

CPA What is it used for?

Ms. Davis As storage - for weed whackers and she got a pool table for a gift and needs to keep it there.

CPA Is it being built?

Ms. Davis Yes. She thought it was okay as she was just making it stronger.

CPA Thanked her for appearing.

2. 6 NATIONAL ROADS AUTHORITY Block 28D Parcel 296 (F08-0231) (P08-0343) (\$6,000,000) (KB)

Application for a seawall.

Appearance at 2:00

FACTS

<i>Location</i>	Sandy Ground Drive, Savannah
<i>Zoning</i>	LDR
<i>Notice Requirements</i>	Objectors
<i>Advertisements</i>	Advertising Complete
<i>Current Use</i>	Vacant/Residential
<i>Proposed Use</i>	Sea Wall

Decision: It was resolved to grant planning permission, **subject to the following conditions:**

- 1) The applicant shall submit a construction operations plan to the satisfaction of the Central Planning Authority indicating in sufficient detail how the development will be constructed without interfering with or obstructing adjacent roads and properties. At a minimum, the plan shall indicate the location of material storage, workers parking, site offices and portable toilets and shall indicate how any fill or spoil material associated with the construction process will be prevented from entering the marine environment.
- 2) The applicant shall submit a closure plan to the satisfaction of the Central Planning Authority indicating in sufficient detail the standard by which the land will be left upon completion of the wall.
- 3) As the applicant does not own the subject parcels, detailed information must be provided to the Central Planning Authority demonstrating how the wall can legally be constructed on the subject parcels.
- 4) The applicant shall submit a colour rendering illustrating the wall stained to a colour that is consistent with the colour of the ironshore.

AGENCY COMMENTS

Comments from the Department of Environment are noted below.

Department of Environment

“The Department's Technical Review Committee has reviewed the above noted application and additional information offered, including the Storm Surge Assessment completed by W.F. Baird & Associates Coastal Engineers Ltd. and the presentation from Public Meeting number 3 of November 2007. The TRC provides the following comments for consideration.

- 1. Given the fact that the coastal engineering modeling is outside the core competencies of the DoE and given the cost of the project estimated at \$4-6 million dollars and the irreversible aesthetic and physical damage it will cause, the DOE recommends that it would be prudent of the NRA to retain third party consultants to peer review the Storm Surge Assessment completed by W.F. Baird & Associates Coastal Engineers Ltd. (in which the top of wall elevations are determined) and the design of the wall as engineered by Orth-Rodgers and Associates Inc. This could be initiated by asking the subject firms to provide names and contacts of other firms of similar expertise which are able to review their work. The NRA could then choose and retain a suggested firm. Alternatively, Dr. Dick Seymour of the Scripps Institution of Oceanography was retained to review the same type of models for the Port project and could be contacted to provide similar assessment.*
- 2. The site is located on an unknown thickness of the Pedro Castle Formation which is formed of finely crystalline dolostone, dolomitic limestone, and limestone, underlain by the Cayman Formation which is formed of finely crystalline dolostone. (The Cayman Islands: Natural History and Biogeography; Geology of the Cayman Islands; Brian Jones). Caves, cavities, sinkholes and solution-widened joints are common in both the Cayman and Pedro Castle Formations (Void-filling deposits in karst terrains of isolated oceanic islands: a case study from Tertiary carbonates of the Cayman Islands; Brian Jones). Therefore, the DOE has the following questions regarding the construction of the proposed wall in/over this material:
 - a. Will roads need to be constructed in order for equipment to access the wall location? If so, how will the fill material used to construct the road be prevented from flowing through the many cavities and joints into the marine environment and later removed from the porous surface of the rock once construction is complete?*
 - b. What method will be used to excavate this very hard, porous material?**
- 1. The construction drawings state that casings or limited mobility grouting will be used when grouting the precast piles through all voids encountered. However, the DOE emphasizes that grout must be prevented from flowing freely through the many cavities and joints in the rock and into the marine*

environment where it could cause an adverse impact. This also applies to the concrete used to backfill adjacent to the wall at ground surface.

