

NATIONAL WORKS AGENCY
PUBLIC PRESENTATION ON THE
ENVIRONMENTAL IMPACT ASSESSMENT STATEMENT

AT

ST. BENEDICT THE MOOR CATHOLIC CHURCH
ON THE 9TH DAY OF SEPTEMBER, 2020

MODERATOR:

MR. ALDRICK DURRANT,

PRESENTERS:

MR. MIGUEL NELSON,
on behalf of NATIONAL ENVIRONMENT AND PLANNING AGENCY

DR. MARK RICHARDS,
on behalf of CONRAD DOUGLAS & ASSOCIATES LIMITED.

REPORTED BY:
ALETHE CLARKE

1 Wednesday, July 9, 2020

2 **(MEETING COMMENCES AT 5:07 P.M.)**

3

4 MR. S. SHAW: Good afternoon and welcome to the public
5 presentation on the Environmental Impact
6 Assessment Statement as it relates to the
7 Southern Coastal High Improvement Project,
8 the leg that spans the road from Harbour
9 View to Yallahs, in St. Thomas.

10 It's a very rainy afternoon here at the
11 St. Benedict Church, but we expect and
12 intend to have a very fruitful meeting.

13 This meeting this afternoon is a hybrid of
14 sorts because we are recognizing the
15 issues as it relates to Covid 19 and the
16 fact that we need to be socially distant
17 or physically distant. We are also going
18 to be joined by individuals on Zoom,
19 because there is a Zoom link as well.

20 We want to thank JNN, through their mother
21 station, TVJ, for also being a part of
22 this meeting going live into the homes of
23 all persons who are tuned in, not just
24 here in St. Andrew/St. Thomas, but also
25 right across Jamaica. The meeting is also

1 being streamed live on Youtube and we want
2 to welcome those persons who are watching
3 there.

4 We have a WhatsApp number, that's
5 (876)878-3651, and we are going to be
6 facilitating questions from persons out
7 there who may have questions as it relates
8 to the presentation that you will be
9 hearing in very very short order.

10 I want to thank you, those persons who are
11 present here. I want to thank the church
12 and the church community for facilitating
13 us here this afternoon. I want to welcome
14 the members of the NWA who are here, our
15 Project Manager Mr. Alphonso Marshall; the
16 Director of Major Projects,
17 Richard McHargh, I see Peter Espeut in the
18 audience; we have residents from Mezgar
19 Gardens because this particular meeting,
20 specifically as it relates to the
21 construction work that is going to be
22 taking place by Mezgar Gardens and so we
23 want to welcome the persons present and
24 those who are joining us via JNN, Youtube
25 or the Zoom Network.

1 You are going to be hearing presentations
2 from the consultant, who is present but
3 not present here, a virtual presence, the
4 presenter will be joining us through Zoom.
5 We also have an important neck of the
6 team, Stanley Consultants, their project
7 engineer, Mr. Andrew Evans, he is also out
8 there on Zoom. We have
9 Stephanie Broomfield, who is present here
10 in the audience and we want to welcome
11 those persons who are present in virtual
12 land.

13 Before I proceed any further, I want to
14 invite the President of the St. Benedict
15 the Moor Church Council, Mr. Paul Ximinies
16 to come forward and lead us in prayer.

17 MR. P. XIMINIES: Thank you very much Mr. Shaw, a pleasant
18 good evening everyone. I invite you to
19 bow your heads in prayer, please.

20 (Mr. P. Ximinies leads in prayer).

21 MR. S. SHAW: Thank you very much, Mr. Ximinies.

22 I also want to welcome, via Zoom, the team
23 from the National Environment and Planning
24 Agency, NEPA, and you will be hearing from
25 the Manager for the Application

1 Secretariat Branch in short order. This
2 meeting could not have been had without
3 the blessings of NEPA.

4 Now, my duty here, pretty much, is a very
5 short one, you are here to hear about the
6 plans, from an environmental standpoint,
7 as it relates to the work that is going to
8 be done, specifically, in the Mezgar
9 Gardens area.

10 To assist us in going through the rest of
11 the meeting this afternoon, we have
12 Mr. Aldrick Durrant. So I'll tell you a
13 little bit about your moderator this
14 afternoon:

15 Mr. Aldrick Lloyd Durrant is a retired
16 principal of the Tivoli Gardens High
17 School, located in Kingston. Mr. Durrant
18 served the Institution as Principal for
19 four years and upon his retirement in
20 August of 2018, would have given service
21 to the Education Sector for a total of 39
22 years, principally as a classroom teacher,
23 at both the primary and secondary levels.
24 At Tivoli Gardens High, Mr. Durrant was
25 responsible for a student body of over

1 1500, a faculty of 84 with 138 staff
2 members, in all, including those who were
3 employed as part of the ancillary and
4 admin. teams.

5 Mr. Durrant took Tivoli Gardens High from
6 Category Three to a Category Four high
7 school, the highest rated level on the
8 island. He credits this to the
9 modernization and redevelopment of the
10 campus and the quality of teaching and
11 learning under his tenure. New classrooms
12 were added, the campus was secured and the
13 state-of-the-art air-conditioned reading
14 numeracy and literacy labs introduced.

15 Mr. Durrant is also a highly sought after
16 public speaker and master of ceremonies --
17 so you can see why he is here this
18 afternoon -- and has hosted several
19 functions, entertaining and informing
20 various audiences at graduations,
21 concerts, weddings and other public
22 engagements.

23 Today, he operates his own private
24 learning institution, Durrant's Academy,
25 in Yallahs, St. Thomas, which has been

1 serving that community for over 11 years.
2 He continues to live in the community,
3 having moved there in 2001 and currently
4 serves as President of the Riverview
5 Citizens Association.
6 Mr. Durrant is originally from Port
7 Antonio, Portland, but as a Mico
8 University College old boy, would have
9 seen Kingston and so soon took up teaching
10 positions at St. George's College and
11 Excelsior High School. He has also taught
12 at Yallahs High School in St. Thomas and
13 formally lectures at the Liberal Arts
14 College of Jamaica.
15 Mr. Durrant holds a Diploma in Education,
16 having been trained in Industrial
17 Technology at the Mico University College
18 as well as a Bachelor of Science BSc in
19 Education and Sociology and a Master's
20 Degree in School Management and
21 Administration.
22 So, ladies and gentlemen, you have someone
23 who is qualified to be your MC for this
24 afternoon or your moderator, as I would
25 say, this afternoon and he will assist you

1 with the, or through this presentation or
2 the presentations that are going to be had
3 as well as facilitating the Q&A.

4 So without further adieu, please help me
5 welcome Mr. Aldrick Durrant, your
6 moderator for this afternoon.

7 MR. A. DURRANT: Thank you, Mr. Shaw.

8 Good evening, ladies and gentlemen, all
9 protocols observed. Let me take this
10 opportunity to welcome the new highway
11 from Harbour View into Yallahs, for years
12 we have struggled with bad roads and,
13 finally, it is about to happen. We are
14 grateful and I wish to express our
15 gratefulness here this evening.
16 Now, the purpose of this meeting is
17 twofold: One, it is to share and to hear.
18 We want to share with you and we want to
19 hear from you. We want to inform and we
20 want to educate.
21 Now, what impact will the building of a
22 highway have on your community? We want
23 to know what are your thoughts; what is it
24 that you are thinking and we want no one
25 to be afraid. We want you to share with

1 us so that we can understand you and you
2 understand us.

3 Now, if we are going to build a highway,
4 it means that all of you, all of us are
5 going to be directly involved and as a
6 result of this, we must be informed. You
7 must have your issues addressed.

8 Now, NEPA plays a very important part in
9 all of this. This consultation this
10 evening is not happening willy nilly, it's
11 not haphazard, but rather, it was
12 carefully planned, the date had to be
13 selected way ahead of time, the venue, the
14 chairpersons, those who are invited, and
15 also this information regarding this
16 meeting or this forum had to be published
17 at least three consecutive weeks, flyers
18 had to be given out, and public notices
19 must be published so that the people who
20 are involved can see these notices and
21 know that, look, we are invited, we must
22 be a part of, we must let our voices be
23 heard. So we are here now to hear and to
24 share. So, ladies and gentlemen, all are
25 welcomed also by the chairperson, not just

1 Mr. Shaw.
2 So without further delay, let me invite
3 Mr. Miguel Nelson from the National
4 Environment and Planning Agency and he is
5 the Manager for Application and the
6 Secretariat Branch, he is going to share
7 with us this afternoon. So, ladies and
8 gentlemen, help me to welcome
9 Mr. Miguel Nelson.

