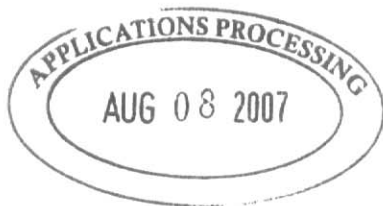


**VERBATIM REPORT ON THE
PUBLIC MEETING HELD AT THE
TOWN HALL, LUCEA HANOVER ON
JULY 25, 2007 TO PRESENT THE
FINDINGS OF THE EIA FOR THE
PROPOSED DOLPHIN PARK AT
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Question and Answer Session

Chairperson Kadian Smith: Thank you very much Ms Ravidya Burrowes. Just for those of you who do not know me, my name is Kadian Smith and I am the chairperson for the proceedings this evening. Now we go into a time of question and answers. There is a cordless microphone that will be used for this session. I'm going to ask first that you speak directly into the microphone because what you are saying is being recorded. When you start, you will start by saying your name and the organization with which you are affiliated. Each person will be allowed to ask only two questions at a time or to make two comments. If you choose to make a long-winded statement, I will politely advise you that your time is up and you are to pass the mike on. So I do hope we will adhere to those very basic rules and without further ado, I'll open the floor to questions.

John Maxwell: Good afternoon. My name is John Maxwell. I'm a journalist. I wanted to ask you, having noticed that Ravidya Burrowes is the compliance advisor to Dolphin Cove and also apparently the person who has written the EIA, if there is not a serious conflict of interest in this, in that she is representing both sides of the equation?

Dr. Burrowes: It's true that I am related to the developers. But to suggest that is a conflict of interest, would be to suggest that the work is in some way... the objectivity of the report or the quality of the science in the report is in some way comprised - are you suggesting that that is the case?

John Maxwell: No. I am not suggesting about the quality of the science, I'm saying that you appear to be representing two sides. You are ... the EIA, the document for evaluation by the public of proposed development is to whether it will affect them and how it will affect them. And the first question that is usually asked in the EIA process is whether this development should be in this particular place at all? I'm suggesting to you, that if you are the compliance advisor, you are related to the principals, it is impossible for you to be seen to be impartial, unbiased and operating at arms length from the ... You are an interested party.

Dr. Burrowes: I'm not a shareholder in the company. I don't work for the company as an employee. I'm actually involved in at least five other Environmental Assessments. I'm a professional in what I do. There is no regulation or law as far as the Government of Jamaica goes to say who may or may not do an EIA. From my understanding Mr. Burrowes could have written the EIA himself provided he satisfied the Terms of Reference. Now, I work for several international companies, including British Gas, who actually have their own environmental division to conduct their own EIAs for submission to regulatory authorities. It is not perceived as a conflict of interest in that instant and the methods used in this particular document is open to critical review ...

John Maxwell: I'm not criticising your method, nor your professional qualities or abilities. I am saying to you, that it appears to someone from



outside that if you are related to the principals, you are, in the ordinary way that these things are done, not really qualified. You are in conflict and you cannot advise the public while you are advising the principals. They have two different interests. The public interest and the private interest.

Dr. Burrowes: I disagree with you. We can argue about this all night. I just disagree with you. I can tell you categorically there are many people who are highly paid environmental consultants in this country who will say anything for a developer just because they are highly paid and their document is essentially a brochure for the development. I do not believe that having the same surname disqualifies me from being an independent evaluator. There is no regulation saying that I can't. So that is my response.

John Maxwell: The point is that there is a document here called 'Development Concept' proposed Dolphin Park, Point District, Development Concept, and you are listed as the author. I don't see how you can have a development concept of which you are the author and an EIA of which you are the author. That's all I'm saying on the question.

Chairperson Kadian Smith: Very well. Anyone else?

Diana McCauley: My name is Diana McCauley. I'm from the Jamaica Environment Trust. And I have to start by objecting to the two question rule because I do think this is a public meeting. We've heard a presentation on what is planned and I don't think that - we're all here so that everyone who has something to say can be heard. I'm afraid I have many more than two

questions. I understand what you are trying to say...let us hear from a range of people, and I support that but it is not right to say in a public meeting, 'two questions only'. I have many.

Chairperson Kadian Smith: Two questions from any one person in first instance and everyone gets a chance say what they have to say. At that point they can join the line again and you can ask your other questions,

Diana McCauley: Can I ask Dr. Burrowes to put up the slide where she identified the impacts. She gave a score to the negative and positive impacts that she had - because I think it would help - yes. You passed it. So my question is, you've ascribed a score of low to moderate for the turbidity, the benthic impact of marine structures, the impact of dredging, increased outfall to the bay, the - sorry my eyes are not so good - the increase site vulnerability to storms, the relocation of mangroves. You've assigned these as low to moderate, whereas in my opinion these are high environmental impacts. Particularly the dredging. Can you tell us how you came by these scores?

Dr. Burrowes: Sure. There's actually a detailed methodology that's laid out in the Environmental Impact Assessment. And, the criteria for coming up with the assessment is given on page 104. And there are ten criteria. In each case we examined the impact and for no impact, minor, moderate, significant, there are certain conditions that have to be satisfied for us to assign particular score. The criteria include the scale, I can just ... the scale which refers to the magnitude of the adverse impact, the affected numbers, secondary impacts, the secondary effects. And this even looks on effects like

bioaccumulation and future generations. Resilience, which is the ability of a population to cope with an impact. Persistence, which speaks to how long, the proliferation of the effects, whether it is chronic or acute. Reversibility. This looks at how easy it is to restore the site to its pre-development condition. How cost effective it is. The change from baseline. This parameter takes into account the fact that you have accumulated effects and if you have a very pristine environment that you are going to be introducing a primary pollution or disturbing activity to, you'll have a much larger, baseline shift - in some cases it is measurable, in some cases it's not. It's much more significant if you're expanding a port, or an airport where there's already been considerable baseline pollution. The extent to which you can manage something cost effectively is another of the criteria. The level of the scientific uncertainty in terms of how much confidence do the scientists have that this impact, as predicted, will actually occur as well as the acceptability to stakeholders. This looks at a number of criteria including the national regulations and standards, national plans and policies, the survey that was done for the community in terms of the objections that were raised, scientific criteria in terms of what's allowable and what's not. There's quite ... In each case it's subdivided into what will constitute minor, what will constitute moderate and what will constitute significant. Each of these ... each impact is evaluated according to these ten criteria and then averaged. The average score is what is used to determine whether it's minor, moderate or significant.

Diana McCauley: My second question is on regulations. You can see that we have a problem in Jamaica monitoring all kinds of

developments from the environmental point of view. Over the past several years we have been collecting data on Dolphin Cove's own regulatory history, and we find that their compliance were *(unintelligible few words)* in some cases challenged. The documentary evidence, we find that Dolphin Cove compliance with their own permit to be extremely lacking and something that was specifically mentioned was the relocation of sea grasses and coral reefs. When you were doing your expansion in Ocho Rios, you were required to move coral heads. You were required to replant sea grasses. I have a document here from NEPA that suggests, you have an 80% mortality rate. And the coral heads were removed and not properly fixed - also that they were done before NEPA was there, how can you stand here and tell us that this new attraction is now going to abide by all the regulations in the face of your admitted failure in the past of the government authorities to regulate?

