It is our understanding that the proposed amendments to the NCA include removing the current requirement in the NCA for 4 of the 8 Cabinet-appointed members of the NCC to have relevant scientific or technical expertise. Our view is that such an amendment would place the Council in an untenable position with respect to being able to carry out its duties and fulfil its legal mandate to promote nature conservation in Cayman; preserving native species and healthy natural habitats for the future benefit of all citizens of the Cayman Islands.

Unfortunately, this hybrid structure seems to engender a degree of public confusion, such as the recent statement by an elected official that the Council is chaired by the Director of the Department of Environment, despite the Council's General Meetings, such as this one, having been open to the public and publicly broadcast since 2014 when the Council commenced its work. Section 2 of Schedule 2 to the Act requires that Cabinet appoint the Chairman of the Council and 8 of the Council's 13 members. No Civil Servant has ever functioned as Chair. In fact, if for some reason Cabinet wished to remove the four *ex officio* members of the Council (i.e., those Civil Servants appointed by virtue of their posts) as voting members, this can be achieved by Order of Cabinet under section 3(8) of the Act with no amendment to the Act being required. It would however be very unfortunate if the various technical agencies involved in the Council were separated from the Council as it would simply introduce increased consultative delays and bureaucracy which the Council was deliberately crafted to avoid. With all of this in mind, it is this Council's strong belief that no amendments to the National Conservation Act are needed or warranted at this time as the relevant provisions of the Act simply ensure that all government entities function in a manner which is designed to promote the long-term sustainability of our natural environment and resources, while making decisions in relation to national development projects and plans. However, should the

government decide to move forward with the amendment Bill, the Council strongly recommends that every effort is made to ensure that robust public consultation takes place on the proposed amendments.

It is also expected that at this time, major undertakings and decisions which will shape our Country for decades to come will be made with climate change in mind. There is no question that climate change is occurring and we are beginning to see the predicted impacts of more weather-related disasters in the Caribbean and around the world on a, sadly, more frequent basis. Globally, coral reef ecosystems are under severe threat from man-made impacts such as pollution as well as from the devastating impacts of warming and more acidic oceans. Despite the high level of protections offered by our world class marine protected areas, Cayman's coral reefs have not escaped. This year the DoE has reported significant declines in live coral cover around the three Cayman Islands associated with the global coral bleaching event which took place last year and this has been independently verified for the reefs on our Sister Islands by studies carried out by other organisations like the Central Caribbean Marine Institute. Aided by the generous donation from the Fosters Group of a coral spawning laboratory facility, the DoE has already begun to investigate whether there are any coral restoration strategies that might assist our coral reefs to cope while the countries of the world

decide whether or not to increase their ambitions in relation to curbing Green House Gas emissions and arresting the progress of the predicted impacts of climate change. We were therefore heartened by the Government's promotion and adoption of the National Climate Change Policy earlier this year and Council will continue to support all Government agencies in applying climate change considerations in national decision-making now and in the future. This will require Cayman learning from our past and planning for a more resilient and sustainable future for our natural and built environment. We hope that we will see this play out in solutions to challenges such as coastal setback increases combined in areas such as Seven Mile Beach with changes to the Planning legislation dictating how coastal setbacks are measured. Unfortunately, due to a combination of climate change impacts and poor decision-making in the past which approved development too close to the active beach (especially structures such as sea walls and pools), as well as irresponsible management of sand resources during construction and after storms, it is also evident that we must now consider beach nourishment as a short term solution in economically important areas such as the southern end of Seven Mile Beach.

Finally, today Council will consider a number of initiatives where public input and review was invited. In 2025 public consultations mandated by the Act will continue. We therefore appeal to you, the general public, to help us help you to promote the long term sustainability of our islands and to protect our vulnerable species and habitats by continuing to actively engage in these consultation processes. We look forward to hearing you make your voices heard on all of the important conservation issues that affect your future and the future of our beloved country.