10

11 **PRESENTATION BY MR. MIGUEL NELSON**

12 MR. M. NELSON: Can you hear me?

13 MR. A. DURRANT: Yes, we can hear you.

14 MR. M. NELSON: No problem. So let me go ahead. Good
15 evening everybody.

16 So the National Works Agency was granted
17 an Environmental Permit 2016-03017-EP00018
18 in January 2018 by the Natural Resources
19 Conservation Authority for the
20 construction of a new highway along the
21 south coast of Jamaica, from Harbour View
22 in St. Andrew to Yallahs in St. Thomas.
23 An Environmental Impact Assessment was
24 conducted for the project and public
25 presentations held on the 21st and 22nd of

1 November, 2017.

2 On the 10th of March 2020, the National
3 Works Agency advised of proposed changes
4 to the approved alignment. Consequently,
5 the National Works Agency was required to
6 prepare an Environmental Impact Statement
7 and conduct public presentations in
8 respect of the proposed changes. This
9 meeting is being held to provide an
10 opportunity for interested individuals,
11 groups and/or stakeholders to have a say
12 in the decision-making process.

13 Given the Covid 19 pandemic and the
14 Disaster Risk Management Act orders on
15 public gathering, this meeting is also
16 being broadcast live on the Jamaica News
17 Network and Zoom to ground the inclusion
18 process and garner the views of all.

19 The audience should be advised that no
20 final decision has yet been made on the
21 proposed changes to the approved
22 alignments.

23 Participants should note that this public
24 meeting is very important and it is a very
25 important part of the development

1 application review process. The outcome
2 will be submitted to the Natural Resources
3 Conservation Authority to inform the final
4 decision.

5 The Agency is observing this process to
6 ensure that the public meeting is
7 undertaken in accordance with the terms
8 outlined in the document titled "*General*
9 *Guidelines for Public Consultation -- EIA*
10 *Applications.*"

11 As the Regulator, the Agency must remain
12 objective and as such, will not
13 participate in making comments or
14 answering questions in relation to the
15 Development.

16 Given the proceedings that will follow
17 shortly, the Agency now takes the
18 opportunity to share some information with
19 the public: Firstly, a copy of the
20 verbatim minutes of the public meeting is
21 to be submitted to the Agency by the
22 applicant within seven days of the date of
23 the public presentation. The public is
24 allowed up to 21 days after the public
25 presentation to provide written comments

1 to the Agency. These comments may be
2 submitted to the Application Secretariat
3 Branch of the Agency at 10 Caledonia
4 Avenue, Kingston 5 or via electronic mail
5 to *applications@nepa.gov.jm*. All comments
6 received by the Agency will be collated
7 and sent to the applicant for responses to
8 be provided.

9 The issues raised, along with the
10 responses provided by the applicant, are
11 incorporated in the respective submissions
12 to the various Committees and the
13 Authority and will facilitate
14 deliberations on the technical merit of
15 the project.

16 A recommendation would be made to the
17 Natural Resources Conservation Authority,
18 which is the body responsible for making
19 the final decision.

20 Please note carefully, that the final
21 decision on the application (Zoom feed
22 interrupted.) full responsibility of the
23 Natural Resources Conservation Authority.
24 As indicated earlier, the Agency views the
25 public presentation and public

1 consultation process as extremely
2 important in the application review and
3 decision making process.
4 Public presentations provide additional
5 opportunity for stakeholders to air
6 concerns, make comments, share opinions
7 and views on development projects and
8 affords the applicant the opportunity to
9 address these concerns, comments, opinions
10 or reviews.
11 Please be reminded that the Environmental
12 Impact Statement Report for proposed
13 changes to the approved alignment is
14 available for access by the public at the
15 following locations: The St. Thomas
16 Municipal Corporation Administrative
17 Building at Morant Bay, St. Thomas; Ten
18 Miles Post Office, Bull Bay, St. Thomas;
19 the Harbour View Public Library at
20 St. Andrew; the Yallahs Post Office in
21 St. Thomas; the Bull Bay Police Station at
22 Bull Bay, St. Andrew, and the National
23 Environment and Planning Agency's website
24 which is *www.nepa.gov.jm*.
25 In the event that you are unable to

1 comment during this meeting, the Agency
2 invites you to send your comments to the
3 Application Secretariat Branch of the
4 Agency at 10 Caledonia Avenue, Kingston 5
5 or by electronic mail to
6 *applications@nepa.gov.jm*.

7 Thank you.

8 MR. A. DURRANT: Thank you, Mr. Nelson. Ladies and
9 gentlemen, a round of applause for
10 Mr. Nelson.

11 Now, based on what he just said, I have
12 noted carefully that at the end of this
13 meeting, a report must be prepared and
14 submitted, verbatim, within seven days of
15 this meeting. Additionally, the public
16 has 21 days in which to make suggestions
17 in writing to the Secretariat and that is
18 at 10 Caledonia Avenue, Kingston 5.

19 That's very important that you take note
20 of this.

21 Now, I asked the question earlier on, if
22 the highway is being built in your
23 community, what impact do you think it
24 will have on your environment? It is for
25 this purpose that an Environment Impact

1 Assessment was done. So to present to us
2 the findings, I want to invite Dr. Mark
3 Richards from Conrad Douglas & Associates
4 to make such a presentation as the finding
5 or findings of the environmental impact.
6 Dr. Richards.

7 DR. M. RICHARDS: Thank you. Is everyone hearing me?

8 MR. A. DURRANT: Yes, we are hearing you loud and clear.

9 DR. M. RICHARDS: Let me share my screen because that's
10 where the presentation is. Mr. Shaw, can
11 you have my screen -- give me the ability
12 to share.

13 MR. A. DURRANT: You are asked to try again, my brother.
14 But while you are trying to get your
15 screen together, let me take this
16 opportunity to say that those who are
17 following us on Zoom, if you have
18 questions you can send the questions to
19 (876)878-1356 and we'll answer your
20 questions as best as possible. I'll
21 repeat the number, (876)878-1356 send us
22 your questions now.
23 I'd also like to take this opportunity to
24 say a big shout out to China Harbour
25 Engineering Company Limited, they are the

1 contractors for the highway. China
2 Harbour, we say to you, big up yuhself.
3 Dr. Richards.

4

5 **PRESENTATION BY DR. MARK RICHARDS**

6 DR. M. RICHARDS: Thank you, sir. Good evening everyone
7 online and you who are joining us this
8 evening for this very important exercise,
9 the proposed amendment for the
10 consultation for the Southern Coastal
11 Highway Improvement Project. And please
12 note that this is not the EIA itself, that
13 was completed two years ago and the public
14 meetings for those were held, as Miguel
15 Nelson had said, in November of 2018.
16 This is, in essence, the Permittee seeking
17 permission to make amendments to the
18 alignment that has been approved by NEPA
19 via the permit that Mr. Nelson has spoken
20 about.
21 So, for a little context, the permit was
22 issued in January, 2018 and it gave NWA
23 the permission to build a road from
24 Harbour View to Yallahs on a certain
25 alignment and during the process of

1 finalizing the design and making certain
2 decisions, it was thought that it would be
3 better to keep the alignment in a number
4 of locations to get the best value for
5 money and also to ensure the safety of the
6 highway and also to add a little bit more
7 of the environmental protection the
8 communities had requested during the EIA
9 process.

10 So right at this moment we are actually
11 just presenting to you what was done in
12 order to get, you know, an approval for
13 the recommended changes that the
14 contractor has asked the NWA to include in
15 the road alignment, all right.

16 So what is the project that has been
17 proposed? And the Permittee was given a
18 permit and it outlined all the activities
19 that were included for the development of
20 the original section of the south coast
21 highway. And I am just going to go
22 through a few of the slides which will
23 take us, you know, specifically into the
24 details that the Environmental Authority
25 had given NWA the permission to construct,

1 all right.

2 And so it started out by saying, "The

3 Permit allows for NWA to develop a road

4 between Harbour View Bridge and continue

5 eastward along the main road leading to

6 Eleven Miles, Bull Bay, and the road will

7 divert from the existing main road, into

8 the hills at Eleven Miles going towards

9 Sun Coast Adventure Park, before rejoining

10 the existing road leading to Grants Pen

11 and continuing on to Albion, before it

12 ends at the Yallahs River Bridge." So

13 that's the general alignment, one major

14 departure from the existing roadway.