Dr. Burrowes: First of all, they ... I was involved in the monitoring of the construction. NEPA had been invited to ... NEPA had been invited to - when the dive was being done a census was taken and each single coral marked and put on an inventory. NEPA did send people afterwards. I don't have any construction report, monitoring report that says there was any form of breach or failure in terms of the location of the coral.

I know there was a case where one officer dived and found that there was one coral or two corals that were not removed. Now we had actually inventoried over one hundred corals that were successfully removed. So this represents, in my book, a 98% success. Because if you've ever done any kind of marine construction, it's not

very easy to see.... it's not like you're working on the land and can see everything very easily. You're depending on divers and you - people make mistakes. NEPA did find a couple of corals out of over a hundred that were successfully removed. So I will grant - I will agree that there were a couple - but still, in my book, 98% on a marine construction site is outstanding.

In terms of the sea grass relocation there were very, very minor amounts of sea grass. Very small clumps. And I understand from the experts that these tiny clumps have a much lower success rate than the large mats of coral [sic] that you can basically roll up, like you can do lawn, put into another area, and then just roll out again. There's about an 80% success rate for that kind of removal and a much lower success rate for removal of small clumps of sea grass. When this sea grass transplanted all the standard methods were used in terms of making sure the roots were not disturbed, all the soil remained intact, the plant was never taken out of the water, never taken to an intermediary area before being transplanted, and it was put into an area where other sea grasses were doing very well, same species. We found that the ones we transplanted did not do very well, and we reported honestly and truthfully on it. We didn't try to make up numbers, in spite of the fact that NEPA didn't really have the resources to send anybody to check. I checked them myself, and I found that they didn't do as well as we had hoped they would do. This time around, we are definitely going to learn from the mistakes made in the past, and we are actually going to be hiring CL Environmental, Mr. Carleton Campbell, who has had considerable success in removing sea grasses and replanting coral. He's done a lot of

work for the government and I understand his success rate is very good and the developers are committed to ensuring that this is done properly. So that's my answer.

Chairperson Kadian Smith: Anyone else has another question? Can the microphone be passed?

Neil Burrowes: Neil Burrowes. I'm President of Asset Recoveries Solutions and part-time dolphin lagoon manager at Half Moon. My question is: Dr. Burrowes, with Diana McCauley who just asked the question before, is known in the press, as very much (*sic*). My experience with her has been that she has impeded Dolphin Cove in its growth and development tremendously. Do you know of other ways that she has impeded other people such as Chukka Adventure tours, and the Spanish hotels? Because she seems to me to be slowing the creation of this park tremendously and the people who suffer the most, are the people who are underemployed or unemployed.

(off mike chatter)

Chairperson Kadian Smith: Just one at a time.

Neil Burrowes: The question is, are you aware of Ms McCauley impeding anyone else besides Dolphin Cove?

Dr. Burrowes: To be honest, that's not really a road I want to go down right now. I've read things. I think it would detract from today's proceedings. I do want to be on record as saying that I myself belong to two environmental organizations, and I feel that there is a need for them. But, I also think that environmental

organizations in Jamaica have an important role to play, because, goodness knows, we are really challenged with the quality of the EIAs, but there is also a risk that you run in becoming a bit extreme and not being taken seriously. So I really.... I'm really reluctant to be more specific than that. I don't know if any of the developers would like to speak to the issue.

(off mike chatter)

Chairperson Kadian Smith: No we would not allow that at all. The question was whether or not there was a comment to be made, but in the circumstances, I do agree that that particular question is not related to the Environmental Impact Assessment which we are here to deal with today. Any other question?

Donovan Hamilton: I'm Donovan Hamilton, the JLP caretaker for western Hanover. As a political leader in this part of Hanover, I very keen on investment in Hanover. I'm also keen on the preservation of the environment because we need to balance both. And I must state that I do not believe that one cannot be objective and be honest in doing anything if you're part of an organization. I believe however, that if an investment is on the way and NEPA has the responsibility to monitor the investment, then NEPA needs to ensure that all the t's are crossed and the i's are dotted. Because if we, for example, were to give a permit to Dolphin Cove to go and construct a business at Point, there must be an agency with the responsibility for monitoring what is going to go there, and ensure that they are going to abide by all the regulations that are outlined. We can't leave it to them, and then when the project is complete say, you know, something was not properly done. We must monitor it. And I believe that

what we need to do now is go through the assessment document and if it was done objectively and honestly, I strongly believe we recommend that in light of the support given by the people of Hanover for this project, once it is known that it is not going to destroy or damage adversely the environment, then I strongly support this development in the ... for us. 97% of the people in Hanover that are going to be most directly affected by this project are saying 'Yes, we support it'. 97%! And I understand the role that NEPA plays in this regard, but I also understand the need for employment in Hanover. We need to balance both. We're not going to destroy the environment, but we need the investment as well. And so, I'm going to call on Miss Diana McCauley to insure that we look at the thing more objectively and ensure that the best interests of Hanover and marine life and the environment are protected in this regard.

Chairperson Kadian Smith: Thank you very much Mr. Hamilton *(applause)*. Another comment? Mr. Theo Chambers.

Theo Chambers: Yes. My name is Theo Chambers. I am the President of Hanover Chamber of Commerce and I'm responsible to see that commerce really survives here in Hanover. And I want to support my colleague that we at the Hanover Chamber of Commerce support this project 100%, and we ask of the environmental agencies that whatever criteria needs to be put in place to guarantee that the construction, the project is done right, is put in place. And even if they want to hire an expert at the expense of Dolphin Cove, you know that works for them, hire someone to guarantee that the work is done right. And it's the same thing I said when Fiesta was being built.

I spoke to Dean Peart and I said, 'Why not hire someone, if you don't have the manpower to monitor that', and said, 'This man does work for me, but you will pay for it to make sure that this is done right' But we need more construction in Lucea. We need commerce. And as a vegetarian and environmentalist myself, I'm not going to say that what they are doing is wrong. I'm not going to say that they are off base. All I'm saying is can we find a balance, that will work, because I want to see a lot more investment coming into Hanover. There's a lot of hungry people who need jobs. Thank you.

Chairperson Kadian Smith: Thank you, Mr Chambers (applause). I notice a hand at the back. Is there a hand coming from the back? Is there a comment from the back? No.

Claudia Gardner: OK. Claudia Gardner from the Gleaner Company. I came in meeting sometime before but was here a few months ago when you had your first presentation of the EIA. Why are you having a second?

Dr. Burrowes: A number of reasons. The first reason I guess, there is a requirement to have it within twenty one days and we actually ... in discussions with the Council and so on and the availability of the room and the availability of persons, they suggested to me that Wednesday instead of the Friday, and I, simply without thinking, agreed. Thinking well, the main reason to come out here is to make sure I meet the community and the community elders, and if this is the better day for them, by all means I will accommodate. But it was a mistake on my part because I really should have said 'Well, how about next Wednesday?'. But in their mind, several people came up to me and said, this

thing was submitted on April 17th and they had actually all read it and had a number of questions and in their mind the public meeting was already late. But according to NEPA's internal procedure, guidelines for EIA, NEPA advised me that they were going to hold me to the twenty one day requirement. And it was actually, having been held on the Wednesday, it was actually held twenty days, two days short of the deadline. But we actually didn't mind having to repeat it, because that day Montego Bay was washed out and we actually arrived here two hours late and started the meeting at 7:30. But, although there was a big crowd, we recognized that there were a lot of people who had responded positively, who had said they were interested, but may have been a little bit daunted by the weather. So, we talked about and decided probably the best thing to do was to do it done at a later date and have the twenty-one day. We are in no rush.