- 2. The cliff and ironshore are included in the Pedro Bluff Tropic Bird Zone sensitive habitat area. The White-tailed Tropicbird is typically present in Grand Cayman from January to late August with nesting season between late January and July. The DOE surveyed the property on April 16, 2008 and found evidence of previous nesting activity and sighted a Tropicbird flying along the bluff. There were no current nests found and, as the breeding season begins in late January, it is likely there will be no nesting in 2008. However, there is no reason why the site could not be used for breeding in the future. Should the construction of the wall be approved by CPA and construction be scheduled to occur between January and August, the DOE asks that we be notified prior to works commencing. If it is determined that any aspect of the construction works is likely to affect nesting of Tropicbirds, the DOE asks that those aspects be postponed until after the Tropicbirds have completed nesting or are satisfactorily mitigated during the nesting season.*
- 3. The DOE reviewed the presentation from Public Meeting number 3 of November 2007 which outlines the solutions that were considered and explains the evaluation process which led to the conclusion that the seawall is the best option. The DOE cautions that it should be well understood by the public that, should the wall perform as indicated by the models and the consultants, the wall will not protect against flooding from the North Sound or other sources and that it will prevent only the majority (not all) of inland flooding caused by a Category 2 hurricane approaching from the south. The DOE agrees that additional mitigation measures may be needed in conjunction with the wall and encourages the applicant to further investigate these now.”*

Response to Agency Comments

The Department concurs with the comments provided by Department of Environment with regard to encouraging third party consultants to review the assessments and plans submitted to Planning. The Department also recommends the Authority to require construction operations plans, such as roads that will need to be constructed in order to carry out site works, and the methods of how the iron shore will be excavated. To date, the Department has not received this stringent information, although it has been requested.

LETTER FROM APPLICANT

“Please find attached requested information in regards to the above application, which was submitted on Friday March 28th, 2008.

- 1. The cost of the project will be approximately \$6 million.*
- 2. A map which indicates the location of the wall in relation to the bluff. Please note the distance varies along the entire length of the wall. A scale is provided if there is a need to measure the distance between the wall and the bluff.*

3. *The paper announcement for Monday March 31st, 2008 is also attached. The future announcements on Wednesday April 2nd, Monday April 7th, and Wednesday April 9th will soon follow.*

Thank you and should you have any questions, please do not hesitate to contact the undersigned.”

First Petition in support of wall [34 signatures]:

“Reference is made to the plans submitted in respect of the above.

I am writing to you on behalf of the residents of Butterfly Circle Savannah Newlands, whose names are appended on the attached petition dated 15th September 2006 and which was submitted to the MLAs for the district of Bodden Town and copied to the Leader of Government Business as well as the Ministers for Communication and Education.

We trust that you will appreciate that each year from the commencement of the hurricane season in June, our families are traumatized and in a state of despair until the hurricane season concludes in November due to the danger of the flood waters. We would certainly wish to see this brought to an end soonest. Accordingly, construction of the wall is of paramount importance to us.

If the concern is raised that construction of the wall would prevent flood waters from returning to the sea, we feel that this argument is invalid for the following reasons:

- (1) *Empirical evidence(i.e. flooding of Butterfly Circle neighborhood and other areas) during the hurricane season, e.g. the severe flooding seen from Hurricane Dean in 2007 under only Tropical Storm conditions.*
- (2) *Presently, without a wall erected, the flood waters cannot flow back to the sea anyway because of the slope of the land where it enters in the Savannah Gully area. Contour maps confirm this fact.*

Since submission of the petition, several meetings and consultations with the residents of the Savannah area have been held. At the last meeting held at the Savannah School an informal poll was done of those present during the meeting and there was overwhelming support for construction of the wall. Subsequent to the last round of consultations, it was publicly announced that government had agreed that after receiving expert advice that construction of the wall to prevent flooding was the best alternative.

Bearing in mind that we the residents of the Butterfly Circle subdivision are the persons most impacted by the flooding, we thought it appropriate to write to you to confirm that we are fully supportive of the construction of the wall. Additionally, we would like to be advised of the date of the hearing of this matter as we would like to attend the hearing in person to voice our support.

Finally, while we have highlighted the impact of flooding in the Butterfly Circle neighborhood, we would like to reiterate that the flooding of the main road at the "Tall Tree" area which makes the road impassable is a matter of national concern.

I look forward to hearing from you soon.”

Letter dated 15 September 2006 to MLAs for the District of Bodden Town:

“We, the residents of Butterfly Circle, Savannah are very pleased to see the preliminary action taken by you our Bodden Town representatives and the Government of the Cayman Islands to address serious flooding in our neighbourhood when storm surge Breaches the coastline.

All reports from residents and the news media are that the meetings held on the matter a few months ago were fruitful. We understand that a study was commissioned to find a permanent solution to the problem and as you will appreciate, we are very eager to hear of the next steps.

