

## **BEST Accomplishments - 2014**

### **Responding to Events and Environmental Threats:**

- Ongoing review of all planning applications. This year we reviewed 89 application files and objected to 33.
- South Basin Marina - BEST raised its concerns about the outdated and limited EIA being used on the project and communicated these concerns to WEDCO and the Department of Planning.
- Morgan's Point - BEST continued to monitor progress at Morgan's Point, and inquire about any changes.
- Southlands - In December, the Management Plan for Southlands was completed, hopefully indicating progress in the process of converting Southlands to a national park.
- America's Cup 35 - after the announcement in December that Bermuda had been awarded the America's Cup Race in 2017, BEST issued a statement congratulating the government on winning the bid, but also encouraged all to "begin with the end in mind", and "ask ourselves how each development fits into our longer-term plans".
- Quarry Lane Fire - After a fire in April in the Warwick residential area, BEST reiterated its ongoing concerns about industrial activity in a residentially zoned area, both in theory and practice. Worries about the coexistence of two zoned areas were communicated to the Department of Planning and the community.
- Tynes Bay - BEST inquired about and researched the safety of the levels of dioxins being produced at Tynes Bay over the summer. It seemed that the emissions were within US standards, but were far above EU regulations, causing BEST to raise questions about whether our regulations were stringent enough.
- City of Hamilton Plan - In April, BEST representatives met with the Department of Planning and subsequently drafted their concerns about the plan, which were then reviewed by the DoP. The submission was well received, with the DoP stating, "We very much appreciate you taking the time to put together such useful comments."
- BEST welcomed the government's newly revised Bermuda Building Code, and continued to review development applications, drawing awareness to the number of retroactive planning applications that were being filed.

## **Influencing Policy:**

- Tuckers Point- On October 2<sup>nd</sup>, Chief Justice Kawaley held a remitted appeal, the key issue being the environmental imperative for an Environmental Impact Assessment (EIA) to be done prior to any permission to develop being given to Tucker's Point. Chief Justice Kawaley issued his judgment in the BEST appeal of the Environmental Minister's decision on Tucker's Point applications to subdivide areas on the property. The overall proposed development totals over sixty building lots, one of which will have up to 24 town-house residential units, another up to ten. The Minister had upheld the Development Applications Board's (DAB) decision to allow the subdivision without the benefit of an EIA being conducted. BEST had appealed the earlier DAB decision and then appealed the Minister's decision. Chief Justice Kawaley "quashed" the Minister's handling of our appeal and now the Minister must consider a fresh appeal from BEST or appoint some other competent person to do so. BEST's core argument was that a proper and comprehensive EIA is called for. The Chief Justice's ruling paves the way for an EIA. Previously, the DAB and the Minister were both separately, and erroneously, advised that they could not factor an EIA into their decisions, mainly because the original SDO had not called for it. The case had complex nuances, possibly the most significant of which was BEST's lawyer's successful application and judgment for a Protective Costs Order (PCO) that shielded BEST from costs if we lost, but also placed a cap on costs if we won. This was a precedent-setting argument and judgment.
- Ewing Street Trees - BEST continued its campaign from 2013 on Ewing Street, standing with the residents in their campaign against the removal of the trees from Ewing Street. The campaign was successful and the trees were not removed (see 2013 report for more detail).
- Shipping Channels - BEST continued to campaign for an EIA to be done on the proposed dredging of the Shipping Channels. On January 24<sup>th</sup>, the contract for conducting an EIA and EIS was issued to Bermuda Environmental Consultants (BEC). Throughout the year BEST continued to monitor the progression and results of the EIA.
- Grand Atlantic/Bermudiana Beach Resort - BEST welcomed and complimented the newly-submitted plans for the redevelopment of Grand Atlantic.
- In April, BEST communicated its concerns to the Planning Department, regarding its policy on shoreline erosion remediation. We called for said policy to be strengthened and expanded.

## **Communications & Outreach:**

- 'Take Only Photos, Leave Only Footprints' - Discussions were held with Chewstick on promoting sustainability at their annual 'Beachfest'. From that exercise, BEST participated in the formation of the Green Bermuda Cooperative and continues as a member of the team committed to promoting the practice of causing no harm in the environment by our public events and even by everyday activities as we enjoy Bermuda's beaches and parks.
- Micro-Beads - BEST launched a mini-campaign against the use and importation of products with microbeads.
- UK cross party Environmental Audit Committee recognizes Bermuda environmental NGOs and strongly validates our work against SDOs and unsustainable practices, "*Without the NGO community, there is no one who can even try to stop a territory government from sacrificing biodiversity to short-term economic advantage.*"
- At the Bermuda National Trust Awards, Management Team member Harry Masters was the recipient of the David Wingate Award for outstanding commitment as a volunteer for local environmental organizations and as an advocate for sustainability.
- BEST volunteers Judy Motyer and Jessica Tannock were nominated as Volunteers of the Year for BEST in recognition of their work to protect and sustain Bermuda's bees and in reviewing development applications.
- Consultation - The number of individuals and groups contacting BEST regarding their concerns for their surrounding environment was notably higher in 2014. Issues presented to BEST included:
  - Work at industrial sites impacting residential areas
  - Emissions from Cell Towers
- BEST continued to support the subgroup, The Buzz, which aims to protect bees in Bermuda. The Buzz consulted the UK Soil Association, who were very helpful in sharing research, information sources and marketing tactics.
- BEST joined forces with 5GYRES to host an event at BUEI, where short films were presented about the monitoring of ocean health.
- Participated in the UK Soil Association's promotion of September as 'Organic Month'.
- Communicated with Mr. Tyson Bottenus, the Sustainability Director of Sailors for the Sea, an ocean conservation organization involved in the 34<sup>th</sup> America's Cup in San Francisco as the Official Clean Regattas Partner to help coordinate

the sustainability impact of the event. Mr. Bottenus offered guidance to BEST in ensuring the sustainability of AC35.

- Stuart Hayward gave an address to The Garden Club on Friday, October 10<sup>th</sup> concerning BEST's defense of trees in Hamilton.