We are not trying to rush the procedure or the review process in any way. I guess that's my response.

Chairperson Kadian Smith: Thank you. OK. Wait on the mike for me please. Your name and ...

Dean Burrowes: I'm Ravidya's husband. I want to respond to the reporter. Do you know if NEPA has ever asked anybody else - ever, to redo a meeting? No, NEPA. *(off mike chatter in background)* No. This is the first time that I've ever known NEPA to do this to anybody. Just last week there were so many ads that were less than twenty-one days. No. I think this is the first time NEPA has ever done this.

Dr. Burrowes: Thank you for the comment. The fact is that it is in the guidelines and we're not in any rush to speed up the process or get special treatment, so we will abide.

Chairperson Kadian Smith: Question? Pass the mike. Just one moment please. Would you allow this gentleman to go before as the mike is here? Thank you.

Lloyd Pusey: My name is Lloyd Pusey. JUTA Negril. My question is how many jobs will be created during construction and after, in operation?

Dr. Burrowes: Thanks for the question. I actually ... it's documented in the EIA. Mr. Burrowes, do you want to handle that, while I just look up here ...

Stafford Burrowes: I would imagine that.. Ladies and gentlemen, before I start I would just like to thank you for coming back here. Some of you, I recognize it's for a second time. But I think that that is important that we do what the law requires and I'm very happy to be here to do the presentation, the EIA presentation one more time. I know some people have travelled from very far from Kingston and even from here. As far as employment goes, during the construction phase, probably between a hundred and a hundred and twenty people...during construction. Once construction is over we should have permanent employees of approximately a hundred. It would employ at a fairly high level as well, because of the amount of technical work to be done. We are glad to be in Hanover. I do understand the situation here and the gentleman who spoke earlier - I don't want to say the member of Parliament, but

whose Hanover area here and concerned about employment, that spin off goes much farther than the people who are directly employed because there is an enormous amount of spin off, we will hope to create to the bus drivers, the taxi drivers the craft vendors. One of the things that an attraction like this brings to an area, is that it improves the product as far as the tourist offering goes and I drive in here and notice that there's a huge hotel being built and I think that it would be good that the guests, now visitors to the island, staying at the hotel have something to go out and do that they enjoy and have a memorable holiday and spread the word and hopefully more people will come. OK. Hope I'm not talking too long.

Dr. Burrowes: OK. Page 22 of the EIA identifies sixty construction persons. However this does not include the spin offs like the people supplying produce and so on. Vendors and so on that will be providing food to the staff, or waste disposal contractors things like that. Permanent staff in the operation is about ninety listed here. This is just a preliminary estimate and again, it doesn't include things like entertainers, craftsmen, bus drivers and that sort of thing.

Chairperson Kadian Smith: Please use the mike.

(off mike chatter)

Dr. Burrowes: Yes. It's all in here. It's all in here. Pardon. You want me to call them out?

Unidentified Speaker: Will most of these workers come from the area?

Dr. Burrowes: Mr. Burrowes had addressed that question at the last meeting so I'll just hand over to him to deal with that again.

Stafford Burrowes: Certainly. In fact we had a little concern that the number of people in Hanover, young people who were able to swim and one of the requirements to work in the attraction, particularly the water part of it, is you need to be able to swim. And I understand that there are even schools, or guys in Hanover now who are giving lessons to kids who want to learn to swim so that they will have an opportunity. But certainly, the only time we will employ someone who is not from Hanover is because we can't find that individual in Hanover.

Chairperson Kadian Smith: Question?

Christine O'Sullivan: Good evening everybody. My name is Christine O'Sullivan. I'm from the Jamaica Environment Trust. I think first of all, I think the first thing that we need to say is that I don't think that we should be penalizing NEPA for enforcing the twenty one day rule, because NEPA is finally actually followed their own guidelines. And I think secondly there is a misconception that JET is against development, and we're not. We're for development but it has to be sustainable. And that is one of the problems that we're having. Thirdly, my concern is with the monitoring of the site. Both post permit and after, both post permit and pre-permit, and the development construction and development of the site, particularly with the regulations and the monitoring of the animals that are going to be brought in. JET is very concerned about the captive facilities and the fact that they are going to be transporting dolphins probably, as it says in the EIA, from

Cuba and the regulatory problems that are going on there as well. But it the actual regulating monitoring and regulating when they come to Jamaica. The draft Dolphin Conservation Policy that was prepared by NEPA, is still draft. The interim standards and guidelines are still draft as well. And when you look at the post permit monitoring reports for the other Dolphin Cove facilities, they are consistently in breach.

And one of the reasons why they say that they are in breach is because the guidelines are still in draft stage and they're still in discussion. How can we set up a third facility and we don't have these guidelines in place to effectively monitor the facility? Also ...

Chairperson Kadian Smith: Well, one question. One question at a time please.

Christine O'Sullivan: ...well this is part of that question. Part of the monitoring, the problem with the monitoring is that NEPA is supposed to visit the site every single month. In some cases we have the post permit monitoring reports. Between 1999 and 2003, there was no monitoring at all. And then, in some years, they were monitored maybe twice in the year. That is a problem ...

(off mike chatter)

Stafford Burrowes: I would just like to... yeh. I would like to correct you on some of the statements you have made. It's not often I get an opportunity to be in defence of NEPA but you stated awhile ago, I think, that NEPA does not come there every month. Could you tell me why you could make that statement?

Christine O'Sullivan: Because, under the Access to Information Act, and I'm happy to show you the documents that we got. We asked for all the post permit monitoring reports that were submitted by NEPA, for the monitoring of Dolphin Cove, both in Ocho Rios and Half Moon. In some instances we got two reports for the entire year.

Stafford Burrowes: You just said a while ago that NEPA did not visit the site, OK? I want you to know that NEPA visits the site very regularly. I can't help it if they don't write up the report to say that "I was there. I saw this. I did that". OK? We are the most regulated organization in the island. We are the most monitored organization on the island. Again. And I challenge you to tell me an organization that is more monitored and regulated than we are. And JET, maybe I should thank you for seeing to it that NEPA keeps at me because it causes me to be on the ball. OK?

Christine O'Sullivan: The problem, however Mr. Burrowes, is that they might be trying to keep you on the ball, but every single code in the majority of the post permits monitoring reports, you are in breach for at least one – for at least one infraction. And I'm happy to show the documents to you.

Dr. Burrowes: I'm happy to advise the group here, exactly what breaches the young lady is speaking about. She's speaking specifically about nitrates and phosphate levels in the lagoons. First of all, the levels are monitored monthly, and they are higher than we would like. They are consistent with ambient levels, which means that the water quality inside Dolphin Cove cannot be any better than the water quality in Ocho Rios. And they are pretty much

consistent with water quality in Ocho Rios. Second of all, nitrates and phosphates do not affect the health of dolphins and at these levels do not affect the health of humans.