Bearing in mind that we are now into the latter half of the 2006 hurricane season and notably we received a reminder only two weeks ago when Tropical Storm Ernesto threatened our area, we thought it appropriate to contact you in an effort to inquire whether you have already received the results of the study and if so, how soon can we expect to hear what recommendations we the have been made. As you will appreciate, residents of Butterfly Circle have been the most affected residents from the flooding and understandably we are very nervous of a recurrence. In this regard, we are very eager to see a resolution to this matter.

You will recall that in September 2005, Hurricane Wilma passed quite a distance away from Grand Cayman. Notwithstanding this, Butterfly Circle was severely flooded by salt water when the storm surge breached the coastline. This event graphically shows our neighbourhood's high vulnerability.

It is necessary that we highlight here that the past floods have caused us severe Financial hardship. It is also necessary that we advise you that the threat of future Flooding particularly at this time of year is causing our families serious distress and trauma.

Beyond neighbourhood concerns, this is a national issue of concern due to flooding of the main road at the "Tall Tree" area, which makes the road impassable and therefore prevents residents from the eastern districts from getting to work in George Town. The result here is major costs to the country through productivity losses. Further, emergency services and lives are potentially impacted.

Bearing in mind the reasons detailed above, we the concerned residents of Butterfly Circle expect you our representatives to continue to always keep this important matter before you and strive relentlessly to obtain an early resolution. It is evident that to get the problem addressed in time for the 2007 Hurricane season, action must be taken now. In this regard we respectfully request that you provide us with a written update on how the study commissioned to connect the problem is progressing, and more importantly by when can we expect to see the recommendations put in place. As this is also a major national issue, it would be appropriate to update the public via a press release. Going forward, we would appreciate if you could let us have regular updates.

In closing we can reiterate, that we the citizens of Butterfly Circle are very thankful for your interest taken thus far to address this important matter. While this is so, we would like to see the matter receive priority attention to avoid a recurrence of another costly flood to our properties and the resulting trauma and financial loss to our families.

Thank you in advance for your attention to this critical issue and we look forward to hearing from you soon.”

Second Petition in Support of Wall [67 signatures]:

“We the undersigned owners of lots in residential of Savannah Heights which constitute the house lots along Butterfly Circle and surrounding areas hereby state that we strongly support the building of the proposed wall following the design that as was presented at the last public meeting by the experts hired the Government.

We strongly support the building of the wall for the following reasons:

- 1. For too long the people of Savannah Helghts, Savannah Meadows and surrounding areas have been suffering from severe storm surges which can occur even when a hurricane passes over 100 miles away from Cayman.*
- 2. Hundreds of millions of gallons of salt water come in and kills lawns and trees which take many months of frustration along with the expense of replanting to recover.*
- 3. The main road going East from the Savannah Dominos Pizza is blocked for long periods and cars that decide to drive through will face salt water damage which can be very slow but will lead to additional expenses as car parts will have to be replaced which could be a year later.*
- 4. Some home owners whose homes are located in areas where the water drains off very slowly have no choice but to drive through the salt water every morning and evening and this will hasten the damage to their motor vehicles.*
- 5. This repetitive flooding has reduced the value of the homes in the areas and resale is very difficult not impossible for obvious reasons.*
- 6. Some homes are actually flooded and these people not only have to abandon their homes but also lose furniture, appliances and other personal effects.*
- 7. If you look at the physical cost, the time factor and cost of inconvenience and other delayed costs like auto repairs one year later, we will find that the cost to the residents and Cayman Government has gone into the millions of dollars with no end in sight unless the wail is built.*
- 8. We believe the engineers who prepared the detailed presentation for the people of Savannah to review were genuine professionals and there is clear precedent overseas where in other countries {e.g. The Netherlands} sea walls have been successfully built to keep out storm waters.*
- 9. We understand that the wall will only stop the storm surge from a Category 1 and 2 hurricane but the fact is we are very happy with this as it is very rare*

that Grand Cayman is hit by a Category 3 and above hurricane.

10. *We find it highly unusual where we have the people of Savannah Heights, Savannah Meadows and surrounding areas who have been crying out for relief from their annual suffering and we have people who are not affected that are trying to block it.*

Finally we are asking the Planning Department to grant approval to the building of the wall as soon as possible so that the suffering of the people of the two neighbourhoods previously mentioned as well as people in the surrounding areas, together with the people having to travel through the water can be relieved.”

