
LEITCH HOMESTEAD, LLC

December 19, 2020

Chief Officer
Ministry of Commerce, Planning & Infrastructure
5th Floor
Government Administration Building
133 Elgin Avenue
Georgetown
Grand Cayman

"NOTICE OF APPEAL"

Re: Aircraft Hangar & Administration Building, CBW 93C Parcel 66
(CB-F20-0378) (CB-P20-0030)

Dear Sirs,

On behalf of Leitch Homestead, LLC, I am submitting this appeal letter pursuant to section 49(1) of the Development and Planning Law (2017 Revision). As a property owner involved in the December 1, 2020 Development Planning Board of Cayman Brac and Little Cayman, the owners of Leitch Homestead, LLC are exercising our right to appeal the board's decision regarding this project.

The resolution to grant planning permission with very few meaningful conditions is an unsatisfactory result to this aesthetic, ecological and environmental assault on the tranquility of Cayman Brac.

First, I feel it is important to note the legacy of the family behind the Leitch Homestead. The Scott family was among the original settlers to Cayman Brac, representing ship builders, vestrymen, landowners, and lay pastors. The Scott-Leitch family has been the backbone and in the integral fabric of Cayman Brac for over 200 years. The owners of this property and another nearby property (Leitch Home at Scott's Anchorage) are Caymanians. In fact, the property in under proposal was in the estate of James Robert Scott (d.1928.) The property was sold out of the family by an executor whose claims were denied in court. However, the property was not reclaimed by the Scott family. A review of the Cayman Islands' Cadastral Survey should be considered. The statement by the Daggaro representative in the DCB meeting that we chose to live near the airport rings hollow as the family has owned and lived on the property since well before the establishment of the airport. As a side note, in the 1970s, the Scott family, for all practical purposes, gave property to CIAA.

Next, I will outline the objections we raise to the approval of this application.

The proposed site of the Daggaro project would raze the only remaining remnant of tropical dry forest in the Brac's far West End. In spite of its small area, this long, narrow triangle of intact woods contains a

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wealth of biodiversity and offers one of Cayman Brac's main habitats for several significant species, especially the critically endangered Lesser Caymans Rock Iguana. This environmentally fragile remnant of native forest contains a broad, representative sample of plants and trees native to the Cayman Islands. The site also encompasses a small, significant tidal wetland, the West End Turtle Kraal and Nurse Smith Pond and Cave that is part of the larger system of wetlands of international significance found in Cayman Brac's West End. This woodland is adjacent to the West End Community Park, Cayman Brac's only wooded, multiple-use community park. The park includes the Brac's best equipped and most used children's playground, an exercise loop trail with 20 stations spearheaded by Rotary, a tree identification program, and an outdoor amphitheater. The forest that Daggaro proposes to clear abuts the exercise loop, other woodland trails, and the children's playground. The impact of Black Hawk helicopters on the family friendly nature of the West End Community Park will be detrimental as gatherings like picnics, birthday parties, outdoor concerts, and exercise regimens are interrupted by the noise levels of these machines. Consider the view of tourists arriving on our island. Instead of verdant green forested areas, the view will be concrete and barbed wire topped fences. The Daggaro project will most certainly ruin first impressions for tourists arriving on our island.

Next, the West End Park and adjacent woods provide habitat for the largest concentration of the Lesser Caymans Rock Iguana (*Cyclura nubila caymanensis*) remaining in Cayman Brac. This endemic subspecies is native to the Sister Islands and is in decline from habitat encroachment by human development, especially traffic, and predation by feral animals. Nearly extinct on Cayman Brac, it is estimated that fewer than 100 animals may now remain. This species is listed as critically endangered by was added to the "Red List" of vulnerable, threatened, and endangered species in 2012. The threats to this species include road construction, development, and road mortality. West End Community Park and the surrounding property are the main sites where tourists, visitors, and residents alike, including local school groups, go to observe these rare creatures. Destruction of this fragile habitat could result in extinction of this species on the Brac. The International Reptile Conservation Foundation states that the Rock Iguanas' population will soon follow Grand Cayman's Blue Iguana to the brink of extinction. This organization states that the tiny population surviving on Cayman Brac is doomed to failure unless there is a concerted effort at conservation. It is shortsighted to believe that a simple relocation of the iguanas on the property will stop the complete destruction of this reptile. The relocation condition underscores the need for an expert consultation of this fragile natural environment. Prior to approval of the Daggaro project, an environmental assessment by experts in the field of reptile conservation should be commissioned.