15 The road is supposed to be 17.4km in

16 length and the new stretch of road is

17 supposed to be 2.8km, which should run

18 between Ten Miles and Twelve Miles, Bull

19 Bay, all right. And the 2km road new

20 alignment will be constructed mainly from

21 excavation to cut and fill sections of the

22 road between Twelve Miles and Grants Pen.

23 And what we are saying here is that the

24 construction methodology in the new area

25 is quite similar to what is supposed to be

1 done along the existing main road, all
2 right.

3 The new road is proposed to be four lanes,
4 so we are upgrading from the two-lane
5 carriageway that you are now seeing, to a
6 four-lane highway from Harbour View to
7 Yhallas Bridge, all right. The highway
8 (zoom feed interrupted) steep bends in the
9 existing road.

10 All the bridges should be designed to
11 allow debris flow affecting the bridges.
12 And then the Permit looked at the amount
13 of structures to be impacted. And when we
14 did a count, 391 was to be impacted
15 initially and these included a number of
16 facilities, ranging from homes, church,
17 schools, clinics, jerk huts, football
18 field in Bull Bay, was to be impacted, and
19 we will see how that comes out as we move
20 along, all right.

21 The proposed highway will be equipped with
22 new and expanded drains. So NEPA is
23 anticipating that the new highway will
24 improve the drainage facilities along the
25 existing road and in that area, generally.

1 So new culverts should be constructed,
2 flood waters, which currently settle on
3 the main road will be channeled to improve
4 the existing drains. And so NEPA would
5 have understood the situation that exists
6 presently and has put in conditions to
7 ensure that those situations are not
8 brought into the future, all right.

9 So the road will also be raised in some
10 areas to mitigate against inundation and
11 storm surge impacts which, in essence, is
12 taking climate change and coastal erosion
13 into account. And the engineer should
14 design to ensure that this is mitigated.

15 The speed limit, for the most part, will
16 be 80km, so it will change, depending on
17 the location, in built up areas, in corner
18 areas.

19 And the entire project is slated to last
20 26 months from the start of construction.

21 So that, in general, is what NEPA
22 anticipated the project will entail and
23 they have given a permit for that set of
24 activities to be conducted.

25 And what you will see as we go on today is

1 that there isn't much change from that set
2 of activity. The road still starts in the
3 same location, ends in the same location,
4 travels through the same terrain and so we
5 will get a little bit more detail as we go
6 through the process of looking at the
7 rationale for some of the amendments, why
8 they were done and how they will be done,
9 all right.

10 So what did CD&A do in order to come up
11 with the rationale and find the
12 conclusions and make the recommendations
13 going forward? And so our assessment
14 methodology, we use remote sensing, you
15 know, like satellite images, Google Earth
16 images and all the available resources in
17 that area. We review the engineer
18 drawings and the proposals for the change,
19 overlay them on existing conditions,
20 proposed conditions, change conditions to
21 see what, you know, what some of the
22 impacts would be.

23 We also reviewed some of the geotechnical
24 survey information in relation to
25 protection methods during and after

1 construction. We had to look at the
2 regulatory framework to ensure that
3 whatever is being proposed is not
4 breaching any of their regulatory
5 mandates.

6 We also conducted a noise modelling
7 exercise on a section of the roadway at
8 the start at St. Benedict Church, where
9 there were some sensitive receptors and
10 some issues that need to be ironed out at
11 that location.

12 So, also, we did some ground-truthing
13 significant amount, we visited all the
14 areas that changes are proposed. We
15 looked keenly at the ecology of the areas
16 where new areas of roadworks will take
17 place. We took copious photographs and
18 listened to the wildlife in the areas; we
19 conducted some informal interviews with
20 landholders and owners in the areas where
21 the changes will occur and we carried out
22 a detailed survey of flora and fauna in
23 the area of new road construction. And we
24 are saying a significant amount of study
25 was done for the initial EIA, and once you

1 see what the changes are, you will realize
2 that there isn't much departure from those
3 areas of study, initially.

4 All right, so assessment methodology, we
5 also as I said did a detailed
6 ground-truthing and we looked at the flora
7 and fauna in the area of where the new
8 road will be constructed. I draw your
9 attention to the page on the screen. And
10 this blue line is the proposed new
11 construction in Mezgar Gardens and that is
12 where we thought, you know, significant
13 impacts on wildlife and ecosystems had the
14 potential of happening. So we did our
15 detail flora and fauna survey in this
16 area.

17 The blue line, the dark blue line, is the
18 centre line, the proposed centre line for
19 the road, and these green lines are the
20 tracks, we walked in these areas to do our
21 assessment of flora and fauna within the
22 new alignment. The proposed or the
23 permitted alignment went through this
24 direction and came back here, all right.
25 (indicating.) So further on we will see

1 an overlay of the proposed, now, new
2 change and the initially proposed
3 alignment of the highway, all right.
4 And we also looked at the analysis of the
5 potential impacts of the modified design
6 and mitigation measures. And we also
7 forwarded some information on
8 environmental monitoring and evaluation
9 plan, all right.
10 As I have been saying, the proposed
11 amendments, there are no significant
12 changes to the permitted activities.
13 There are minor changes in the alignment
14 proposed at St. Benedict Catholic Church;
15 the approach in proximity to the Cane
16 River Bridge; the road alignment in the
17 vicinity of the Bull Bay Football Field
18 and minor changes to the alignment at the
19 Pondside Community.
20 What we consider to be significant is
21 anything above, let's say 20, 50 meters
22 outside of the proposed, initial proposed
23 alignment. So we are saying Mezgar
24 Gardens and Grants Pen are significant
25 changes in the alignment because they are

1 50, 60 meters away from where they were
2 originally planned. So we have
3 categorized them into major and minor
4 because at St. Benedict you will see a 7
5 meter change, at Bull Bay probably even
6 less and then out in Mezgar Gardens it's
7 more significant relative to the 10 meters
8 out in St. Benedict.

9 So these, now, are the projected areas for
10 amendments: We have Harbour View, at
11 St Benedict, we have Cane River, we have
12 Bull Bay Football Field, we have the
13 Pongside Community and we have Mezgar
14 Gardens and the Grants Pen area. So those
15 are areas where changes will occur and we
16 will spend a little time looking at some
17 of the changes.

18 So this is the St. Benedict Church, and
19 this is a ground image that we had taken
20 and I hope that everybody is familiar with
21 what we are looking at. This is the
22 church at St. Benedict, so this is the
23 Cathedral and this is the school. This is
24 the existing road and these are the
25 property boundaries that exist presently.

1 change.

2 What we will look at of significance here
3 is the noise that is generated so close to
4 the school and the church and we will look
5 at how that impacts in the amendment.

6 All right, so the next minor alignment
7 change is at the Cane River Bridge, and we
8 all know this location. We are looking at
9 the asphalt plant here and we are on the
10 eastern edge of the Cane River and we are
11 looking towards Harbour View. And this
12 should have been the alignment of the road
13 in this location. However, we are going
14 to see a change to the north and the road
15 will now incorporate the existing road and
16 that will be upgraded. So there is no
17 real new impact in this area and it's just
18 a reorganization to maximize on what is on
19 the ground and reduce and improve the
20 safety of transition into some of these
21 areas that exist in the Cane River area.
22 So that, really, isn't a very significant
23 change.

24 There are really no significant
25 flora/fauna to be assessed in this area

1 because we are going back into the
2 original alignment and the EIA had been
3 provided to do a significant change of
4 alignment in this area, and we are saying
5 we are going back to the original
6 alignment of the original existing road,
7 all right.

8 The next one is the Bull Bay Football
9 Field. And, again, there is nothing
10 really significant.

11 We all know Copacobana and we see the sign
12 coming out of this corner. What will
13 happen is the road will move a little bit
14 south to remove its impact on the football
15 field. So the orange line will be moved
16 off the football field to where the blue
17 line is, so the community gets back their
18 full functional football field, without
19 any impact from the roadway onto this
20 alignment. So this is an improvement in
21 the road alignment, taking into
22 consideration the concerns of the
23 community and the variability of blue
24 lines.

25 Some impacts: Some properties will be

1 impacted, but it just means that they will
2 be impacted more than they had been
3 impacted before, all right. So this,
4 again, we are saying, isn't very
5 significant for the amendment because the
6 original Permit had given permission to go
7 ahead.