Third Petition in Support of Wall [same letter as second petition but includes Savannah Gables--15 signatures]

OBJECTIONS

Letter #1

“We write further to our visit to Planning on Tuesday last to inspect the deposited plans. We are the owners of block 28d parcel 158 known as 140 West Lane, Savannah.

1. *Without further clarification, we find we must object to the proposal.*
2. *As mentioned to you, we were about to submit a detailed application for Phase 2 of the development of our property. We believe that the landscaping we were proposing (siting of pool etc) is now blighted by the position of the wall, requiring this to be redesigned.*
3. *It is not readily apparent what the wall's setback will be from the sea.*
4. *We could not see proposals to provide steps over the wall so that owners could continue to access their property.*
5. *It is unclear the level of disruption which will interfere with the quiet enjoyment of our property but this will be considerable. Additionally, It may well prevent us from being able to rent Phase 1 of our property which we are planning to do.*
6. *We could see nothing on the top of the wall which would prevent its use as a footpath to trespass across ours and neighbouring properties by children and fishermen.*
7. *We are currently unaware how government proposes to compensate us for these costs/losses.*

We would appreciate receiving clarification about the matters raised above so that we can consider the proposals further.”

Letter #2

“I refer to the above application and cannot reiterate enough how very perilous and what a squander of public funds it will be if such a move is made to create this wall.

Please see a copy of letter attached which was signed by some very prominent Caymanians (Savannah residents), and delivered to Mr. Arden Mclean and all of the Bodden Town Representatives.

I attended all of the public meeting in Savannah and at the one in November 2007 Orth-Rogers made reference to some contents in this letter that I do not believe they realized before. Most of the people attending the meeting were foreigners and relocated Caymanians that just did not understand this natural phoneme, and that night by the ignorance of those people in attendance the vote cast was "in favour" of the building of this Wall. Worthy to note that in my opinion by their ignorance they were all used that night to move in favour not knowing the real reason that this Wall has become so important and of such an urgent matter is because one "MR KENNETH DART" in a big owner of the land in the Gully.

This is a waste of funds and putting others in a dangerous situation even more so with the new interior road now built, which is blatantly just another waste of tax payers hard earned money.

Therefore my precise ground for objection is that I live and own several properties in this area which will places me directly in harms way, drawing my conclusion from Orth-Rogers report where in they confirm that they cannot deal with anything over a Category 2. In the past I cannot recall a Category 2 hurricane ever flooding the Gully or having any damaging effect on the Island. Common sense will show what catastrophic impact building such a wall will be if we are ever hit by a hurricane of higher magnitude.

What a shame that only those in close vicinity are allowed to object or even are being notified, seeing that this will affect from Spotts right on up to Lower Valley."

Letter #3

"We act on behalf of Mr. Lawrence Geller, the owner of property in Savannah, Block 28D, Parcels 296 and 297. Mr. Geller has instructed us to raise an objection against the building of the Sea Wall at the Planning Meeting that will be held on the 18h of June 2008.

We apologize for the late notification of the objection but would appreciate it if you could place it on the agenda for the meeting.

Mr. Geller will be represented by Philip Boni from this firm."

LETTER TO MINISTERS

"We ask you to please, please before making any major decision on this project to take into consideration the fact that you 'may' help some land owners that are now affected, but by disturbing this natural feature may very well lead to exposing new areas to adverse affects, that has not been traditionally impacted by flooding etc. This could easily turn into a domino affect, with disastrous results by interference with nature, in the adjacent and surrounding area.

We have every right to be concerned, as we do not feel it would be right to make us suffer when we did the right thing in the first place and did not build our homes

in the Gully or the swamp. We further reiterate and just want to make it abundantly clear, that if the worse happens and our property is damaged we will hold the powers that be liable.

We again ask you to please take the advice of Caymanians that have local knowledge of this Gully area. These are the ones with the wisdom and common sense that is needed at this time.

We would like to remind you that in the consultants report they confirmed that they cannot deal with any hurricane stronger than a Category 2 hurricane. A Category 2 hurricane is not a problem with flooding. So why are we wasting our money?

I do not believe the magnitude of the storms that actually flood the Gully is fully understood and that nature is a force not to be reckoned with.

Only strong Category 3 to 5 hurricanes that pass within 200 miles of our south shores cause flooding here. Recent hurricanes have pointed this fact out clearly. Hurricane Dean a Category 5 storm passed 115 miles south of the gully as expected it flooded the gully.

Two weeks later Hurricane Felix another Category 5 storm passed 330 miles south of us no flooding!