More than 200 species of birds have been identified on the Sister Islands with approximately 180 found in Cayman Brac. These include the very rare, near threatened Vitelline Warbler, and many others classified as vulnerable, near threatened, and/or rare. Virtually all known species have been observed in this remaining slice of West End woods, where a number of nests are also found. Five breeding seabird colonies are found in the Sister Islands. On Cayman Brac, these include possibly the most concentrated

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colonies in the region of Catesby's Tropicbirds and Brown Boobies that are nesting on a residential island. Given the small size and proximity of the Sister Islands, especially at the West End, helicopter and drone activity anywhere on the islands, regardless of where the aviation equipment is housed, would be disruptive to the nesting colonies and other birdlife.

This West End woodland is made up of many plants that historically sustained the Brac community. Using their traditional names, native trees and shrubs found in this patch of forest include Mahogany, Whitewood, Bastard Mahogany, Jasmine, Pompero, Washwood, Duppy Bush, Headache Bush, Cherry, Wild Ginep, Broadleaf, Spanish Elm, Cabbage Tree, Silver Thatch, Scorn-the-Ground, Pepper Cinnamon, Narrow-leaf Ironwood, Strawberry, Bull Hoof, White Fiddlewood, Boxwood, Bastard Chellamella, Sea Grape, Mulberry, and many more. The loss of these endemic species is a tragedy. The condition placed on Daggaro to retain native vegetation where possible and incorporated into the landscaping scheme will not guide this company to preserve the natural plants and trees. The term "where possible" gives license to the company to raze this West End property without consequence.

Another negative impact of this project on the West End and the entire island is the noise pollution.

This is an excerpt from the Cayman Island Government Control Guidelines for Environmental Health section 4.4 Noise Pollution Control.

A noise assessment report for a proposed development shall be submitted where it is anticipated that there will be a negative impact on the community caused by either the construction or operational phases of a development. Where a developer is required to submit a noise impact assessment report the report shall identify the noise levels for all alternatives under consideration during both construction and operational phases

One does not need to do much research to find studies about the negative impact of noise from Black Hawk helicopters. Note this information from the National Institute of Health.

"Measurements reported here show noise levels of 105 dB or greater in all operating conditions. The fueling location at the left rear of the aircraft near the auxiliary power unit (APU) is the area of greatest risk for noise-induced hearing loss (NIHL). Additionally, sound field contours indicate noise hazard areas (>85 dBA SPL) can extend beyond 100 ft from the helicopter" (Jones, H;

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Greene, N.; Chen, M., Cierrah, A.; Archer, B. & Reeves, E. (2018), The Danger Zone for Noise Hazards Around the Black Hawk Helicopter. *Aerospace Medicine and Human Performance*, 89(6), 547-551.) <https://pubmed.ncbi.nlm.nih.gov/29789088/>

And this,

According to Jones, et al. (2018), for UH-60 Black Hawk helicopters, "Measurements reported here show noise levels of 105 dB or greater in all operating conditions.... Additionally, sound field contours indicate noise hazard areas (>85 dBA SPL) can extend beyond 100 ft from the helicopter." (Jones, Heath G. et al., The Danger Zone for Noise Hazards around the Black Hawk Helicopter, <https://pubmed.ncbi.nlm.nih.gov/29789088/>.

I also refer you to this UK study that reiterates the importance of environmental noise studies as it relates to helicopter noise.

<https://vtol.org/files/dmfile/ResearchintotheImprovementoftheManagementofHelicopterNoise2.pdf>

At the DCB meeting, the Daggaro representative stated there would be two flights per day. The owners of Leitch Homestead are skeptical of this claim based on its economic viability. Although even two flights per day would substantially increase noise levels in the Brac, we believe there will certainly be more flights in the company's future sustainability and economic viability. Daggaro's CEO stated in his interview with Cayman Marl Road that the noise signature of Black Hawk helicopters is less than commercial aircraft such as 737s; however, this is not accurate.