8 So we are here in Pondsides and we are
9 looking at the movement to the north of
10 the road alignment away from the pond. So
11 there will be no impact on the pond. So,
12 in essence, this is an improvement to the
13 environment protection from the roadway.
14 We know that there are sensitive species
15 living in there and so we are coming off
16 of the pond to reduce the impact to these
17 sensitive species, all right.

18 So now we come to Mezgar Gardens, which we
19 consider to be a significant departure
20 from the originally approved, permitted
21 roadway. And if we are familiar with how
22 this side is, Mezgar Gardens, this will,
23 in essence, be -- the new alignment will
24 be on this road, at this point and it
25 comes and makes a turn and this goes into

1 the hillside here, all right. Typically,
2 the old road would have gone further
3 around and bend on the other side of this
4 hill, and it would have been, would have
5 cut and fill on that side also. So what
6 we are doing this time is cutting and
7 filling on this side of that road.
8 All right, so this is the alignment that
9 has been proposed. Instead of going
10 around the hill and taking pieces out and
11 straightening the existing main road, they
12 are proposing to go into new territory and
13 maintain one proper transition into Grants
14 Pen to improve the safety of the road
15 alignment, the ease of construction,
16 because this construction activity will
17 require us to maintain the roadway
18 activities while the new road is being
19 constructed. Moving into the fresh
20 territory will reduce construction time,
21 because less time, less property
22 management, less impact on the public and
23 so this can be done quickly.
24 Going this route would have impacted the
25 hillside all the way from Mezgar Gardens

1 turn off down to Grants Pen. So, we
2 thought this is the area where most of the
3 potential impacts could be, so we
4 dedicated a good amount of our survey to
5 analyze the situations within these
6 hillsides. We did our walk-throughs we
7 saw that, you know, activities are occurring
8 in there presently. It is solid ground,
9 the area is vegetated, a lot of
10 anthropogenic activities along the way,
11 garbage, we found green harvesting along
12 the route also, this looks like an area
13 where limestone is being extracted.
14 (indicating.) So there are a number of
15 activities within the footprint of the
16 proposed roadway.
17 We also did a thorough search for
18 endemics. We were looking in the areas
19 that might be possible habitats for them.
20 There was no evidence found, from our
21 assessment, and similar conclusions were
22 made in the original EIA. So, based on
23 those findings and our findings we are of
24 the opinion that, you know, there is
25 really no significant impact that can't be

1 mitigated if this new route is approved.
2 So these are just some of the results that
3 we got when we did our flora and fauna
4 survey, this is to protect the fauna
5 observed during the assessment.
6 We had a Lesser Antillean Frog, Jamaican
7 Anole, Jamaican Gray Anole lizards,
8 snakes, frogs, they were all in there, and
9 we have DAFOR, IUCN outlined their level
10 of threat and concerns, and as you can see
11 most of them are not really threatened.
12 Some of them are on the least concerned
13 area of the IUCN ranking.
14 So a detailed survey was done. These are
15 all provided in the document required
16 requesting the amendment and they can
17 be -- further details can be had from the
18 libraries that had been announced by
19 Mr. Nelson, all right.
20 So these are just some of the results that
21 have been provided from our survey.
22 All right, so then from Mezgar Gardens we
23 move into Grants Pen. This is the area of
24 existing road in Grants Pen, heading
25 towards Yallahs. The original alignment

1 saw the road coming here, running on top
2 of the existing road, but the amendment is
3 to have the new road further up here in
4 order not to impact too much on the
5 wetlands, here, we know sensitive species
6 habitats are here in these swamp areas.

7 (indicating.)

8 All right, so this is the existing
9 vegetation at the location that the
10 proposed amendment alignment will
11 traverse, all right. And this just gives
12 us a look at the overlay of the proposed,
13 which is the yellow line and the newly
14 amended one, which is the blue line, and
15 you can see that the blue line is to the
16 north of the orange line and they actually
17 meet closer into the town of Yallahs. So
18 it's a gentle transition from this hilly
19 slope, back on to the existing road as we
20 approach Yallahs going forward.

21 All right, so remember we had said we had
22 done some sound modelling based on the
23 findings the EIA had suggested. And you
24 are looking here now at St. Benedict, and
25 this is the eastern approach on my left

1 and the western approach on my right, all
2 right, so everybody is familiar with where
3 they are.

4 All right, so the modelling the EIA had
5 looked at forecasting traffic up to 2035
6 and they used a standard of 45 dBA for
7 Silence Zones as defined in the Jamaica
8 National Noise Standards. However, the
9 JNNS explicitly indicates that these
10 standards do not include the mechanical
11 noise from motor vehicle.

12 So, in essence, the standards used were
13 not for road traffic, which continually
14 operates in the area, all right. So,
15 therefore, we can assess that there really
16 is no national standard for noise impact
17 from motor vehicles within a Silence Zone.
18 The United States Federal Highway
19 Administration, TNM2.5 was used to model
20 noise emissions from the soundPLAN, based
21 on these criteria.

22 The conclusions of the modelling was that
23 a noise abatement barrier, designed to be
24 45 dBA standard was not feasible because
25 of the height that the wall would have to

1 be to meet the standard that would be
2 required, all right.

3 For the EIS, which is what we are
4 presenting here, we looked at the traffic
5 for the same time period, however, we used
6 a criterion of 67dBA for an Activity B
7 Category within the FHWA, which is Federal
8 Highway Agency noise abatement criteria,
9 which restricts traffic impacts on noise
10 resulting from natural and mechanical
11 sources and human activity considered to
12 be usually present in a particular area,
13 all right.

14 So, we used the FHWA TNM2.5 in our noise
15 model, in soundPLAN, all right. And this
16 is the description of the category of
17 activity that we were looking at and the
18 standard that the International
19 Organization uses to assess a roadway
20 impacting on sensitive receptors.

21 So the noise model, the noise abatement
22 barriers designed for approach or exceeded
23 the 67dBA standard noise barrier designed
24 to provide a 5-10dBA reduction, as
25 recommended by the FHWA and sound levels

1 of 3dBA or less below the FHWA criterion
2 were defined as approaching the FHWA
3 criterion and the criterion is achieved
4 using a standard 4 meter high noise
5 barrier. So we model and we realized that
6 to meet this standard of 67dBA with room
7 for management, a 4 meter high wall would
8 be necessary.

9 So these are some of the models that we
10 had. We found that, running the model, we
11 found two areas to be non-compliant with
12 the projected 2035 traffic without the
13 wall and once the model is run, those
14 areas are found to be within the standard
15 at the 2035 traffic levels. So, in
16 essence, what we are saying is, a 4 meter
17 wall, constructed in the vicinity of the
18 St. Benedict Church is adequate to ensure
19 that the required sound standards are met
20 for a heavy traffic flow.

21 So when we look at all of these activities
22 and new impacts, we found that there were
23 really no new knickknacks to be expected
24 from the realignment, because the old
25 alignment had cuts in the same general

1 areas and the same results of the
2 ecological surveys from the original EIA
3 were observed in the areas where the new
4 alignment will go.

5 So we are saying there are no real new
6 impacts to be expected with the
7 realignments being proposed. And the
8 major realignments in Mezgar Gardens and
9 Grants Pen will improve the safety and
10 travel time of the roadway, also improve
11 the drainage of the area, will reduce
12 impact on wetlands in Grants Pen and no
13 greater impact than the original proposed
14 alignment will be realized.

15 And then one of the things that came out
16 is that reduced construction costs for the
17 highway, if you spend less time building
18 it because of conflict with existing road
19 traffic, then time is money, and so you
20 will get your road faster and start using
21 it.

22 And the realignment at St. Benedict will
23 ensure noise standards are met at the
24 school and the church and the including of
25 the 4 meter high sound barrier, should

1 Gardens is on the top of the slope and
2 Grants Pen road as at the bottom, if you
3 use the existing road, you have to make
4 that transition. Now with the new
5 alignment, it will be an easier transition
6 without much corners and it will improve,
7 as I said, the drainage of the area also,
8 okay.

9 MR. A. DURRANT: I have two questions.

10 DR. M. RICHARDS: I don't think we'll see much of a
11 difference in elevation between what
12 exists now and what is to come.

13 MR. A. DURRANT: Remember, ladies and gentlemen, you can
14 send your questions via WhatsApp to
15 (876)878-1356. Send your questions now.
16 From WhatsApp: "How will the highway
17 impact the four entrances of Mezgar
18 Gardens community?" The four entrances of
19 the Mezgar Gardens community. That's a
20 WhatsApp question.