They are simply criteria that are used to characterize the environment because they indicate pollution, nutrient loading. In some of the research I have looked into there are some examples of dolphin enclosures in Mexico where nutrient loading of coastal water is very high and it has resulted in the proliferation of fleshy algae taking over coral reefs. Dolphin Cove, not under any requirement from NEPA, has taken upon itself to create a buoyed area round the coral reef immediately outside of the dolphin enclosure, and has monitored those reefs for the past several years and we have reports and those coral reefs are some of the best preserved in the Ocho Rios Marine Park because they are protected from various boating activities and diving and snorkelling. We have active coral recruitment going on inside of the lagoons. So if corals will grow in a place where dolphins are, I think it speaks to the quality of water because corals generally prefer to grow in pristine waters. I'm not saying that problems with water quality, but I think those problems are pretty much characteristic of the entire area. Entire Ocho Rios area. I am not aware of any other significant breaches and I dare say, that you are not aware of any other significant breaches as you do not have ... you do not visit Dolphin Cove. You are not able to come. You speak of reports to NEPA which you have, so I'll invite you to specify beyond the water quality.

Christine O'Sullivan: I actually wasn't referring to the water quality....

----- *break for new CD in recorder* -----

...guidelines. That is not supposed to happen. And at the end of the meeting I'd be happy to show that to you.

Dr. Burrowes: We have the Director of Animal Care here. As far - to the best of my knowledge the statistics - I was responsible for them to a point. I am no longer responsible. It's been taken over by our veterinarian, our marine mammal veterinarian. And, to the best of my knowledge the standards and guidelines are not being exceeded. I just wanted to comment as well, before I pass over to Mr. Burrowes about the standards and guidelines. The standards and guidelines being used in Jamaica are based on the US guidelines, which have actually been suspended since 1999...reason being the science of it has progressed so much, so far beyond those guidelines that new standards and new guidelines have been developed in the US and are observed in the US. A very recent document was prepared by the Association of Marine Parks - marine mammals and - sorry - marine.. AMPA - Marine Mammal Parks and Aquaria, and that standard has actually been sent to forward to NEPA because it is what large marine parks like the San Diego Zoo and Sea World, and so on, observe. And we certainly observe those standards. I will allow Mr. Burrowes to speak some more.

Stafford Burrowes: Those breaches you are referring to Christine, have never been brought to my attention.

Chairperson Kadian Smith: There was a question coming from the gentleman here. You had mentioned a question while (*off mike voice*) ...You'll have to speak into the mike please.

Dr. Burrowes: Thank you. I'm going to list the categories of workers in a minute. I just also wanted to mention that I had a discussion with one of the NEPA officers who visited the site. And it seemed to me that they were counting Dolphin Cove staff that was in the water as a safety measure. Dolphin Cove has attendants in the water and they are not participants. They are simply observers in the water. Many times when persons from the agency come to do their random counts or 'secret shopper', what happens is they end up counting twice the number because they are counting attendants in the water, and the attendants are in wet suits. So this something we actually brought to the attention - that there was some false reporting in the dolphin - NEPA monitoring.

To answer this gentleman's question here. In terms of management there will be a general manager, an HR manager, a director of animal care, food and beverage manager, tour sales manager, gift shop manager, accountant/financial comptroller and a video manager. In terms of supporting staff, there will be admin assistant, life guards - four life guards, parking lot attendants, twenty four guides, six grounds and housekeeping staff, admin assistant, nurse, six trainers and six handlers, one admin assistant. They're broken down by department so you'll get some things repeating. Ten restaurant staff, one admin assistant for the sales, four reception and reservations staff, gift shop one admin assistant, eight gift shop staff, accounts - two accountants and one admin assistant and six videographers.

Chairperson Kadian Smith: One moment Mr. Chambers. Any else with a question? Who hasn't asked a question as yet? Is there anyone

who has a question who hasn't asked one as yet? We're going to do it that two questions from someone else and then we join the queue again. One moment please, one moment please Mr. Maxwell. As indicated, we'd like everyone who is here to get the chance to say something for us at this public forum. We have no difficulty with you joining the queue afterwards and having your questions or comments made at that time.

James Thompson: The name is James Thompson, President of JUTA, Lucea. Question is, is this report a preliminary report and are there further AIE (*sic*) assessments to be done? And has the report been submitted to the relevant environmental agencies? And what has been their response?

Dr. Burrowes: This report was submitted to NEPA in April, 17th of April. NEPA - actually about 12 copies were submitted. NEPA circulates it to the relevant agencies like the Heritage Trust, the Parish Council. Copies were also put in the libraries. The process that we have in Jamaica is the EIA is submitted and a public meeting is held. The document is reviewed by various agencies who are free to write in and - did I mention public works and so on - they write in their comments. The public has a month after this meeting to write in comments. Review the document. Go to the library. It is also available online for those who have internet. You can write in your comments. NEPA will collate all the comments from the public, from the various agencies. They have an Internal Review Committee of their internal technical officers and that internal committee will make a make a report to the Technical Review Committee which is made up of members of different agencies, including public health and other agencies that

the government sees fit to review this particular document.

And the Technical Review Committee will take in mind all the comments made by the public and the technical officers and will maybe ask for more information at that point. If they are unclear, or if something was omitted from the original terms of reference, they will ask for more information. It could include a whole study for instance. I know of EIAs where complete studies had to be done. So if you feel something major was omitted, it's not too late. Then that information is provided to NEPA by the consultant in the form of a - what we refer to as an Addendum Report. And NEPA will then evaluate it again and see whether the questions have been adequately addressed and they will either come back to you for more... the developer for more information, or will make a recommendation at that point to the NRCA Board as to whether it should be permitted or not and the Board makes the final decision and advises NEPA whether the permit may be prepared or not or what conditions, and then the permit may be issued - or not, depending on what the decision was.

James Thompson: So there is every likelihood that after NEPA has made their response, there could be a review of the AIE (*sic*) and all parties concerned could have an amicable solution so the project could go ahead?

Dr. Burrowes: As far as I know, we are not in any fight with anybody. So far we've had 97% community support, which is quite overwhelming. As I mentioned, I've worked on many projects coming up to a hundred of them now across the Caribbean, and in this particular

case, you know, there has been overwhelming support. I've actually received the technical comments from NEPA already, in draft form - not the official version, and there are no 'deal-breakers' in those comments. They are all easily addressed. As I said, Dolphin Cove does not perceive itself to be at war with the regulatory agencies. They, if I might speak for them, they are very much - have tried in the past to be as compliant as possible. And they're not trying to rush the process either. If we need to go back out and collect more data or do whatever is necessary to get it done properly, then that is what we will have to do. We are not in a war with anybody.

Chairperson Kadian Smith: Thank you very much. OK. We're going to go around - and just before I take any more questions, is there anyone who has not asked a question they would like to ask one? You? No. I see Mr. Chambers hand. One moment. One moment please. I know. I'm not going to Mr. Chambers as yet. I see two other hands. I'm going to take Mr. Chambers and Ms Andrade.

(off mike voice...Mr. Maxwell - barely audible)

John Maxwell (using mike): ...to slander people that have come here to do their public duty. This is a public responsibility that you are not seriously attempting to discharge. I'm terribly sorry. What you are supposed to be doing here and why I objected in the first place. The lady speaking as the person who wrote the EIA and on behalf of the developers. And I submit that this wrong, but much worse than that, is that you are allowing somebody to bully somebody who has come here to do her duty as a citizen.