In recent years the only hurricanes to flood the Gully are those that meet the above criteria all stronger than Category 2 storms and all within 200 miles of our south coast.

For reminder purposes in recent history only Hurricanes Gilbert 88', Mitch 98', Ivan 04', Wilma 06' and Dean 07' have flooded the gully all met the above criteria of Cat. 3 to 5 within 200 miles of the Savannah Gully.

Most of us were born and raised in this area and together we hold hundred of years of knowledge of this Gully. Some of our parents were land owners of portions of said iron shore known as the mouth of the Gully.

Having roots that goes back 300 years us native residents and our forefathers never built our homesteads on the low grounds or worse yet in the middle of a natural land Gully.

We used the high border land of the Gully known as sandy ground for agriculture purposes and large tracks of low lying land was used to raise animals, and keep planting grounds.

Cayman just does not have the land mass to undertake such a project. Also remember just how fragile a position we are in. Sitting on the edge of the Trench, and being just the top of a mountain. Remember God is in charge, not man.

Do we really understand what is happening in other countries, just by nature alone. Can't we just take heed and understand, when we see Barbados having sink holes, Port-Royal at the bottom of the sea melting glaciers and on and on. This is just nature, what is going to happen when we start blasting and putting tones of

weight on our already fragile iron shore? Surely we have to be very realistic about this project.

We have no guarantee that a wall is going to work, as it just depends on the direction of the storms and intensity.

Any blasting on the iron shore in the Gully could have devastating effects, if we do not think this through. Years of blasting in this area. storms. earthquakes and hurricanes have already left the area very fragile.

We have to also remember that there is more than one thing that causes flooding. The developments on the north side of Shamrock Road (Savannah Meadows) and Newlands area, are mostly built in swamps and therefore are prone to flooding even in the rainy season.

God was good when Dean passed with little rain or else there would have been a lot of flooding in Newlands and the others area on the north side of Shamrock Road.

Planning needs to be staffed with good thinking Caymanians. Caymanians who know the structural make up of these Islands, Caymanians that have Cayman at heart and who will not concede to greed. The developer of two of these areas(Savannah Acres and Savannah Meadows) knew very well what the devastating effect of building in this area would be, but greed override and permission was given. BIG, BIG MISTAKE.

Mr. Mclean your attitude that when you say you are going to do some thing; you are a man of your word-is not good enough. We need to be very sure that the right thing is done. Just doing 'something' could be more devastating. We need to be very sure. Sure also that we do fall prey to these consultants that really DO NOT know and understand anything about Cayman. The engineer that is encouraging the erection of this wall is the same engineer that is surrounded by controversy because of his ethics in the past.

As far as putting it out to tenders, well we all know how that one goes.

We feel that the consultants were honest when they completed their report, and informed you that they could not deal with anything stronger than a Cat. 2 hurricane. Now you have sent them back to the drawing board to come up with a plan for a Cat. 3. Commonsense-now you are paying them to say what you want them to say!!!!

Have you heard of the Emperor's new clothes??? In reality this is just what you are doing, and this scenario is just not logical. Wasting our money putting us deeper in debt -with no guarantee! Senseless.

If you go through with this project, Orth-Rogers & Associated Inc., along with any other companies contracted by you will go all the way to the bank LAUGHING, and we will be left holding the bag.

Please let us be mindful and use our wisdom, knowledge and common sense.”

PLANNING DEPARTMENT ANALYSIS

The proposed sea wall will extend over thirteen different parcels: 28D 296-302, 120, 119, 111, 108, 53, and 158. There is a proposed gap that extends over parcels 298 and 299 where the elevations of the area are higher than the rest of the parcels. The plans show the height of the wall to range from approximately two feet above grade to seven feet. The Department has received three objections to the project, and one has been withdrawn. Three petitions in support of the application have been submitted to the Department, and their memos are included after the applicant's letter. An information package submitted by the applicant has been provided to all members of the Central Planning Authority for further briefing of the application.

The primary concern of the Department is the environmental impacts of the construction of the wall in general and on the affected land owners. No information has been provided from the applicant showing that the property owners have been compensated for the proposed construction, i.e. loss of their views, access to the sea, etc. It is requested that the Authority takes this into consideration when reviewing the information packages. The Department also requests that more information on the proposed construction operations be submitted prior to obtaining a building permit for the wall, if approved.