A noise pollution study is required in order to approve this proposal based on government guidelines, yet no study has been commissioned. This proposal should mandate an Environmental Impact Study as this proposal represents a change in the current activity and noise pollution of the Charles Kirkconnell Airport. As previously mentioned, the ownership of the impacted properties predates the airport. The owners of Leitch Homestead believe an Environmental Impact Study should be commissioned prior to the approval of the Daggaro project.

Another tragedy is the loss of historical sites as a result of this project. The historic West End Turtle Kraal will be destroyed by the proposed development. This important heritage site is found not far from the West End Community Park in the forest remnant and is accessed by a traditional trail that starts behind the children's playground. The best remaining turtle kraal on the north side of the island, and possibly in the Sister Islands, it is a tidal pool fed by a collapsed underground river. Because it is safe and easily accessible, the West End Turtle Kraal has been visited by thousands of people over the years. It

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continues to be regularly visited by school groups, other youth groups (church and non-church), residents, and some tourists. A second site, Nurse Smith Pond and Cave, is close to the kraal and was well known to old-timers. Also, part of a collapsed underground river, the pond is of interest to geologic and marine science with observable intact ancient corals. The need to preserve the heritage of the Cayman Islands is vital. Our national symbol is the turtle. Why would the planning board allow the destruction of such an important historic site?

See below, the recommendations to the DCB of Cayman Brac and Little Cayman from the **National Conservation Council**.

"The site is recorded as having been man-modified however it does not appear to have been cleared entirely, based on historical imagery. There has been significant regrowth and the site contains many native species including slow- growing trees.

The site is adjacent to the Cayman Brac Community Park. This community park is an excellent example of how native species can be preserved while creating a public amenity space. The amenity of the park will be reduced if this development is constructed adjacent to the west due to noise, the visual impact of the hangar, and the loss of contiguous native plants and trees.

The site also has the West End Turtle Crawl which is a former underground river which has connection to the sea. It was used as a turtle crawl and therefore is an important historical and cultural site. We understand from the Cayman Brac Committee of the National Trust that the site is visited by school, visitors and other people who are interested in natural or cultural features. There is also the Nurse Smith Cave which is of geological and environmental interest. Although the West End Turtle Crawl appears to be directly outside of the direct footprint of the asphalt taxiway, it would most likely be significantly impacted by the proposal both during the construction of the taxiway from heavy equipment, and during operation where runoff carrying hydrocarbons including polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs) and other heavy metals from fuels, lubricants and exhaust fumes as well as cleaning of aircraft and airport aprons, aircraft and ground vehicle maintenance and repairs. Runoff waters from airport areas constitute a serious environmental problem. It is not stated in the application, but the applicant may be intending to fill this area entirely.

In addition, even if the crawl was preserved, because of the nature of the development it is unlikely that the public would have access to it. It would be unlikely that groups of students or visitors could visit a site within an active private airfield.

Much of the environmental and geological interest is likely undocumented. The Department has not studied the species in the pond, and we have the pond recorded as a potential shrimp and

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blue fishpond. We have reports from local naturalists in the area, but we are not aware of any formal study.

It does not appear possible to redesign the proposed development to preserve the West End Turtle Crawl and Nurse Smith Cave, as they will either be destroyed or severely impacted during construction and operation. Given the cultural and historical importance of the turtle crawl, and the environmental and geological interest of the area, we strongly recommend that the development is relocated to another site. There are areas closer to the existing terminal which are already man-modified and do not have the same cultural value."

The National Trust of the Cayman Islands and the National Conservation Council have issued strong objections to the location of this project. The owners of the nearby properties believe these national organizations who are entrusted with the responsibility to protect and preserve our natural and historical legacy should be heard.

Another loss is the character and ambiance of the West End of the island. The far west end of the Brac's north side is a particularly beautiful, peaceful residential area. Several of the Brac's loveliest, restored traditional homes are found there as are many newer beautiful, expensive homes and properties. Not only will the quality of life of the residents and homeowners in this neighborhood be affected, but also the appeal and real estate values in this section are likely to suffer. The Leitch Homestead, in particular, was rebuilt after the devastating 1932 hurricane from material reclaimed for the home destroyed in 1932. The kitchen is a caboose kitchen that was built more than 130 years ago. Also, adjacent to the Leitch Homestead is a home that is very likely one of the oldest homes on the island, well over 100 years old.