And you are thereby preventing the people here

- and I don't know how many of you work for Mr. Burrowes, you are preventing the people here from learning the real value, or no value or detriments - let me finish ...

Chairman: You are free to.

John Maxwell (using mike): ...or detriment because you are in breach yourself. And that's why I am so angry, because what you are doing is destroying the public interest. These people are entitled to know the truth about this development. To know what they are giving up and what they are getting - and you are impeding that process.

Chairperson Kadian Smith: This is a public forum in which persons are allowed to ask their questions and similarly, as your question deals with bias on the part of Ms Burrowes, the question initially dealt with the bias on the part of a particular agency and whether a particular person had a particular bias or leniency. The question was asked and adequately answered. I will now turn to the very next person who had a question - Ms Chambers?

Sharon Parris-Chambers: Sharon Chambers. Positive Tours Unlimited. There is a need for world class attractions to be developed in Jamaica. There is no doubt about that. It's been asked from many sectors - the cruise sector, from our National Tourism policy. We know, no doubt, that Dolphin Cove has established a world class attraction. It's been awarded in this area. So what I'd like to ask them is to continue their work but to be responsible in preserving the environment so that we can have - continue to develop sustainable tourism, because we cannot have sustainable tourism without the

attention to the people and their needs, sustaining the culture and the biodiversity and in that way, I know what the work you're doing with children - so that has to be extended. Teach them about the marine environment and preserving the marine environment, the land and the marine environment, advancing community tourism, and using health tourism - dolphin therapy is a way to help people to be well and increase commerce as well. Of course people are coming here for world class attractions and certainly to help sustain biodiversity. It's an ethical responsibility and, you know, if you do this and do all the other things, you can help the growth of sustainable tourism in Jamaica.

Chairperson Kadian Smith: Thank you very much, Ms Chambers. I saw Ms Andrade and going to ask the mike to go down to that person.

Danielle Andrade: Thank you. I

Chairman: "name and organization".

Danielle Andrade: My name is Danielle Andrade and I'm an attorney. I'm also a director for the Jamaica Environment Trust. And first of all I want to say that I support what John Maxwell says. I don't say it as strong as he does, you must forgive me, but I do think we all need to re-evaluate what the purpose of the meeting is. Of course we have positive impacts with development. Ms Burrowes has already cited a few of them, and we all want development for the country. But we do have to recognize that we need to look at the negative impacts and we can't turn a blind eye to them. So if it is that there is a member of the public who wants to highlight a few of those, I think we should at least afford her the opportunity to say

what she has to say. Right? Given that, I want to talk about what Mr. Chambers and Mr. Campbell said earlier. They voice their support of the development assuming, of course, that all that would be done to ensure that the development was properly monitored, is done. But I think we need to go back and look further when Ms O'Sullivan mentioned that the guidelines and standards for these sorts of facilities have not been finalized. So we, ourselves, are going to have a difficulty keeping these facilities up to a certain level and up to a certain standard. As Christine said, there's constantly going to be a grey area as to whether they are in compliance, if these standards are still in draft. So I think that's something we need to bear in mind when we are introducing these kinds of developments. If we have the proper framework in place to ensure that they are adequately monitored. And this is a question, of course, that the regulatory authorities like NEPA and other government officials should make it their duty to ensure that they answer, and that they respond to it.

Secondly, I also wanted to ... there is something that Ms Burrowes mentioned in the Environmental Impact Assessment about the mitigation plan, or mitigation measures that would be implemented post permit and she said that details of these plans not yet been sorted out. I wanted you to know that I recently saw the permit for the Fiesta development and in it they actually had the coordinates for the specific mangroves that they wanted to be relocated. So while I understand that this is still in the preliminary phases and there can't be that much precision with how we go about these mitigation measures, there should be some plan in place so that when the permit is given to you, and the permit ... usually the permit will have an outline

of conditions they want ...that would guide them about how they monitor these facilities. We need to know, we need to have more detailed plans in place to inform these permits, and inform these conditions, so we know what is being monitored and what if in fact it is being monitored properly. So that is what I wanted.

Chairperson Kadian Smith: Before Ms Burrowes answers that question, let me just comment on something Ms Andrade said. No one is being prevented you from asking his or her question. There are many persons here and we have a limited time. We started out the forum by indicating that any one person in the beginning would ask two questions. We'd allow everyone to get that chance and then the mike would be passed. And that was what we did. And everyone else seems to have complied. Ms McCauley complied. She did not complain. She just indicated that at least when it is her time again, she be allowed to ask her questions and she will be, if she has any more.

Dr. Burrowes: I'd like to answer your two questions, but before I do so, I'd just ...it's not something I'd normally make a point of, but I'm going to do so tonight. It's not Miss Burrowes. It's Dr. Burrowes.

In terms of guidelines I agree there are no standards. I mean, we have with the dolphin attraction developed probably the most advanced standards for any kind of attraction - tourist attraction in Jamaica. There are no standards, environmental standards for golf courses, or hotels, or river attractions, or high angle rides. These - I've worked on several documents - where we've actually had to import standards and guidelines from the United States

and from Europe. In fact, I would like to point out that in my experience it is very, very unusual to have the degree of standards and guidelines for an activity of which there is only one in the country. It is not a major industry in Jamaica. There is one operator of dolphin facility in the entire island. And the government has spent a great deal of time and money and effort developing a so-called conservation policy, which was never accepted and never moved forward for various reasons, as well as the interim standards and guidelines which are part of the license for Dolphin Cove Ocho Rios. As I said before, no other tour or industry in Jamaica, where there are a multiplicity of operators and there are many, more major environmental impacts than those associated with Dolphin Cove, and where human health and public health in general can be seriously and severely threatened, they are not in fact ... those standards and guidelines are not even in the making. So, you know, it's ... yes, I think there's a need for those kinds of things.

You mentioned about the lack of detail in the monitoring program. That's a bit misleading because not only have we identified in the EIA document exactly the area that is going to be disturbed but it's been shown on maps throughout the document exactly where, what stand of mangroves are being discussed...is being discussed. Also which area of sea grass will be affected. The detailed plan requires, ... It's quite a substantive document. I understand for Fiesta, there was a post permit plan that was prepared by Mr. Campbell, who will be contracted by Dolphin Cove. It's a substantive document. It is not something that is just mentioned and discussed on two pages. It is something that must be discussed with NEPA

and they must also go out to the site and final location and so on, for transplanting must be decided very carefully. So I disagree with you on the issue that the mitigation... that the specifics of what will be disturbed were not contained in the EIA.

Diana McCauley: I think that the point we are trying to make here is that when this new attraction for Jamaica started, it was recognized that the regulatory agencies had no experience in managing them. And so there were developed these interim standards and guidelines for the operation of a captive dolphin facility. Because this was back in... I want to say 2001 but don't hold me to the date, OK? Because the regulators realize, that they, themselves, did not really know the issues. And Dr. Burrowes is correct, they were substantially taken from the US guidelines. They are a condition of Dolphin Cove Ocho Rios' permit. So the permit requires adherence to these interim standards and guidelines, but they have never been passed. So if you look at the post permit monitoring for Dolphin Cove, you will see it in a little box "comply with interim standards and guidelines", and you will see a comment next to it that they have never been passed so there can be no compliance.