Major Development Consideration

Pursuant to Section 6 of the Development and Planning Law (2005 Revision), the Central Planning Authority has the responsibility of reviewing major development applications with respect to their potential impact on the infrastructure of the Island. The subject application qualifies as a major application with respect to Section 6 (2) f). Accordingly, the Authority has reviewed this application with specific consideration given to Sections 6 (1), (3), (4), (5), (6) and Section 7.

Sec 6 (1) (a) Considered the likely impact of the proposed development on the infrastructure of the Islands as well as on the educational, social, medical and other aspects of life in the Islands and found that:

Response: The application will greatly enhance the quality of life for many person residing in the area surrounding the subject parcels.

Sec 6 (1) (b) Considered whether there are other issues of national importance which are relevant to the determination of the application for development and require evaluation and found that:

Response: The flooding that has been occurring in and around the area known as "the gully" is of national importance.

Sec 6 (1) (c) Considered whether there are technical or scientific aspects of the proposed development which are of so unfamiliar a character as to jeopardise a proper determination of the question unless there is a special inquiry for the purpose and found that:

Response: The technical and scientific aspects of the proposal have been adequately addressed by the consultant engineers hired by Government.

Sec 6 (1) (d) Identified and investigated the considerations relevant to, or the technical and scientific aspects of, the proposed development which in the opinion of the Authority were relevant to the question whether the application should be approved and found that:

Response: The issue of mitigating flooding has been adequately addressed..

Sec 6 (1) (e) Assessed the importance to be attached to those considerations or aspects and found that:

Response: Important

Sec 6 (3) The Chairman informed the Authority that the Law gave the Authority the discretion whether to permit the applicant for planning permission an opportunity to appear before the Authority and to be heard by five or more Members of the Authority and decided that:

Response: The applicant, objectors and supporters appeared before the Authority.

Sec 6 (4) The Authority considered whether the development proposed in the application should instead be carried out at an alternative site and found that:

Response: No other sites were proposed as the wall is needed on the subject parcels in order to mitigate the flooding.

Sec 6 (5) The Authority noted that it may arrange for the carrying out of research of any kind appearing to it to be relevant to an application referred to it and decided that:

Response: No additional research is required.

Sec 6 (6) The Authority noted that it may hold an inquiry, if it thinks it necessary, for the proper discharge of its functions and decided that:

Response: No inquiry is deemed necessary.

Sec 7 The Authority noted that it shall, to the greatest possible extent consistent with its duties under the Law, consult with departments and agencies of the Government having duties or having aims or objects related to those of the Authority and decided that:

Response: The Authority considered and took into account the agency reports presented thus far.

At 2:00pm, Edward Howard, Denis Thibeault and Marion Pandohie appeared on behalf of the applicant. Brian Tomlinson also appeared for the applicant, but did not attend the meeting until 3:30. Alvin Aaron, Paul McLaughlin, Mark Rankine, Calvin Green, Noel March, James Ryan, Edmund King, Melenie Mylrea, Andrew Brandon, Hervac Pusey, Dori Bacchas, Anthony Williams and Sharon Ebanks appeared in support of the application. Hartmann DaCosta and Sandra Coe appeared as objectors and three representatives from Truman Bodden & Co. (Philip Boni, Eddie

Stafford and Chris Narborough) appeared on behalf of L. Geller, an objector.

CPA Summarized the application and noted that the applicant will present the proposal.

Mr. Howard Noted that he, Mr. Thibeault and Ms. Pandohie are here to represent the National Roads Authority. Although the matter has been in the press and there have been public meetings, CPA probably doesn't have a good feel for what is being proposed. They have brought a computer slide show which will help present the proposal. A decision was made to try and solve the problem that has been occurring for several decades. There has been a trend for developing on the bluff, but there are crevices where water can get in and then it follows the low areas. One of the photographs shows the existing houses on the bluff and the marl service road that NRA has put in so far to allow for rock testing purposes. The wall will follow the outside of the marl track. The storms that dip south of Jamaica and come around and cause problems. We are in hurricane alley and have the most threats in the Caribbean. The proposal was to design a mechanism to reduce overtopping. They matched the wall to the higher elevation on the ironshore – about 21 feet above sea level. They figure this will stop 95% of the overtopping and other drainage features can address the remaining 5%. The wall is curved for strength. They have prepared profile images to demonstrate the wall height. The cross-section shows it will protrude above the ironshore about 2 to 7 feet.

CPA Asked if anyone in support of the application wished to speak.