21 DR. M. RICHARDS: Well, the thing is, we weren't really
22 focusing on the four entrances of Mezgar
23 Gardens, we were looking at the areas
24 where the alignment has been changed and I
25 am not seeing any entrances to Mezgar

1 Gardens being impacted by that alignment.
2 So the preexisting impact from the
3 originally permitted highway will be, will
4 remain.

5 MR. A. DURRANT: Let me take another one from WhatsApp then
6 I'll open the floor to my brothers and
7 sisters who are here. This one says,
8 "Will there be blasting when they enter
9 the grounds of Mezgar Gardens or beyond
10 Orient Drive -- behind Orient Drive will
11 there be blasting?"

12 DR. M. RICHARDS: What we are saying is that the Permit
13 requires that any blasting that's to be
14 done, has to be approved. We are not sure
15 if any blasting is required, but once the
16 details are ironed out then all of those
17 will come into play. I will defer to NWA
18 or Stanley Consultants for more details on
19 that.

20 MR. A. DURRANT: I now open the floor. You can say who you
21 are and ask your questions, please. Is
22 there a roving microphone?

23 MR. P. ESPEUT: Good afternoon, good evening, ladies and
24 gentlemen. My name is Peter Espeut, I
25 live in Copacobana in Eight Miles, Bull

1 Bay.

2 I was interested to hear, Mr. Chairman,
3 that there is to be a noise barrier built
4 by St. Benedict church and school, and I
5 believe I heard that the figure was, is it
6 5 meters did I hear? 4 meters. But it's
7 not clear to me, Mr. Chairman, where that
8 four meters start, because if we start it
9 at the road and going 4 meters, you don't
10 reach the wall, the top of the wall, so I
11 don't see how it would have any effect; is
12 what the consultant saying that the 4
13 meters is going to start at the top of the
14 wall, in which case it goes 4 meters up in
15 the sky or is it going to start down on
16 the road, in which case it doesn't seem to
17 have an impact?

18 DR. M. RICHARDS: Mr. Consultant.

19 MR. P. ESPEUT: That's my first question, but maybe you
20 wish to have that answered.

21 MR. A. DURRANT: Mr. Consultant, could you please respond
22 to Mr. Espeut's question.

23 DR. M. RICHARDS: Okay, based on the models that we have
24 done, the 4 meter high wall at road
25 level -- if I could go back -- really does

1 mitigate the breaches that we saw without
2 the wall. The Permit requires a 70dBA at
3 the boundary of the road, and with the
4 wall, there is no, all measurements are
5 below 70.

6 MR. P. ESPEUT: So you are going to build a second wall to
7 the south of the present wall, that's what
8 you are saying?

9 DR. M. RICHARDS: Yes, yes.

10 MR. P. ESPEUT: And that wall will start at ground level
11 and go partway up the present wall?

12 DR. M. RICHARDS: It will be at road edge and 4 meters high.

13 MR. P. ESPEUT: And the sound that would travel from the
14 road to the church which goes over that
15 wall, I don't know how that is going to
16 mitigate that sound, if it goes over the
17 wall and up to the school and the church.

18 DR. M. RICHARDS: Okay, Mr. Espeut, the thing is, the model
19 that we have run has indicated that the 4
20 meter wall reduces the impact of the road
21 traffic at the locations within the school
22 and within the church.

23 MR. P. ESPEUT: So the sound that would go through the
24 ground behind the wall that is what is
25 being cut down, so if you happen to live

1 behind the wall where the earth is, you
2 wouldn't hear so much sound. But it's not
3 clear to me, sir, how your model could
4 suggest that the sound rises and goes over
5 the present wall to the church, is going
6 to be in any way reduced by a wall that is
7 much lower than the present wall. I
8 question the validity of your model, sir,
9 is what I am saying.

10 DR. M. RICHARDS: You have that right, sir.

11 MR. P. ESPEUT: And, secondly, sir, my final question, I
12 notice you didn't say anything about the
13 impact of the road on the African Martrys
14 Catholic Church. The original alignment
15 went right through the church, demolishing
16 the church, the clinic, the school and the
17 pastoral centre, is your present alignment
18 going to do the same thing?

19 DR. M. RICHARDS: Mr. Espeut, as I said before, we were
20 looking at six locations where the changes
21 have been proposed in alignment, there is
22 no proposed change of alignment at the
23 African Methodist Church.

24 MR. A. DURRANT: No, sir, the Martyrs Catholic Church.

25 DR. M. RICHARDS: I didn't hear that.

1 MR. P. ESPEUT: It's the African Martyrs Catholic Church.

2 DR. M. RICHARDS: Yes. There is no proposed change in
3 alignment at the African Martyrs Catholic
4 Church.

5 MR. P. ESPEUT: Which means that it is going to be
6 demolished. And, therefore --
7 Mr. Chairman, you say you would only take
8 questions about road and this question is
9 about the road, sir -- what will be the
10 arrangements for relocation of the church,
11 school and clinic and pastoral centre? I
12 know that's not a question for the
13 environmental consultant because he only
14 is going to tell me about results from
15 snakes, I guess it is really a question
16 for the NWA.

17 MR. A. DURRANT: I know the NWA is listening so I am sure
18 that the question will be answered in due
19 time.

20 Mr. Shaw, my brother here has been waiting
21 for a while, he is very eager about asking
22 his question, so I am going to ask you to
23 just give him a chance to speak.

24 MR. S. ENGLISH: Pleasant afternoon all, I am Steven
25 English and I am the President of the

1 Mezgar Gardens Association.

2 Now, I imagine that the presentation is

3 not complete, so the questions will not be

4 applicable at this point in time, but I am

5 going to seek to address a few of them.

6 The first question from Mezgar Gardens

7 which mentions ingress and egress, which

8 is the entrances to the community, you

9 indicated that you were not looking at all

10 six access points because your alignment

11 only covered one portion of it. Now the

12 overlay which I saw, it doesn't show

13 entirely Mezgar Gardens Community and the

14 extent to which it would be impacted.

15 The first proposal which we were made

16 privy to had several areas in Mezgar

17 Gardens being affected and this new

18 proposal which we are seeing now, it just

19 shows a small portion of Mezgar Gardens; I

20 am not certain if I am to believe that the

21 other areas which were initially meant to

22 be impacted are going to still be impacted

23 or what we were seeing on the image

24 earlier, is the only portion of Mezgar

25 Gardens which will be impacted.

1 I would like some clarity on that, please,
2 because the entire community has concerns
3 as to how they will be able to enter and
4 exit the Community.

5 DR. M. RICHARDS: Mr. English, if you look at the screen,
6 this here is the Mezgar Gardens Community.
7 I am figuring this is one entrance, this
8 is another entrance, this is another one,
9 this is one also.

10 MR. S. ENGLISH: That's a part of Mezgar Gardens Community
11 in the Fourteen Miles area. Now further
12 left is a large portion of Mezgar Gardens
13 Community which this image doesn't
14 capture, so I am not certain what to make
15 of that.

16 DR. M. RICHARDS: Mr. English, as I had said early out, we
17 were looking at six specific locations and
18 this location is the one we were engaged
19 to analyze, this stretch here between this
20 blue shade -- yellow shade, all the way to
21 this blue shade, those are where we were
22 asked to investigate and that's what we
23 did.

24 MR. S. ENGLISH: Okay, but the challenge that we have now,
25 sir, is that all the questions which will

1 be coming at you from Mezgar Gardens have
2 to do with the remainder of Mezgar Gardens
3 and not that area which you have
4 investigated, because no one lives there.
5 People are concerned about the areas where
6 they live and how they are going to be
7 affected; the properties which will be
8 affected; the noise issues which we are
9 bound to face because it's very bad at the
10 moment, I can imagine it could only get
11 worse; the dust. We want to know whilst
12 the road is going to be constructed if
13 traffic will be passing through the
14 community; we want to know a break down of
15 the properties which will be directly
16 impacted, among other questions which will
17 come at you.

18 I can appreciate what you presented, but
19 it doesn't answer any of the questions
20 which we have. None of our concerns. And
21 I can guarantee you that the reason people
22 showed up or tuned in is to get answers to
23 these and they are not getting any
24 answers. So I am not certain if the
25 answers will come after in somebody else's

1 presentation or this is the extent of it.