So while you are correct in saying that many attractions don't have such interim standards and guidelines, what those ... the difference is that those attractions have the various things in their permits. So you might see, in the case of zip lines that they can't attach them to any tree that's smaller than a certain amount and all the various conditions will be laid out. In the case of the Dolphin Cove permit, you've got this one condition that says adhere to all the

requirements of the interim standards and guidelines, and it has never been passed. It is a regulatory issue. We are trying to establish here a regulatory problem, that the regulatory agencies themselves have never finalized interim standards and guidelines; have never finalized the Dolphin Conservation Policy - which I might say requires a carrying capacity study to decide how many captive dolphin attractions the country can have. So can we have one every parish? Two every parish? Ten every parish? And it requires that that was never been done (*sic*). So we are essentially talking about regulatory problems and Dr. Burrowes, I want to tell you, that Fiesta's monitoring plan - they are not in compliance with it. So all of that paper that is generated, post the permit, which is something again we fundamentally disagree with, because you have to sit down and work out the details as part of the permit. You can't give a permit and say, OK, send in your sea grass planting program within three months or two weeks, which is typically what happens. Then it comes in. The things start build already. There's problems with the sea grass, or the coral reefs, or the mangroves, whatever the requirements are. But if the hotel or the attraction is forced to raise up by that point. So all of that work, those of you who care and have experienced some of the problems at Fiesta - that site does not have a garbage skip. The contractors at that site dump the marl that they are excavating into the sea. So all of these efforts at getting all of these things, they are not enforced - and that's the issue that we are raising. Dolphin Cove's permit requires them to comply with a document that has never been finalized.

Chairperson Kadian Smith: Point taken. I am going to ask the mike to pass to this gentleman

here who has a question.

Neville Leon: My name is Neville Leon. I am a member of the public. Several questions have been raised about the environmental impact of the dolphin cove excursion and whatever that is being done. But I think that before they ... the basic routine has been taken place, somebody be appointed to make sure the JUTA drop is being done on their behalf. The meeting that we are in here to discuss right now, the attraction to Hanover will definitely be a plus, for the people, people at large, because in Negril we have people that leave from England and different other part of the country to come to Jamaica to experience the best of Jamaica. When you give them the dolphin excursion, we are proud to say they receive a number one package as part of the rep association out there in Negril. All right. So basically we are thinking about the impact, whatever is there, that needs to be done between Dolphin Cove and getting the problem out of the way, and move on a step further. Where do we go from here? What is the next step? Will we keep going around saying da da da da - that is not going to solve the problem. What is the next step? Where do we go from here? And as a public member, and tell us what is there for us to really get ... advantage from. But always remember that whatever is out there for Jamaica, is the best of Jamaica and we have to put it in back, and put the people and the tourists that come to Jamaica in mind at all times. Reason being because several tourists have to travel two and a half hours from Negril to go to Ocho Rios, experience this excursion. It will definitely being a plus, being a bonus to the drivers of JUTA, JCAL, the different tour operators and definitely build a better attraction for Hanover people so everybody can have the

best of Jamaica. All right? Impartially. *(applause)*

Chairperson Kadian Smith: Thank you. Thank you very much.

Dr. Burrowes: Just before - Mr. Chambers is it? - I just wanted to point out that having a dolphin attraction in Jamaica, in Hanover, is - in terms of not just of the hotels but also the cruise ships - it's something the cruise ships find very easy to sell. It actually attracts more cruise ships to the ports. There are many countries lining up, outside of Jamaica who are quite - who have positioned themselves to offer - have similar tour offerings. Jamaica needs to keep up with the other countries because the demand is so great for tours - not just for dolphin tours, but a variety of tours. We are not meeting that demand. In fact, in the Montego Bay area, we are falling far, far short of it. We could be bringing a lot more business into this country if we get ourselves organized a little bit better, to make the necessary offerings.

Theo Chambers: Theo Chambers. Hanover Chamber of Commerce. Well I'm going to say this, I want to see Dolphin Cove in Hanover because it can bring a lot of business. The only way this is going to happen, if you guys and you guys, get married. *(laughter)* I'm going to find a way to put all you two in the same room and live peacefully by certain guidelines. We need to come with a solution. I realize it's not going to happen if you live in one room and she live in one room. You all need to live in the same room and coexist with each other. We need to find a solution. The question is this then, I need this attraction, is there any dolphin attraction around the world that we can get guidelines from them that we can adopt here to use as a model? All

right. You have those. OK. Number two. Is there anything that the environmental agencies can say if you comply with X, Y, Z, you will have this permit. If you don't break it and is there any way, without breaking any law, that if the Dolphin Cove is willing to have an overhead expense, an expert working on behalf of the environmental agency whose job is to be there every day, to oversee this business. You pay that. They don't work for you. They work for them. And I think, if I can get this marriage going, Hanover would be a happy place to be. Thank you. *(applause)*

Dr. Burrowes: Diana, don't look for any proposal. *(chuckles)* But, Mr. Chambers, one of the things is that ... well, a couple of things I want to say. First of all, as I said before, I'm not in a war with JET. As an environmental consultant in Jamaica, I see that we have a lot of common objectives, particularly in the standards, the industry standards that we have. As a compliance advisor for Dolphin Cove, also I don't think that we are in any war with JET. So there is that.

But on the matter of environmental stewardship in Hanover, my company, emc², would like to work with, maybe a school or a group to develop a local coastal environmental agen...organization, community organization that can serve as a watchdog in the community for some of these developments that are going on and help with the enforcement of the permits and various other kinds of monitoring. Check up on the different construction sites.

Make sure that the contractors are doing what they are supposed to be doing because, in my experience, that's where a lot of things fall down. You know, as Diana said, there's paper and

then there's the construction site. So, there's a need for a lot of monitoring and NEPA, I don't believe has the manpower or the funding to really, you know, do what is necessary. So I would support any sort of community based organization. I know there is one for the Dolphin Head Trust, but their mandate is for the hinterland, the preservation of the Dolphin Head Mountain and the Quasheba Mountain. There is really a need for some sort of a marine, a society like Friends of the Sea or NJCA that's community based that will basically have environmental objectives and can be funded in some way by developers who wish to work with them. Instead of depending on groups from Kingston or outside of your community, you will have that capacity within the community to do your own monitoring and to protect what is really your heritage and your own birthright.

Chairperson Kadian Smith: Thank you very much. I see your hand Mr. Hamilton. I just want to ensure that since we are coming down to a close, that there is no one who has not made a comment who would like to say something. Is there anyone? No. OK, Mr. Hamilton. Do I see a hand before?

Eric Bogden: I'm Eric Bogden from Dolphin Cove. I'm the Director of Animal Training and oversee all the welfare of the animals that are over there. I've been involved with Dolphin Cove for a few years, but full time for eighteen months. The question came up, or comments came up that there's no standards. There might not be any governmental standards but let me assure you that the standards we have for animal care exceeds any nation's particular own standards. I've had the opportunity to work with different governments as well as different animal

parks and facilities. I travelled the world looking after the standards and guidelines, because as a true marine animal professional, it's my duty and my obligation to make sure that we have the highest quality of care for animals anywhere in the world. And I stand here to tell you that we'll share our documents with any governmental agency and share with you those standards, because in the United States ... I have a lot of experience and they have their regulatory agencies. Then there was a group of marine parks and aquariums that got together and said, "You know what? These are not good enough." And these are independent organizations that created their own international standards so that it helps different countries manage what we do. And so, these international standards are clearly available. Easy to monitor. And so, I welcome ... let's look at these standards and ... I also want to make a comment that we have the best care in the world for the animals that we have.