The Brac's tourism industry is located primarily in the far west end on the south side. The two main hotels, largest condominium developments, and popular restaurants and bars are found there. All would suffer from the noise and visual disturbance of helicopter traffic, and both the north side residential and south side tourist development would be impacted by light pollution from the proposed facility's necessary security lights. Negative impacts on property appeal and value may extend beyond the residential and tourist sections near the airport, considering the intrusive nature of helicopters and drones visually and audibly. The Planning Board and the Cayman Islands Government should respect the loss of property values that will occur if this development moves forward. What does the law require in restitution when a person's property value is reduced?

Note the Explore Cayman website which describes Cayman Brac with these introductory statements.

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The most easterly of the Cayman Islands, the Brac is 12 miles long and just over a mile wide. Early Scottish fishermen who settled here gave the Island its name; Brac being Gaelic for bluff, named after the limestone ridge, that runs down the center of the Island reaching an elevation of 140ft at the eastern end – the highest point on all three islands. The 1,500 friendly Brackers share their island with over 200 bird species and numerous iguanas. The dramatic scenery and rugged terrain boast a plethora of hidden caves, winding trails, a unique cultural history and is ideal for a number of outdoor land-based activities, in addition to the superb diving which it is famous for. Christopher Columbus sighted Cayman Brac and Little Cayman on the 10th of May 1503, on his second voyage to the New World. He named the Islands “Las Tortugas” (The Turtles) and claimed them for Spain. Eventually they came to be known as the Cayman Islands. Cayman Brac was a prominent home for pirates, known as the “Brethren of the Sea,” seeking a hiding place for stolen treasures. Of these swashbuckling pirates, the most famous one to roam the Island’s shores was Edward “Blackbeard” Teach. Legend has it that Blackbeard’s booty is still buried or hidden in the recesses of a Cayman Brac cave. The Brac is the most easterly of the Cayman Islands. Cayman Brac (Gaelic for bluff), known for its charm, friendliness and the most dramatic scenery of the three Islands, is a great spot for couples or families. The small towns have names like West End, Watering Place, Cotton Tree Bay, Creek and Spot Bay. A haven for a multitude of bird species, Cayman Brac has a Parrot Reserve created by the National Trust of the Cayman Islands. It also features an international airport, boasts Cayman’s oldest museum and has the highest elevation of the three Islands at 152 feet.

Ecotourism is the niche that Cayman Brac fills for the Cayman Islands. Indeed, it is the “nature lover’s paradise”. The development of a mini-military base surrounded by barbed wire fences is not compatible with the Department of Tourism’s marketing campaign for Cayman Brac.

Certainly, the well- being of all on Cayman Brac is important to the owners of Leitch Homestead. We can appreciate Daggaro’s stated desire to impact school children toward engineering, math, and science. We

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do not believe this is the right industry for Cayman Brac, considering that the company will not be employing any current residents of the island. Their influence on school children may impact a few, in 5-10 years. The stated goal for medical evacuation is already being handled by Cayman Airways. In fact, several of our family members have required medical evacuation over the years. This infrastructure is already in place. The Daggaro representative also mentioned the possibility of delivering COVID vaccines to the Caribbean. This is already planned and being serviced by airlines that are well equipped to be able to deliver the vaccine in consideration of the temperature required to transport the COVID 19 vaccine.

In summary, our appeal is based on the facts reviewed in this letter that must be addressed with impact studies on wildlife, natural assets such as trees, cultural and historical sites, economic benefit, and noise pollution, to name a few.

Thank you for your consideration of our concerns as the owners of Leitch Homestead object to the approval of the planning application of Daggaro Aviation.

Respectfully,

Peggy Leitch



Secretary, Leitch Homestead, LLC

Attachments include photos.