2 Please provide some clarity.

3 DR. M. RICHARDS: So, Mr. English, there is a requirement
4 for an Environmental Management Plan to be
5 implemented during construction and I am
6 sure that will also address some of the
7 issues that you have brought up, the dust,
8 the noise, but those are the things that
9 will come from the client.

10 MR. S. ENGLISH: Are we going to get answers to those today
11 or not?

12 MR. A. DURRANT: I will help Mr. English. In the
13 presentation earlier on, it was stated
14 that you can make written comments, write
15 your concerns, and you'll have 21 days in
16 which to do that, and those will be
17 addressed thereafter. So I am going to
18 invite you, sir, to write your comments
19 and submit them to 10 Caledonia Avenue,
20 Kingston 5. You have 21 days in which to
21 do so.

22 MR. S. SHAW: Okay, there is another question that was
23 texted in, in reference to Cane River and
24 the current bridge, will there be a new
25 bridge? And also the impact to the

1 residents travelling from St. Benedict to
2 Bull Bay.

3 Not sure if Mark wants to take it or
4 someone from Stanley's.

5 DR. M. RICHARDS: Well, there is the proposal for a new
6 bridge at Cane River that will be
7 constructed, but because the existing
8 bridge will still be there, I am not
9 seeing much of an impact on the movement
10 throughout that construction process. But
11 I am almost sure there will be a
12 Construction Management Plan that will
13 include traffic management, that will
14 include impact management, which is also
15 required by the Permit. And so those
16 things will be implemented, so it
17 shouldn't be the typical excessive impacts
18 that we are anticipating.
19 And one of the reasons we were saying
20 Mezgar Gardens was also rerouted is simply
21 because of the difficulty in managing a
22 construction site while there is active
23 traffic also on the same road around those
24 windy corners. So I am sure those things
25 are being developed and will be shared at

1 some point.

2 I just wanted to clarify with Mr. English
3 that we have a TOR that we were engaged on
4 and it included, as I said, six areas that
5 we have looked at. So, we just want you
6 to bear with us and I am sure at some
7 point you will get all the answers that
8 you require.

9 MR. S. SHAW: A question was raised about the church and
10 I am going to ask Alphonso Marshall, who
11 is the Project Manager to say something as
12 it relates to that, as well as the
13 issue -- I see persons raising questions
14 about property and how they are going to
15 be treated with, in terms of acquisition.
16 Mr. Marshal can say something on those.

17 MR. A. MARHALL: Thank you very much.
18 With respect to the church at St.
19 Benedict, the alignment has been shifted
20 south to allow for less impact on the
21 church, on the school, and as had been
22 said by Dr. Richards, that the height of
23 the wall that will be built or proposed to
24 be built will, in fact, serve to relieve
25 the noise impact on the school.

1 We are guided by the fact that the sea is
2 right to the south, so we can't go too far
3 that side, but measures will be put in
4 place to ensure the impact of noise on the
5 school and the church will be within the
6 levels that are approved.

7 With respect to Mezgar Gardens, of course
8 they are very concerned and they share
9 concerns of all residents regarding the
10 potential impact of the highway on the
11 Community. A major change that has been
12 made, we will try to avoid impacting the
13 service flow so that access to the
14 Community will not be severely impacted.
15 And all the existing access points will be
16 maintained or to be controlled.

17 As we indicated the details of the
18 alignment, there is going to be a median
19 for most of the corridor and there will be
20 openings at strategic locations to allow
21 access in and out. Two major access
22 points are provided which will allow for
23 ingress and access in and egress out and
24 that will ensure that the movement that
25 currently is expressed by the residents,

1 their movements will be maintained in that
2 regard. So that is a detail just to
3 provide some assurance that that will be
4 addressed.

5 There will be some properties that will be
6 impacted and especially to the exit end of
7 the shifting alignment, but under the
8 project, clearly, we have quite a number
9 of properties that will be impacted,
10 unfortunately, because of the widening
11 corridor and there will be some impact,
12 there will be an impact on some
13 properties, not many, on that side of
14 Mezgar Gardens.

15 Regarding noise and dust, we can speak to
16 that. Of course, due construction work
17 will be, that will be generated and
18 efforts will be made to minimize such
19 effects and those issues will be addressed
20 during the course of the construction and
21 where necessary measures will be
22 implemented in an orderly manner.

23 No traffic will be going through the
24 community, because once the works are
25 going on, the existing road will be there

1 to allow for traffic to move. If there is
2 to be traffic going through, for any
3 unforeseen reason, then that will be
4 managed and controlled by the contractor.
5 The issue came up regarding Cane River
6 Bridge, the existing two lane bridge will
7 remain in use for the traffic going east
8 and the new bridge will be constructed
9 south of that, which will allow the
10 traffic to go towards Kingston, two lane
11 bridge.

12 There is going to be a round-about just to
13 the west of the new bridge, the existing
14 bridge, into which the new bridge will
15 also merge, and that is to allow --
16 because of the median which will restrict
17 the cross-movement of traffic going out to
18 east and going out to west, the amount of
19 traffic that is emerging from west of that
20 intersection to come and make a turn to go
21 to Kingston and similarly for those from
22 Copacobana who want to go to Morant Bay,
23 they come to the round-about and turn to
24 go towards -- so we are constrained by all
25 these factors along the corridor, but

1 measures are being put in place to ensure
2 that movements can be executed by people
3 who are currently accessing whether east
4 or west, but they will have to travel the
5 distance in some cases for that to be done
6 and done safely, and that is what is very
7 important.

8 MR. A. DURRANT: My good lady, you now have the floor.

9 MS. S. DUNCHIE: Good evening, everyone, Shanike Dunchie
10 from the community of Wickie Wackie.
11 Initially we were told that we would have
12 been affected by this road improvement or
13 expansion. Red signs or red markers were
14 put in our yards to say, oh, this will be
15 the place that will be affected, right.
16 This is -- most of us, the signs or the
17 red markers are in the back of our yards,
18 literally at our back doors. We want to
19 know, because we came here today to find
20 out how exactly we will be affected, if
21 this is true, that's one. Two, if this is
22 still a thing that we will all be affected
23 on the part that is closest to the road.
24 And, three, in terms of noise and all of
25 that. I hear you say about wall and

1 expansion of the 4 meter thing, but we
2 really want to know what is the plan
3 because nobody has said anything,
4 official, to us. We have only seen red
5 markers in our yards and that's about it.
6 I understand that the environmentalist
7 cannot give me all the answers, but I
8 would hope anybody, somebody, can give us
9 some answers. Because even on my road,
10 there is a, well, it is said to be, that
11 an entire house will be affected. So we
12 just want to know how we will proceed and
13 what are the real impacts, because now we
14 are just hearing a lot of glossing over
15 things.

16 MR. S. SHAW: Thank you. I am going to ask Stephanie
17 from Stanley Consultants to assist in
18 answering some of those.

19 MS. S. BROOMFIELD: All right, if you see a red marker, more
20 likely it was set by either a surveyor
21 doing a cadastral survey or one of the
22 surveyors from the contractors, so it
23 probably is an indication of some level of
24 impact.

25 What we are presenting here today are the

1 changes that were made, so these would
2 have been impacts that were likely there
3 from the first time. So if you were
4 informed of an impact before, it's likely
5 still an impact, unless you were part of
6 the changes that were represented here
7 today.

8 Does that answer your question?

9 MS. S. DUNCHIE: To some extent.

10 MS. S. BROOMFIELD: So Wickie Wackie will be affected, the
11 road will be going from two lanes to four
12 lanes, you have two lanes now, it is going
13 to go to four lanes.

14 MS. S. DUNCHIE: So when next do we get formal
15 communication?

16 MS. S. BROOMFIELD: So you would have gotten, you would have
17 been served a Section 3 Notice, the next
18 would be a Section 5 Notice, then you will
19 be called, you will get an offer letter
20 from the National Land Agency for the
21 portions affected, and then there is a
22 whole process. So during that process
23 they would have given you a Section 3, a
24 Section 5, given you an offer, there would
25 be a valuation on your property, it's an

1 entire process.