Chairperson Kadian Smith: Thank you very much. Mr. Hamilton.

Diana McCauley: And I share with you the one page document that we got from NEPA purporting to be Dolphin Cove's standards. One page. So, if you have these standards, the regulatory authority does not know anything about it.

Donovan Hamilton: I want to make my final statement now. Let me start by saying that I stand in full support of the work that is being done by NEPA and JET. We need to protect the environment. But for forty odd years the people of Lucea in particular have complained bitterly about tourists passing through from MoBay to Negril and nothing goes on here because we

have no attractions to cause them to stop. And so I stand also in full support of this investment by Dolphin Cove here in Lucea. I'm going to say now that we need to establish the guidelines. Pass them on to Dolphin Cove. You must abide by these guidelines. You must be monitored on a daily basis. Whatever we need to do to get the project going, it needs to get going. And I stand in full support of Dolphin Cove. I'm going to work assiduously with them and the NEPA to ensure that the project comes to Lucea. We need it in Lucea. And so, whatever needs to be done, whatever we have to do, we have to move now. I think for too long, we have too many agencies that govern and regulate investment and development and they take too long to get the work done. *(applause)* People wait too long for permits *(applause)* and these things are really impeding investment and development. We have to work more speedily in this country to get investment going. And so I support both NEPA and JET. I support Dolphin Cove. And I want it to work, because we need this investment in Lucea. We can't afford for this to pass us by. It can't happen. So let us now set the standards, establish the guidelines and work together in partnership to ensure that this can go ahead with speed.

Chairperson Kadian Smith: Thank you very much Mr. Hamilton. I think that is ... one final question? One final question. You have. Pardon? *(off mike voice - inaudible)*

Anne Marie: Good evening everyone. My name is Anne Marie, member of the public. I stand behind Dolphin Cove one hundred percent, in building the Dolphin Cove attraction here in Lucea. I think that would add much... beautification, add beautification to the western

side, knowing that we have the number one attraction here in Lucea, being close to the Negril side. We have a lot of clients coming in asking about ... Leon mentioned about the journey to Ocho Rios and I think the Dolphin Cove being so close in Lucea ... being so close in Negril rather, the clients have that opportunity to go there, rather than travelling to Ocho Rios. So I'm behind Dolphin Cove one hundred percent and again I think it will add beautification for the western side here and being the attraction here in Jamaica and in Lucea...so I'm behind them one hundred percent.

Chairperson Kadian Smith: Thank you very much for your comments.

Allister Williams: Good evening everyone. My name is Allister Williams I'm just a someone who just came here to the – to see what this meeting is all about. Dolphin Cove is an organization which builds a lot of employment for Ocho Rios - people. And also for coming to Lucea it would benefit a lot of people in Lucea. Right? I'm not a big fan when it come on to environment because I, myself, - you understand, everybody threw paper or something out, right? but –

Chairperson Kadian Smith: Wait ...

Allister Williams: ... hold on, hold on. Right? Some people do. But the thing is that when an organization is building, right?, or the sea is polluted by public, but when an organization is building the environmental people is bashing. Meanwhile we need more employment. Right? I know that Dolphin Cove is trying to put up something good for employment here, because I am one also who travels to Negril and I pass through this town. I don't know east, west, south

or north in Lucea. Right? But this organization will build a lot of work for people here and also the hotel is building again and I will looking forward to seeing Dolphin Cove here. So Dolphin Cove keep up the good work you are doing. Thank you very much. *(applause)*

Chairperson Kadian Smith: Might I just say while you are fully entitled to your opinion, I don't think that the environmentalists are 'bashing'. I think they are just expressing their concerns, as we are. *(off mike chatter)* and Ms McCauley - speak into the mike, please.

Diana McCauley: I kind of want to respond to my colleague but I won't in case, in time, I'm like - limited. I want to know the size of the survey, the social survey that you did. That you, you know, when you said you asked the people and you got the results that you printed out. Can you just tell us your sample size and the method by which the people who responded were selected?

Dr. Burrowes: The sample size is one hundred persons. The method of selection it's actually detailed in - I'll tell you the specific page - and it was not done by myself. It was done by Ms Beverline Brown. Basically there were five enumeration districts which are the divisions used by the census - by STATIN, to collect census data. If the total population - hold on now, I'll just tell you how the math worked out. The total - there were four enumeration districts East Rural One - Point, East Rural Two - Hopewell, East Rural Three - Kew, and West Rural 25. And the total population of each one was taken in. So for instance, of these four adjoining EDs, the total population was 2318 persons. In East Rural One there were 431

persons which was worked out to be 19% of the total population of the four adjoining enumeration districts. So nineteen of the survey of 100 persons, nineteen persons were interviewed from Point District. Nineteen persons from Hopewell which had a similar population size. Kew had 712, which was about 31%, so 31% of the total survey came from Kew and a similar percent came from Kew Estate, again, based on their total population. In terms of the detailed survey route and so on, all of that is documented in a separate document which I can provide to you. What is in here is actually a summary of the social impact report, which is as big as this document in itself. So that's basically the methodology. The interviewers have guidelines that they use to ensure impartiality. They do not select people if, this is what might be, might be being suggested here - they do not necessarily go and find ... wear a T-shirt that says "Come and talk to me if you want this development". I've done ...I've worked with this company before on several other EIAs across Jamaica where the results have not been as overwhelming and, you know, we've had significantly less support for the projects. I don't really want to name those specific projects here, but, you know, where the numbers have not been anywhere near 85%.

Very much in support. These are objectively collected data that I certainly feel that the person collecting the data is qualified. She has a Master's degree from a University in The Netherlands and in Mexico, so ...

Chairperson Kadian Smith: Ms McCauley, please speak into the mike...

Diana McCauley: I just want to make sure that

what Dr. Burrowes is saying - that we can actually get this study and see what the questionnaire was and the methods, and she's saying "yes", so that's fine.

Dr. Burrowes: The questionnaire is actually in here and the methodology is summarized in here.

Chairperson Kadian Smith: Question?

Christine O'Sullivan: I actually had a question on the data collection and methodology as well...sorry, Christine O'Sullivan from Jamaica Environment Trust. In particular the marine assessment. From what I recall in the EIA, different methodology was used for each of the bays. And so, I wanted to know why that was, 'cause it usually tends to be standard for each of the areas. And then also, I believe it stated in the EIA that the water, due to storm water run off, was actually murky. And I think, if you're actually doing the analysis during that time, it might skew the data because of the water quality in the area. The second question, the second part of the methodology as well, was the traffic count. Think in the EIA, the traffic counts were done in a time when there was a high ... a lot of traffic in the area, due to different festivals and activities that are taking place in the area along the North Coast. So I was wondering if that as well would also skew the data and does not accurately depict the type of traffic that is found traversing through the area.

Chairperson Kadian Smith: Very well. Before Ms ... Dr. Burrowes answers, I just ask that we desist from the cross-talking and the cell phone answering and the talking. It gets very distracting. We need to listen.