Mr. Ryan He lives in Savannah Heights. His first experience with flooding was with hurricane Mitch. He had no idea that storm surge would affect the area as it did – the whole area was flooded. He raised the issue at that time as a member of Government, but it was felt that it would cost too much money to fund an investigation. Time passed by and then Ivan hit in 2004 and even the wall wouldn't have helped with that, but that was unusual. It doesn't take an Ivan to cause flooding. Other storms have done little or no damage to the Island except for flooding this area. For many years Government has not been in a position to do something about it, but now this Government has decided to do so. He asks that CPA think of the suffering of the people in this area and to deal with the problem once and for all.

Mr. Aaron The water settles by his house – he is impacted in a major way. They need to think of his family and kids. He asks that the CPA consider the families in Butterfly Circle as they are the most impacted. This will be the most purposeful decision CPA will make in their tenure.

Mr. King People are suffering both financially and emotionally. They can't sell their homes. The flooding kills the grass and fruit trees. It damages cars. You have to pass through the water if you live there. This is a great opportunity to deal with the problem.

Ms. Mylrea She lives in Butterfly Circle and has been flooded three times. The wall is needed for protection. She has been refused home insurance twice. They get damaged every year.

Mr. McLaughlin There are even more property walls being built that further channel the water.

Mr. Marsh Everyone knows what the problem is. He's not sure what the objections could be. If there is a logical, substantial argument then put it out on the table so it can be addressed.

CPA Asked if the objectors wished to speak to the application.

Mr. Boni He and his two colleagues are here for Mr. Geller, who owns substantial property in the area. He bought two parcels in 2000 for their pristine nature. Today's application is in part on his land. He built in 2004 and it was damaged and he has now rebuilt it. He objects to the wall being built in front of his house. His property is worth \$11 million. He suffered losses in New Orleans as well. A road was built in front of the property so they could take core samples and it took 3 days, while there was noise, dust and a loss of privacy. Nothing was put back afterward. He had to pay \$60,000 to \$70,000 to clean it up. After hurricane Wilma he improved the land and put up hurricane shutters and special windows. He also considered putting in a wall, but a different design and his engineers said it wouldn't help, so he didn't do it. He went the other route of reinforcing the house. He doesn't want a wall in front of him. Their hearts go out to people that have suffered, but sometime it is better to leave nature alone or you could get unexpected consequences. From a planning perspective there will be a loss of privacy and security. There are only two homes in the area. The wall will attract people to walk up and down the wall and that is not nice when you've spent \$11 million on your home. There will be a loss of visual amenity and there will be highway safety issues. There is nothing in the Development Plan that provides for the construction of seawall. In fact, it is contrary to section 3.10 of the Plan. The coast line is an asset of the Country and CPA must protect it if we want to bring people here to invest. Also, Regulation 20 states it is the duty of the Authority to protect scenic shorelines. DOE has also raised concerns with the construction of the wall in regards to the pilings.

Mr. Stafford The objections is to the wall in front of Mr. Geller's house. They feel it is in the wrong place. He provided copies of the flood map prepared by Lands and Survey. Water can't cross over his house so he doesn't see the need for a wall. The problem happens to the west of his house. There is no flooding in front of the property where the wall will be. He doesn't object to the wall in the other areas. They can't understand what water will be stopped by this small portion of wall – it is high ground, it doesn't make sense.

CPA Is this the first time they've made this presentation to any Government authority?

Mr. Stafford Yes.

CPA They haven't spoken with the NRA?

Mr. Stafford They've had discussions.

CPA Did they attend the town hall meetings?

Mr. Stafford They weren't aware of them. Mr. Geller's house acts as a barrier to flooding – his neighbour has thanked him twice for it stopping flooding. The wall will only protect up to a category 2 storm that is 150 miles away. His client's property does not suffer in small storms. A wall in front of it will bring no protection to his property. They've been told that the wall can withstand a category 5 storm, not stop the water, but that it won't break up, but if it does it could propel debris into his house. They consulted with engineers and decided against a wall, that's why he armoured the house. This proposal came from only one engineering firm, they should get a second opinion. They would prefer more investigation into why the wall needs to be in front the this property.

Ms. Coe They have her letter on file. CPA should visit the site. She invites them out there to meet with the residents. She is totally against it. When the tide rises water will still come over the wall. There will be an environmental disaster.

Mr. DaCosta This is a waste of money. It will just divert water from a natural feature and put it somewhere else. The wall is useless – it will only benefit two people, the engineers and those that supply the material. People have built houses where they shouldn't have. This wall is just going to protect Dart's property.

Unknown She didn't file an objection, she's neither for or against, but she has questions. What will happen to the water that does come over the wall?