2 MS. S. DUNCHIE: So for persons that are losing their
3 entire, well, I guess that is something
4 for --

5 MS. S. BROOMFIELD: All right, so this is all discussed with
6 the National Land Agency.

7 MS. S. DUNCHIE: And not with Stanley Consultants?

8 MS. S. BROOMFIELD: The National Land Agency deals with
9 that.

10 MR. S. SHAW: All right, so I could answer, but I am
11 going to allow Mr. Marshall to do that.

12 MR. A. MARHALL: The National Land Agency is the Authority
13 that deals with procuring lands for the
14 Government to execute projects that are
15 being implemented by the Government. They
16 have been advised of all the properties so
17 far, subject to any change, that have been
18 impacted and the process to procure these
19 lands is in progress. They have served us
20 with -- it is gazetted, and we have served
21 this to the communities, Section 3,
22 Section 5 Notices; the National Land
23 Agency has been advised about these
24 properties and they have taken that ball
25 and are moving with it to make contact

1 with the property holders that are
2 impacted and to pursue the process of
3 discussing, negotiating, procuring the
4 lands. And this is where all the property
5 owners have full right to make sure their
6 interests are protected as part of the
7 negotiation process.

8 Unfortunately, with the widening of the
9 corridor, the impact on established houses
10 are unavoidable. To the extent that we
11 can minimize the impact that's what we are
12 trying to do, as far as possible and as
13 far as this new shift in alignment, we are
14 making every effort to minimize the
15 impact. But as you can understand, we are
16 dealing with a hilly, mountainous terrain
17 and to achieve the desired proper
18 engineering roadway to make it safe and
19 move quickly, there will be unfortunate
20 impacts, the issue is to make sure that
21 the compensations follow.

22 MR. S. SHAW: There is one thing that I just need to
23 assist in clarifying. As it relates to
24 the acquisition of land for the road
25 project, the Government, through the

1 National Land Agency negotiates with the
2 property owners. What we have found, not
3 just here, but in a lot of the projects
4 that we undertake, is that persons are
5 living on lands but they are not
6 necessarily owners. So you have the
7 tenants -- and when I say "owner" I am
8 talking about having a registered title.
9 In a lot of instances, persons are living
10 on properties that are unregistered, or
11 they are part of an estate, meaning, the
12 person who originally owned it has died
13 and so in those situations, what will
14 happen is that the NLA will negotiate as
15 it relates to the structure and not so
16 much the land. Sometimes, you find that
17 there are three, four, five, six persons
18 who say they have an interest in the
19 structure because grandmother died and
20 left it and all kinds of things happen
21 with those things. So there isn't a
22 simple answer that we can give you as it
23 relates to the acquisition process, what
24 we can say is that where persons have
25 particular issues, we are prepared to take

1 this project and your property might be
2 impacted.

3 When the design is then completed, we will
4 then do a Section 5, because at this point
5 we will know that you are going to be
6 specifically impacted, because sometimes,
7 like what we are here discussing now, a
8 change has been made to the alignment, so
9 persons who would have been impacted, let
10 us say near the football field, having
11 shifted the alignment, those persons would
12 have been served with the Section 3, will
13 not be served with a Section 5 because the
14 alignment would have been shifted. Or
15 those persons who might have been served
16 with a Section 5, we may no longer need to
17 take their property, so the process ends
18 right there.

19 Once the Section 5 Notice is served, that
20 is where, now, the negotiation starts
21 between the property owner and the
22 National Land Agency for compensation. If
23 the National Land Agency hears nothing
24 from the property owner within a certain
25 period of time, it is then moved to

1 Section 9. Section 9 is where we do
2 compulsory acquisition. So you will have
3 a hearing where the Commissioner of Lands
4 sits as the judge, you will come, either
5 in person or you will represent, you elect
6 an attorney to represent you, and you make
7 your case as to why it is that you should
8 get X-plus and not X and so on. So that
9 is the process and then there is a Section
10 15 and so on.

11 So, in terms of payment for the land, that
12 is done through the National Land Agency,
13 the process having been completed and it
14 comes back to the Agency where the NLA
15 says we have completed the negotiations,
16 these persons are safe for payment and the
17 process continues like that.

18 Yes, ma'am?

19 MS. S. DUNCHIE: One last question, so, in terms of where I
20 live, the red marker was placed literally
21 at the back door, now with the expansion
22 of the road, and I don't know if you know
23 the area that well, but there are a lot of
24 trucks there and trucks, yes, I know that
25 they affect noise, but also do you think

1 that, well, in the event that damage is
2 sustained to a house from the constant
3 traffic and/or just heavy building and
4 moving to the house, right, will we be
5 compensated for that? Is there a
6 condition that says if in the event of
7 this happening, whatever event happening
8 and the house is damaged, will we be
9 compensated? That's my final question.

10 MR. S. SHAW: The short answer is any damage that is
11 occasioned or caused by the or through the
12 construction, you are well within your
13 right to make a claim on the contractor
14 for compensation. So that process or a
15 structure is there for you to be
16 compensated where damage is done to your
17 property.

18 MR. A. DURRANT: Mr. Shaw, this person has four questions
19 but one is answered already. The first
20 one says, "How will the amendments impact
21 the time travel from Yallahs to Harbour
22 View?" Who wants to take that one?

23 MS. S. BROOMFIELD: The amendments will have a similar
24 travel time to what the previous design
25 had, the design, as represented by Conrad

1 Douglas. So it's very, very similar
2 travel time; unless you are talking about
3 from today versus the design?

4 MR. A. DURRANT: Yes.

5 MS. S. BROOMFIELD: The travel time would be much much
6 faster, generally. As you know currently
7 along the corridor it's very very windy,
8 very hilly, trucks stop the flow of
9 traffic because they are very slow, the
10 new alignment you will have four lanes, it
11 will be a lot straighter, so you will be
12 able to drive a lot quicker through
13 Harbour View to Yallahs.

14 MR. A. DURRANT: Question two: "How will the roadway
15 impact Albion Estate? Will the surface
16 road or buildings be affected?"

17 MS. S. BROOMFIELD: Albion Estate is not expected to have
18 much impact. As we go through Albion, the
19 road actually goes back to only two lanes,
20 so when you get to Albion, that's closer
21 to the Yallahs Bridge, it's only two
22 lanes. We are trying to improve drainage,
23 so as you put the drain on the north side
24 of road there will be some impact to
25 perhaps the back of some properties as we

1 are constructing that drain, but it's
2 expected to be very minimal impact on that
3 portion of Albion Estate.

4 MR. A. DURRANT: The next question would be for Dr.
5 Richards, I don't know if he is still
6 listening, but the question is being
7 asked, "Can you please show the design
8 from Grants Pen to Yallahs? Your
9 presentation stopped at Grants Pen."
10 Is Dr. Richards still with us?

11 DR. M. RICHARDS: Yes, man, I am putting it up now.

12 MR. A. DURRANT: Can I repeat the question?

13 DR. M. RICHARDS: No, you asked for the design. So Grants
14 Pen is here and this is towards Yallahs.
15 If you can see the cursor moving. So
16 Grants Pen is here, Yallahs -- this is
17 towards Yallahs. (Indicating).

18 MR. A. DURRANT: Thank you very much. The floor is now
19 open, is there another question. Come
20 sir, come forward.

21 MR. O. FRANCIS: Good evening, ladies and gentlemen. My
22 name is OG Ras Shantie Francis the
23 indigenous people representative and the
24 operator of Three-Finger Jack New
25 Herritage Site. My question this evening

1 is how sensitive your project is to the
2 indigenous people's law?

3 MR. A. DURRANT: I am not sure exactly who will take that
4 one.

5 DR. M. RICHARDS: Well, we have done the legal framework
6 analysis for the amendments that we have
7 seen. We looked at the heritage laws, we
8 looked at the property rights, I would be
9 happy if you could, you know, enlighten us
10 as to the indigenous laws that you are
11 talking about.

12 MR. O. FRANCIS: Well, in respect to Three-Finger Jack
13 location, we are talking about Maroon
14 Heritage and the fact that on the 5th of
15 September 1991, the United Nations
16 declared that the indigenous people of
17 Jamaica must be recognized, of course, and
18 there is an ILO 169 which is the law that
19 protects indigenous people. I am the
20 representative and I am located at
21 Three-Finger Jack.

22 My argument here this evening is to
23 represent those without titles, because
24 earlier on you said that your machinery,
25 your instrument is prepared to deal with

1 persons with titles. I do not know, there
2 is no representation for those without
3 titles. I am now managing the area and it
4 is clear that a number of persons are
5 living in the area and they are classified
6 as indigenous people.