Dr. Burrowes: In respect of the different methodologies, I know that transects were done and quadrat surveys were done. I don't believe different surveys were done in different bays. If you are referring to the benthic assessments. I'm not really sure what you're talking about. I guess you'll clarify that afterwards. In terms of murky water, in the bays there are areas of stagnant water which is typical of this - of bays very much indented bays and there is siltation over long periods of time that can produce the water at the bottom to a sort of brown. We collected data during the dry and wet season. And we collected replicates, so we were reasonably confident about the quality of the data that we were getting. We did not collect data immediately after any storm event. So if there is a suggestion in the report that that is what was done, that probably needs to be corrected.

In terms of the traffic survey, we recognize that the data that was used was National Works Agency data and, in fact, because there is a need to be very consistent with their methodology, and where they have data that is very recent and up to date, we use that data, or I should say, the social scientist opted to use that data. It must be pointed out that the traffic flows that were measured during the end of the year data, might have been intentional that National Works Agency selected that time to get a peak because, I mean I'm more of a physical person, but if I'm building a drain, I don't really want to know what regular run off is. I want to know what the peak run off is. The big storm. And, I mean, I don't know too much about traffic and social stuff, but I think that maybe that's what they were trying to do - pick up the big storm. So, that whatever traffic management the facility

has to put in place will be adequate to deal with peak traffic conditions as were detected. So - excuse me sir, I'm still ... *(voice off mike)*...Yes, I'm sort of finished with that.

If you could clarify about, exactly what you're talking about the ecology?

Christine O'Sullivan: OK. What I see here on page 72 - it states here that in bay three a fifty metre transect was laid perpendicular from the shoreline. That's how one set was done. For the assessment of bay two, they did both random quadrats and a fifty metre transect and then in bay one, only random quadrats were used. So I'm just asking why that was?

Dr. Burrowes: Sure. Basically in doing EIAs, you don't have an unlimited budget. We'd like to have an unlimited budget, but you don't. And in the United States and in other developed countries, they operate under the ... what's called 'The Rule of Reason', which is, you spend the most money where you're going to have the most impact. So basically in bay one - sorry, let me just get a map here so I can show you what we're talking about - right. The bay on the far left over there basically, no dredging, no structures, no physical footprint. So quadrat surveys were done to characterize the population, and that was deemed adequate for that bay. Bay ... central bay. The transect follows the line of the breakwater footprint and the quadrat surveys follow the area where there would be inflows - if there's sediment or stuff during dredging. I think the dive area actually, it's in the EIA - covered a much wider area. So it's not just because you see those detailed collection points doesn't mean that the areas that don't have any point or line on it were not investigated. They were but

less formally. So the whole area in the middle there was actually characterized as being dominated by sea grass. The area in the bay on the right, that particular line or transect was chosen because that's the area that you're going to have dredging. So, that thinking was what governed why those particular approaches. But in terms of the method of data collection, it didn't vary from bay to bay. You know, the actual level of investigation and the location of the more detailed points varied....

Christine O'Sullivan: ...and then also, sorry. Then on page 77, that's where I was speaking to about the low visibility, which is why I thought there would be some sort of problem with the data as well. So it says, that at the time of the assessment both bays one and two displayed evidence of storm water input. So that is a problem in the form of brown and murky, low visibility water.

It wasn't just a matter of the sediment at the bottom. It was actually storm water input which I think would create a problem, which is why I was wondering if the analysis, also the fact that the analysis was only done during the month of December. I know the water quality was done in the period of two months - in the dry and wet season - I think December and January - which I think doesn't give you an accurate description as well. But since the marine survey was only done in the month of December, and I think over the course of two days, particularly in those two days would there be low visibility and murky water I think that could also skew the data and I wondered if there were any plans to look at the area again, at a time when there wasn't a lot of run off.

Dr. Burrowes: My experience is that when, well what I understand is, when they actually chose the days to go out it ... they specifically chose dry season time. And they ...there is generally standing, murky water standing in the area of mangrove. So I'm going to actually have to clarify that with the marine specialist and I'm going to be guided by NEPA. If they feel additional work is called for, then we will obviously comply.

Chairperson Kadian Smith: Are those the questions? OK. Ms McCauley, you have the mike, just finish your questions.

Diana McCauley: Can you talk to us about the mortalities at Dolphin Cove? The two facilities that exist? What is the experience been with death of dolphins?

Dr. Burrowes: Well. That actually is ... first of all I'm not prepared and it's not really directly relevant to this particular EIA. It's ... and furthermore it has nothing to do with environmental impact. I can, however, say categorically that ... and we have a vet here who can speak more if Mr. Burrowes allows it - no animal has died for environmental reasons.

Chairperson Kadian Smith: Question?

Diana McCauley: So we can't get the question answered?

Chairperson Kadian Smith: The question has already been answered, I think. Because as it indicates, this an environmental impact assessment dealing a particular location and the effect of what is proposed affecting the environment there. I think that question is a

specific relation to another places and in specific relation to just dolphins.

Anne Marie: Good evening once again. As I said earlier, my name is Anne Marie and I am also a former employee of Dolphin Cove. And I've read, and I've known that ... someone mentioned earlier on, about the dolphins at Dolphin Cove, they are not well rested. I've read, and I've known and I know that the Dolphin Cove at Treasure Reef, that's what they call it, It's open from eight o'clock until five thirty - and I'm sure the dolphins are all rested and ...

Chairperson Kadian Smith: ...OK. But OK. Anne Marie. Anne Marie. I going to stop you there only on the basis that again, we're focussing on the impact of this particular development on Hanover here, not on the dolphins in and of themselves. That question was mentioned that whole thing about rest and I stopped one there, I'm going to stop this one here. I don't want to hear afterwards that "You are being biased". Is there another question specifically related to the assessment and it's impact on the environment, very specific? We are just in the final phases. We are about to wrap up and I'll take the final two questions now.

Claudia Gardner: Claudia Gardner. The Gleaner Company. OK. I know there are some persons who are living on the property right now. What is going to happen to them when construction starts?

Dr. Burrowes: I think I'll pass that to Mr. Burrowes.

Stafford Burrowes: I would not imagine that they are living there legally. The property has

been bought on the basis of it being free. But I would like to say here that I will do my utmost best to see that they are relocated to somewhere that is suitable. I think one is a fisherman, and we have preserved the largest bay for the purpose of being natural, so the fishermen can still have their sort of situation. So I don't think there will be a major problem with it.

Chairperson Kadian Smith: Final question? All right. That being the case, ladies and gentlemen, I'd like to thank you very much for being here. And, of course, we thank Dr. Burrowes for her presentation. I'd like to thank you for your robust questions on the issue, both dealing specifically with the impact itself and - well, environmental impacts and socio-economic impact of this particular development. With that, I'll just leave with one comment, based ... coming from what has been said today - that certainly, development, properly done, doesn't have to cost the earth. And that's my thought to leave this particular forum with this afternoon. Thank you very much. *(applause)*

-----End of Recording-----

To the best of my knowledge and recollection, these 23 pages represent an accurate verbatim report of the digital recording of the question and answer session, made at the Town Hall in Lucea, Hanover, on Wednesday July 25, 2007.

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August 2nd 2007