Mr. Howard It will follow the same path, but there will be nowhere near the volume. They could put in deep wells to deal with it. The wall is meant for storms well off shore.

Unknown Once construction begins, what is the time frame?

Mr. Howard 3 or 4 months tops. They would start in December to be finished before the following June. They won't be constructing in hurricane season.

Unknown Is there a plan for the front of the wall?

Mr. Howard They've been asked that question a lot. They haven't got that far yet, but there are various options. The main issue is to make sure it is structurally sound.

Mr. DaCosta What will happen in South Sound or North West Point where there is flooding? This is a waste of money.

CPA Asked if Ms. Coe's yard floods.

Ms. Coe No, but the surrounding area does.

Mr. King It is important to get back to reality. This is not about Dart or Geller who have lots of money. This is about everyday people that are suffering. It's not about protecting the visual beauty, it's about helping people that are suffering.

Ms. Mylrea How many days a year is Mr. Geller on Island?

Mr. Boni What is the relevance?

Ms. Mylrea They are here everyday day of their lives.

Mr. Boni Have any models been constructed to estimate wave flow and action?

Mr. Howard The consultants they've used are one of the top coastal engineers in the world. They did some wave modelling, but not actual lab simulation. That cost a lot of money and they decided to wait and see if it was a necessary step.

CPA This is a 2000' wall, 5' high – what will it be rendered with?

Mr. Howard The best answer is what does the Board want? There can be bermed soil, landscaping – whatever they want.

CPA If it's going to be done, it should be done so it works. Can it go another 1' or 1 1/2 ' higher?

Mr. Howard Cabinet thought it might be too low. The higher the wall, the weaker it is so it costs more to strengthen it. It has to be balanced out.

CPA What happens at the end of the walls?

Mr. Howard They asked the engineers the same question. The analysis shows that the water will be deflected back to the sea.

Mr. Ryan At a public meeting he asked the engineer that and he said most of the water will go back to the sea. The coastal engineers have studied it closely and it seems that it will work. He's taken note that the two objectors don't suffer because of the gully. He can empathize about not wanting a view blocked, but hundreds suffer when storms come by. He implores the CPA to think of those that suffer and give the project the green light.

CPA If the information is accurate, shouldn't the wall be west of Mr. Geller's house?

Mr. Howard They addressed that with the engineers. The information they have shows that water does come across the Geller's property. Right from the beginning Geller has been against it – they are hard to get hold of. No time was good for the testing, there was too much noise and dust – it's been difficult. Originally the wall was not there, but they looked at it again and decided it was better to put it there. But, if the Geller's don't want it, Government won't force it.

CPA Will the ironshore be left in its natural state when it is done?

Mr. Howard Yes.

Mr. Boni They would prefer that Government not put the wall there.

CPA Thanked everyone for appearing.

The Authority considered the application further and determined that:

1. Pursuant to Section 13 (3) of the Development and Planning Law (2005 Revision), the proposed wall is considered development and is subject to the

provision of that law, the Development Plan 1997 and the Development and Planning Regulations (2006 Revision).

2. Sections 1.2 and 1.3 a) of The Development Plan 1997 state that the general aim of the plan is to maintain and enhance the quality of life in the Cayman Islands; to maintain and enhance the well-being and prosperity of its people; and to have regard to the quality of life and the economic well-being of the people and to their individual requirements. The Authority is of the view that the proposed wall is consistent with these goals for the following reasons:
 - i) Currently, there are dozens and perhaps hundreds of people residing in the surrounding area that are negatively affected by flood waters that originate with water overtopping the ironshore bluff and running through the adjacent low lying areas. The proposed wall will assist in mitigating much of the flooding problem and this will significantly enhance the quality of life of those residents.
 - ii) The Authority considered the input from the objectors and is of the view that they did not provide compelling reasons that the proposed wall would not function as designed and further that any personal inconvenience associated with the location of the wall is minimal and does not outweigh the benefits the wall will have on the numerous persons residing in the area.
3. The subject lands have a designated scenic coastline overlay and are therefore subject to the provisions of section 3.10 of the Development Plan 1997. The proposed wall is consistent with the policies of the Statement, as outlined above. Further, the height and location of the wall will not obstruct the open character of the coastline, nor will either feature of the wall impede the panoramic views and vistas provided by the coastline.
4. The Authority is of the view that the proposed wall complies with Regulation 20 of the Development and Planning Regulations (2006 Revision) for the same reasons that are outlined in item 3. above.