



Guide to Submitting Applications for Coastal Works

The Process

Who needs a Coastal Works Permit?

Persons who want to construct in, on, or over waters at or seaward of the mean high water mark (MHWM) or in, on, or over Crown-owned canals such as Governor's Harbour, Lime Tree Bay, Safehaven Canal, and Snug Harbour (Hyatt) Canal must apply for a Coastal Works Permit.

This typically includes construction of:

- Docks & jetties
- Seawalls
- Groynes
- Launching ramps & slipways
- Marinas
- Dredging & filling

What needs to be submitted? (for reconstruction only)

An application package for new and after-the-fact works should include the following:

1. Complete application form (separate form for reconstruction)
2. Plan set for the proposed works
3. Bathymetric survey
4. Buffer map
5. Buffer map owner listing
6. Land register
7. Registry map extract
8. Notarised register of directors (for strata and company-owned parcels only)
9. General public notice (to be vetted by the Ministry)
10. Registered mail notice
11. Proposed mitigation plans
12. Original permit

How is an application package submitted?

The first step is to download and complete the appropriate application form and checklist from the Ministry's website.

www.gov.ky/sustainability

There are four types of application forms:

- Dock
- Dredge & fill
- Seawall/groyne
- Reconstruction

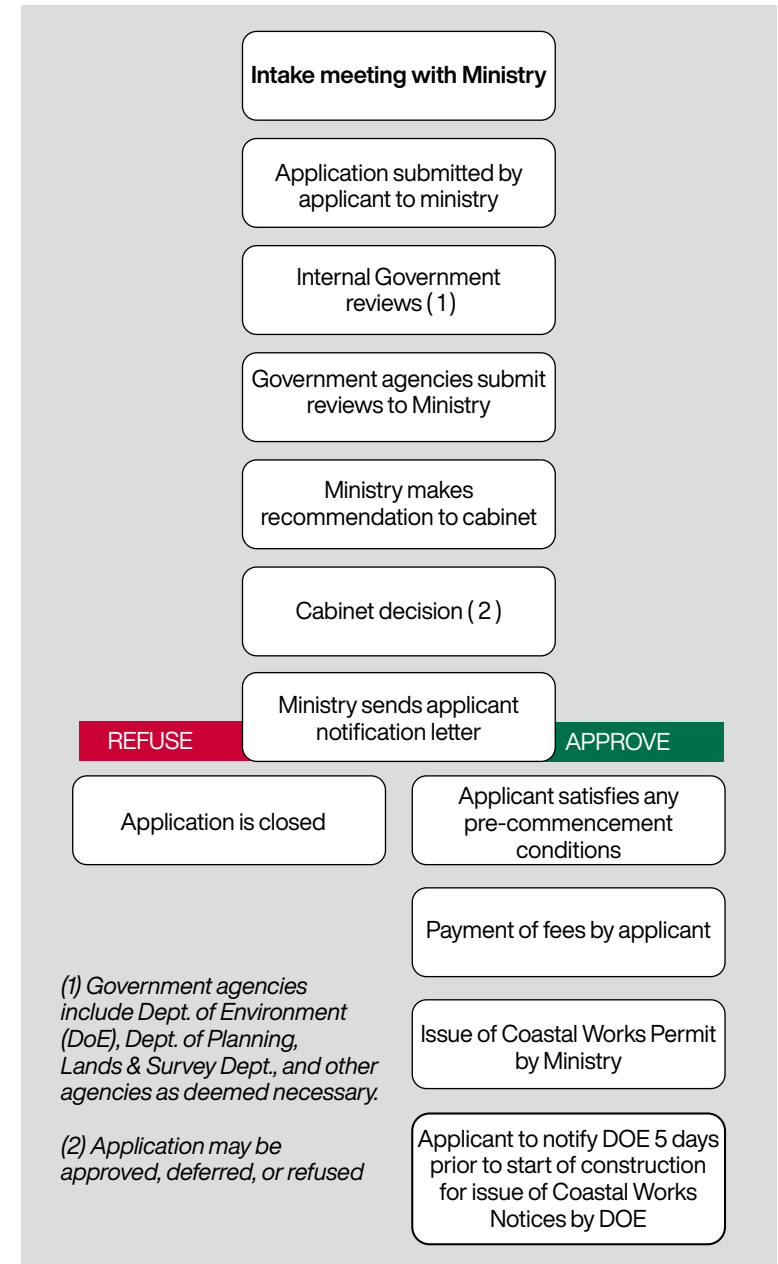
Dependent upon on the type of works being proposed, the applicant may need to submit more than one type of application form.

The next step is to gather the supporting documents and finalise the application package. Reference the checklist to ensure all documents are up-to-date, accurate, and contain all relevant details.

Once the application package is ready, the applicant should request an intake meeting with the Ministry by emailing coastal.works@gov.ky

The application package will be reviewed for completeness and, if accepted, assigned a CWL number for tracking purposes.

Applicants should reference this number when making inquiries about their application. These meetings are held on Mondays and Wednesdays from 10am-12pm by request only.





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Permits & Notices

Once a Cabinet decision has been made, a notification letter - that advises on the decision - will be issued to the applicant by the Ministry. If approved, the applicant should request a Coastal Works Permit from the Ministry.

Both the Cabinet approval and the permit are valid for one year from the date of issuance. Permits are legally binding documents that contain specific conditions on how the works must be carried out, and must be signed by the applicant and the Chief Officer of the Ministry to take effect.

Depending on the project, the permit may outline commencement conditions. These conditions must be met before the Department of Environment (DoE) can issue the Coastal Works Notices and before construction can begin.

The permit requires the applicant to notify the Department of Environment (DoE) five working days prior to commencement of works. The DoE will then issue two Coastal Works Notices to the applicant.

These notices must be visibly displayed on site near the area of coastal construction and by the roadside. Works shall not commence without these notices. If notices are not visible, Conservation Officers will suspend works and penalties may be applied.

Fees

There is no fee to submit a coastal works application.

If the application is approved, applicants may incur fees at the discretion of the Cabinet for royalties for use of Crown property, mitigation for damage of natural resources, and administrative and monitoring fees.

Reconstruction of Damaged Structures

Previously permitted coastal structures that have been damaged by storms can be rebuilt without the issuance of a new Coastal Works Permit, provided the following conditions are met:

- The Ministry must be advised of the applicant's intention to rebuild the approved structure by submitting a coastal works reconstruction application and the original permit;
- The structure must be rebuilt to the same dimensions as previously approved and permitted; and,
- The approved location, footprint (plan area), and materials of the structure must remain unchanged.

Subject to the above requirements, the applicant will receive a coastal works approval from the Ministry. The DoE must be notified of the commencement of works to allow for issuance of notices and monitoring.

No additional fees are incurred to rebuild a previously permitted structure provided that all above conditions have been met.

Unpermitted Coastal Works & After-The-Fact Applications

It is illegal to conduct coastal works without a permit.

Unpermitted structures may be ordered to be removed.

Offenders may incur fines, and/or be subject to prosecution under the National Conservation Act (2013).

An application for an after-the-fact Coastal Works Permit may be required and may incur additional fees.

IMPORTANT

A complete application package should be ready for review by the Ministry during the intake meeting requested by the applicant. Incomplete application packages will not be accepted.

Application forms and a detailed checklist can be downloaded from the Ministry's website or obtained from the Ministry by emailing coastal.works@gov.ky.



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