7 Mainly so, as you asked the question for
8 my clarity, well, I will help you with the
9 clarity, that there are four indigenous
10 people groups in Jamaica and that the four
11 groups are: Maroon, Kumina, Revival and
12 Rastafari. In the Seven Miles region
13 going out to Twelve Miles region, it is
14 manipulated by a lot of persons who use
15 the area. But, specifically, we are
16 talking this evening that the land rights
17 of other persons without title should be
18 recognized under the indigenous people's
19 law. So, therefore, they do have rights.
20 And, in fact, they have greater rights
21 than the persons who own title, because
22 some of these persons are at the location
23 for 30 years. 30 years location means
24 traditional ownership. I thank you.

25 DR. M. RICHARDS: Sir, let me just assist you. As

1 Mr. Nelson had said, there is a period in
2 which all your concerns, and I am sure if
3 this is supplied, it has to be considered
4 in the process, so please if you could
5 ensure that it is brought to the attention
6 of the Regulators within the timeframe, I
7 am sure that it will be considered.

8 MR. A. DURRANT: So, sir, you have 21 days in which to
9 submit your concerns.

10 MR. O. FRANCIS: Thank you very much, sir.

11 The additional question is from a legal
12 standpoint, that I realize --

13 DR. M. RICHARDS: This is Mark Richards and I am saying,
14 remember we are recording this meeting and
15 everything will be supplied to the
16 Regulators for them to make their
17 decisions.

18 MR. O. FRANCIS: Thank you and I am glad that you said that
19 you are recording it, because at this
20 minute I am going to make a declaration as
21 to the violation of the constitutional
22 rights of all the people in this meeting,
23 mainly so that under the indigenous people
24 rights and in the contract between
25 communities, Mezgar Gardens and the rest

1 of the communities, that we don't
2 understand these arrangements with that
3 kind of a contract and what is taking
4 place. But we are saying this evening
5 that there is no printed literature, no
6 one can look at the diagram and it is a
7 violation to the people's constitutional
8 rights. Not much people here have access
9 to internet and phones to look at. I
10 would ask you, please, to, you know,
11 balance that side of the area, because
12 persons here in the meeting are not
13 exposed to your diagrams before. Thank
14 you very much.

15 MR. A. DURRANT: Thank you very much. Now, sir, the floor
16 is now open. What is your concern.

17 MR. N. EATON: Yes, ladies and gentlemen. My name is
18 Noel Eaton, otherwise known as Sugar, owns
19 the property Sugar For Two at the corner
20 of Wickie Wackie and the apartment complex
21 across the road and I also own a house in
22 Almaville.

23 Now, my concern is this: I see all the
24 measurements and all the dotted lines on
25 the apartment complex. Where the road

1 come hit right on the corner ah di house
2 of the apartment. You can't get in ah dat
3 apartment or get round that side of the
4 house, the road is right there. Now, the
5 question that -- my gate will be moved,
6 the drive in gate, I will lose seven car
7 parks in the apartment when this take
8 place.

9 Now, the law says or the building
10 regulation says when you build your
11 property, you must be so many feet from
12 the road. Now, how are we gwaa handle
13 these breaches? If yuh save the apartment
14 by moving back, you won't be able to move
15 back enough that those breaches are not in
16 place. Nobody will buy those property
17 from us again, that's dead, dead stack.
18 How we handle that?

19 Over the apartment, over mi business
20 place, the road come right pan the front
21 door a mi business. The man tell me seh
22 him ah go cut off the little projection.
23 So me can't go in ah mi business, yuh tek
24 away the park from mi business, yuh tek
25 away the park -- when mi apply fi the

1 licence at KSAC, him seh mi haffi move in
2 the building to provide the park because
3 yuh can't park on the road. So now you
4 tek away mi park, so you tek wey mi
5 business; you tek away mi sewage line out
6 pan the front page. Where do I go? And
7 then you tell mi seh you a tek off one
8 little piece a mi building.

9 You go ah Almaville at mi other property
10 and you cut in 20 feet from the fence in
11 ah my property. Now, nuh destroy yuh ah
12 destroy mi right, lef' and centre?

13 The last man I had an interview wid, I
14 says to him, save mi apartment and tek di
15 whole ah di business place and gwaan wid
16 it, him seh him woulda say yes but him
17 can't tell me yes.

18 Can you answer some questions like that
19 for me, please?

20 MR. S. SHAW: I am going to try and see if I can answer
21 the question as it relates to the title
22 and the usual statements, clauses that are
23 attached to the title. This is something
24 that has been recognized where it is that
25 there are boundary stipulations on titles

1 and it is a conversation that I know the
2 Commissioner of Lands would have been
3 having with the relevant municipal
4 authorities. So the Government, having
5 come in, taken in a bit of your land or
6 anybody's land for that matter --

7 MR. N. EATON: Tek all.

8 MR. S. SHAW: The Government does have the power,
9 because remember --

10 MR. N. EATON: Yes, I know that.

11 MR. S. SHAW: Hold on, remember, all lands belong --

12 MR. N. EATON: To government.

13 MR. S. SHAW: To government. What we have, you and I,
14 all we have is an interest in the land and
15 attached to that interest is money, right.
16 So Government has -- Government owns
17 everything, even the land on which we are
18 standing now. So that particular issue
19 that you have raised about not being able
20 to dispose of your property if you want
21 to, that is not something that is likely
22 to happen because whatever modifications
23 need to be made, I am sure will be made
24 through the relevant entities, and I mean
25 all the titles reside with the National

1 Land Agency, the head of the Agency is the
2 Commissioner of Lands. So I don't think
3 you should worry too much about that.
4 As it relates to the parking issue, as
5 well, that is something that is usually
6 stipulated when we are getting approvals
7 and that is something that we all at NWA
8 would have looked at and would have said
9 to, in commenting on the plan for and on
10 behalf of the Municipal Authority, to say
11 you must have so many parking based on the
12 footprint of your building. That again,
13 is something that will certainly have to
14 be amended, given the fact that we would
15 have taken a bit of the car park for the
16 purpose of the road, because, really, we
17 are looking at the greater good, all
18 right. So those are things that are
19 unique to you that we can deal with
20 outside of here.

21 MR. A. DURRANT: I'll say to my brother let not your heart
22 be troubled.

23 MR. N. EATON: But I must be troubled.

24 MR. A. DURRANT: Hold on. You will always have a
25 redeemable interest in your property,

1 have been doing this for many many months
2 now. Mr. Marshall's office has been
3 meeting with persons one-on-one I
4 certainly would have spoken with persons
5 one-on-one, officers in my department
6 would have done so. So if there is an
7 issue that you have that is personal to
8 you, then we are prepared to address it.

9 CITIZEN: But you are not prepared to answer any
10 questions, the presentation is going on
11 but there are no questions answered.

12 MR. A. DURRANT: We have answered to the best of our
13 abilities my brother and I want to assure
14 you that the purpose of this meeting was
15 to listen and for you to speak; we have
16 been listening, and you have been
17 speaking.
18 Now, they say that there is no excuse to
19 ignorance, whatever was discussed this
20 evening, whatever is contained in the
21 Environmental Impact Assessment Report, it
22 is for the public to view. So in closing,
23 I am going to invite you to take an
24 in-depth look at what is contained in the
25 Report and the Report is available at the

1 St. Thomas Municipal Corporation, the
2 Administrative Building in Morant Bay,
3 St. Thomas; it's available at the Ten
4 Miles Post Office, Bull Bay, St. Thomas;
5 Harbour View Public Library, St. Andrew;
6 Yallahs Post Office, St. Thomas; Bull Bay
7 Police Station, Bull Bay main road.
8 Kingston: National Environment and
9 Planning Agency Document Centre, 11
10 Caledonia Avenue, Kingston 5. Or for
11 those of you who want to go online you can
12 visit www.nepa.gov.jm or www.nwa.gov.jm.
13 And if you have your concerns you'll know
14 that whatever happened here this evening,
15 a comprehensive report will be prepared
16 and submitted within seven days and then
17 you have 21 one days in which to put your
18 concerns in writing so that your voices
19 can be heard. If you miss the opportunity
20 this evening, and you are watching us on
21 whatever medium, Zoom or whatever,
22 remember, you can participate by voicing
23 your concerns in writing and send it to
24 11 Caledonia Avenue, Kingston 5, or just
25 go online and let your voices be heard.

1 You were wonderful, you have been good,
2 and I want to commend you for the way in
3 which you have conducted yourselves and I
4 want to wish for you a very pleasant
5 evening and safe driving on the highway, I
6 look forward to driving it myself. Have a
7 blessed evening.

8 Thank you, ladies and gentlemen.

9

10 **(MEETING ADJOURNS AT 6:52 P.M.)**

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