SACRED
In memory of
WILLIAM R. SCOTT
Son of
JAMES SCOTT & MARY SCOTT
DIED
April 28, 1875
Aged 83 yrs. 1 mo.
1875

William R Scott
Ancestor of Scott-Letch family

LEITCH DR

CAUTION
PLAYGROUND
AHEAD

Leitch Drive
West End Road
Block 93C Parcel 66 shown



Letch Homestead
rebuilt 1932-1933 from reclaimed
wood - original home built in late 1800s
includes Caboose Kitchen circa 1800s

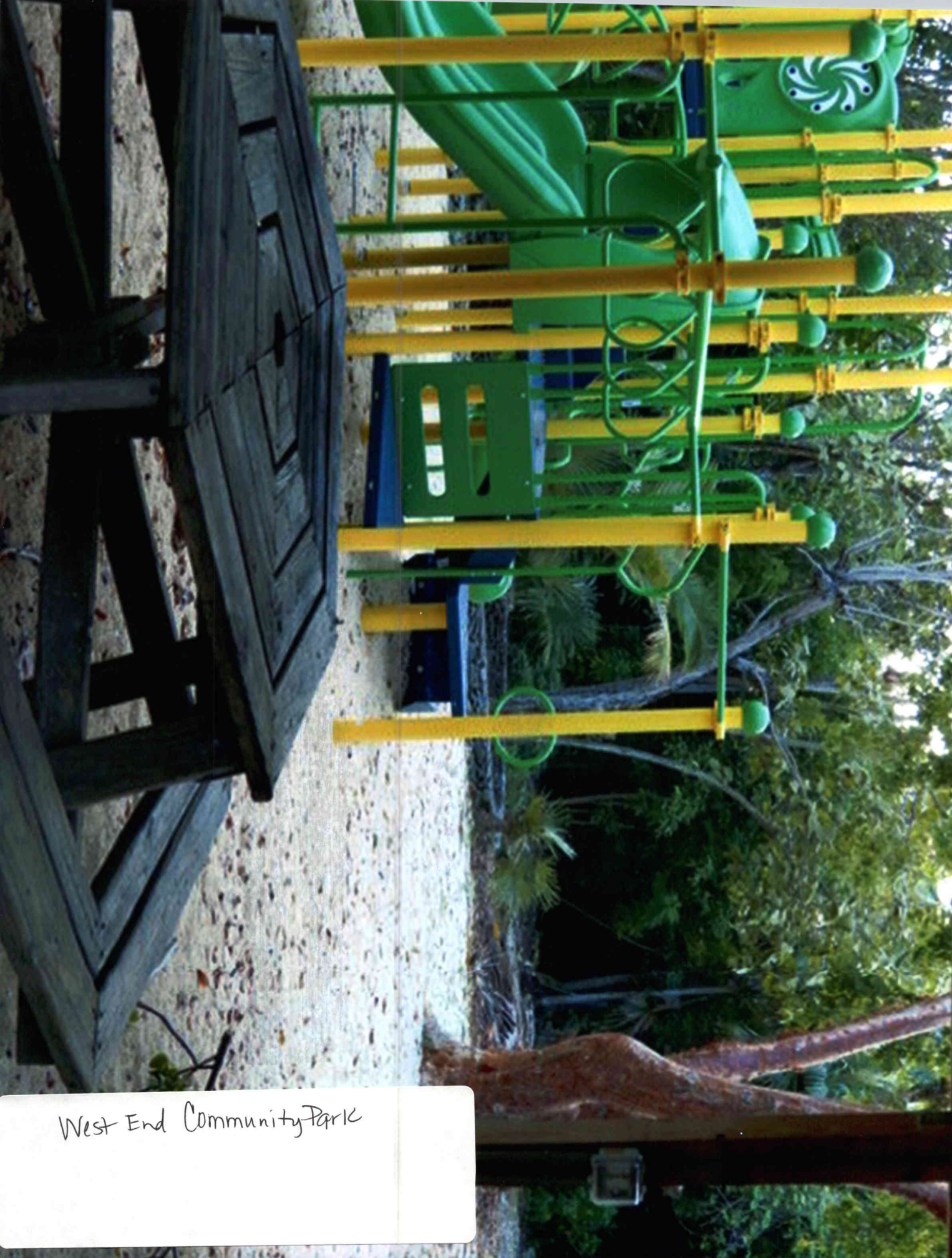









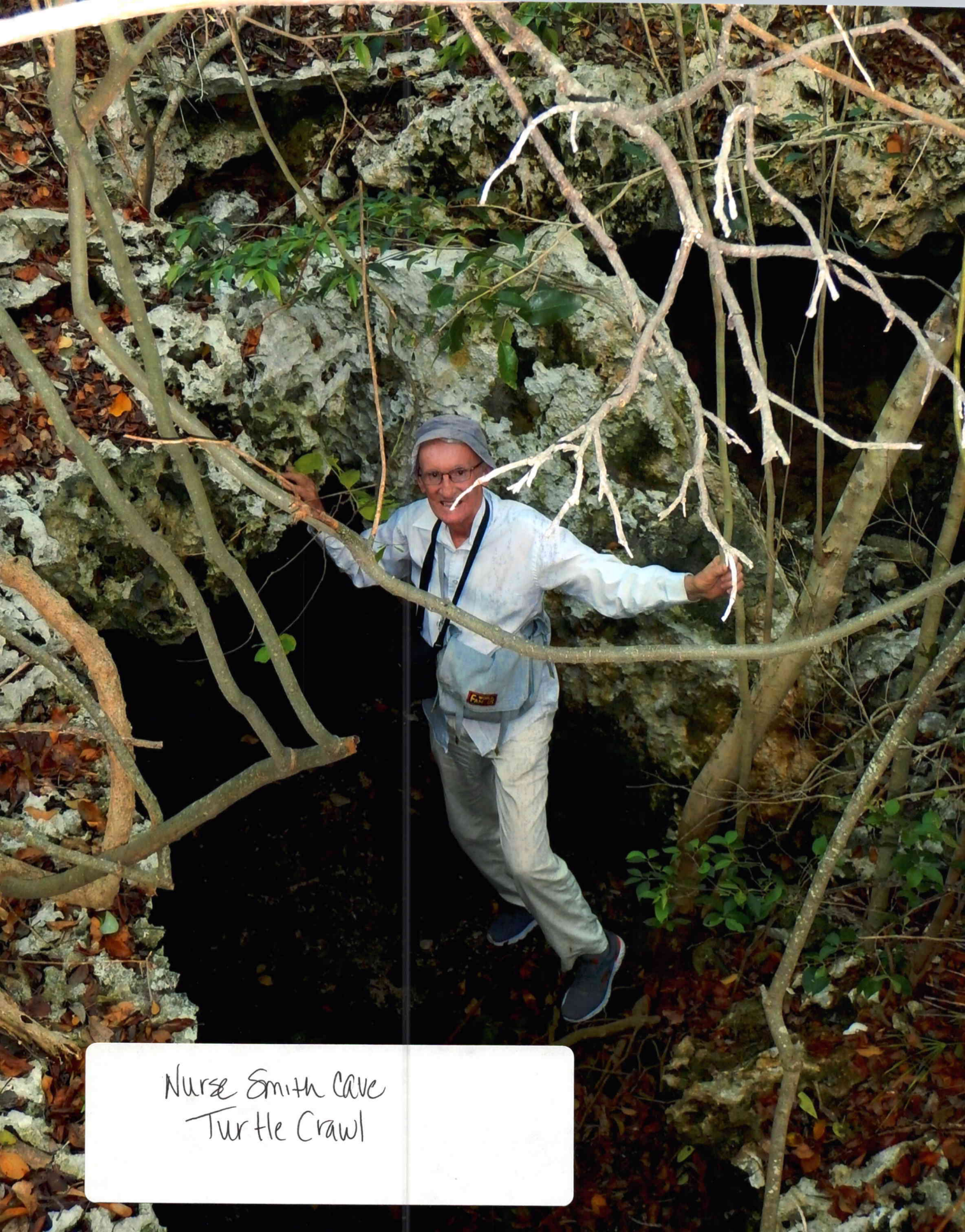
Critically endangered rock iguana



West End Community Park

A photograph of a rocky coastline. In the foreground, a white notebook with a metal clip is open, showing two blank pages. The notebook is placed on a dark, textured rock surface. Behind the notebook, there is a dense thicket of green vegetation, including various shrubs and trees. A large, light-colored rock formation is visible in the background, partially obscured by the foliage. The scene is brightly lit, suggesting a sunny day.

Nurse Smith Ave
Turtle Drawl



Nurse Smith Cave
Turtle Crawl