



CAYMAN ISLANDS
DEPARTMENT OF AGRICULTURE
working together, growing together
P.O. Box 459, KY1-1106
Grand Cayman, Cayman Islands
Ph.: 345-947-3090
Fax: 345-947-6501
agriculture@gov.ky

Land Clearing & Preparation Policy (Revised 2023)

1. Eligibility

The Department of Agriculture's (DoA) land clearing and preparation service is open to all persons with a valid Farmers Identification and Registration Programme (FIRP) Commercial Producers Identification Card (ID) and organizations involved in agriculture in the Cayman Islands. Persons or organizations requiring this service will be required to apply following the guidelines as set out below.

Applications from Government Agencies and Not-for-Profit organizations will be considered on a case-by-case basis and approval for service will be at the discretion of the Director of Agriculture (Director).

2. Services Offered

The Department of Agriculture operates an excavator for land clearing and preparation services. As such, the DoA provides the following specific services to eligible applicants, specifically:

- Land Clearing: Clearing trees, shrubs and other vegetation from the site.
- Land Preparation: Rock hammering to a depth appropriate for the type of crop or pasture to be cultivated.

3. Utilization of Land to be Cleared

All land cleared and/or prepared under this service must be put into agricultural production within three months of completion of the service and be kept in agricultural production for a minimum period of five years. Each applicant will be required to sign statements indicating his/her commitment to adhere to these requirements. Applicants who fail to comply with these commitments without valid reasons must reimburse the government for the full cost of the service at the commercial rates at the time the work was done, less any previous payments made.

4. Allocation of Service

4.1 The land clearing and preparation service will be available on a district-by-district basis and shall be subject to the following acreage limitations per applicant per district rotation cycle:

- Land clearing only: 10 acres per applicant per district rotation cycle

- Land clearing & preparation per applicant per district rotation cycle:
 - 10 acres of clearing plus 1 acre of land rock hammered to a depth of 2 feet for field crop production;
 - 10 acres of clearing plus 2 acres of land prepared for orchard production at the appropriate spacing between trees; rock hammering limited to preparation of each individual planting hole; or
 - 10 acres of clearing plus 2 acres prepared for planting pasture rock hammered to a depth of 10 to 12 inches.
- Land preparation of cleared land (rock hammering only) per applicant per district rotation cycle:
 - 2 acres of land rock hammered to a depth of 2 feet for field crop production;
 - 3 acres of land prepared for orchard production at the appropriate spacing between trees. Rock hammering is limited to the preparation of each individual planting hole;
 - 4 acres prepared for planting pasture rock hammered to a depth of 10 to 12 inches.

4.2 The DoA will provide advance notice by advertisement via various digital media platforms (including commercial media and the DoA website) to potential applicants before the excavator arrives in a given district. Advertisements will run over a two (2) Consecutive week period. The advertisement will indicate the cut-off date for receipt of applications for each district, which shall be ten (10) business days from the date of the first advertisement. - No late applications will be accepted.

4.3 Allocation within a district will be based on a first-come, first served basis. However, priority may be given to particular applicants based on certain criteria such as land in low-lying areas, particularly in anticipation of the rainy season.

4.4 The loading and/or removal of vegetative material or broken rock from the site does not form part of the land clearing and preparation services offered. However, service can be requested outside of normal working hours, on weekends and on public holidays, subject to equipment and operator availability and in accordance with the fees and conditions outlined in this policy.

5 Monitoring

5.1 The Land Clearing Supervisor will keep a log sheet recording total fuel used and hours worked on each property.

5.2 The DoA will keep a computerized record of all land cleared and/or prepared under this programme.

5.3 DoA Officer, appointed by the Director, will be responsible for inspecting/monitoring all lands cleared and/or prepared under this programme. The Officer must submit their findings every quarter to the Director for appropriate action.

6 Fee Structure

Applicants will be charged as follows:

6.1 Weekdays (Monday through Friday) for a maximum of 7.5 hours per day:

- Cost of fuel
- Cost of transporting excavator to and from location

6.2 After-hours (additional hours beyond 7.5 hours per day) for work on the same site:

- Cost of fuel
- Operator's wages

6.3 Weekends (Saturdays and Sundays) and Public Holidays:

- Cost of fuel
- Operator's wages
- Cost of transporting excavator to and from location
- Land Clearing Supervisor Charge – calculated at a fixed rate of three (3) hours per day.

7 Application for Land Clearing and Preparation Service

7.1 All applications must include a valid Farmers' Identification and Registration Programme (FIRP) Commercial Agricultural Producer ID number, or the applicant must provide proof of provisional registration.

7.2 All applications must include the location of land to be cleared (block and parcel number), the total acreage and the type of service requested.

7.3 Applicants must provide proof of ownership or lease for the DoA to verify current ownership or lease status (lease agreement or written authorization from the owner giving the applicant permission to clear and cultivate the land will be accepted as proof of lease). If proof of ownership or lease of the land has previously been submitted, the applicant will not be required to provide additional copies as part of this application process.

7.4 Where a lease is in place or the owner has permitted the land to be cleared and cultivated, the terms of the lease agreement or written authorization must not expire prior to the time the land is to remain in agriculture production

7.5 All applications must attach a copy of the land registry map, which shows the block and parcel in question. An application for land clearing will not be processed unless the applicant has complied with the requirements above.

7.6 Applicants must provide written evidence of approval from the Department of Planning for mechanical clearing of land where required under the Development and Planning Act and Regulations.

7.7 Incomplete applications will not be accepted.

8 Processing of Applications

- 8.1 The Department of Agriculture's Land Clearing supervisor will review all completed applications, conduct site inspections, prepare and submit reports to the National Conservation Council (NCC) for review and approval in accordance with Section 41 of the National Conservation Act (2013), within 7 business days of closure of the application period.
- 8.2 In accordance with Section 41 of the National Conservation Act (2013), approval of the National Conservation Council (NCC) is required prior to the Department of Agricultural proceeding with any land clearing or land preparation operations. Direction from the NCC is normally received within 10 business days of the submission of the reports prepared by the DOA's Land Clearing Supervisor.
- 8.3 Applicants whose applications have been approved will be notified by the Land Clearing Supervisor of the anticipated schedule for the commencement of work. Final confirmation of the commencement date will be provided at least 48 hours prior to the scheduled commencement of the work.

9 Physical Location of Land to be Cleared

It is the sole responsibility of the applicant to show the DoA Officer the exact location of the land to be cleared and to provide evidence that this area is indeed within the boundaries of the block and parcel listed on the application form. In the event that this information cannot be verified by the DoA Officer by either surveyor's boundary markers or other recognizable landmarks, the DoA will require the applicant to have the area physically demarcated by a licensed land surveyor prior to the approval of the application.

10 Indemnity Waiver

The applicant shall be liable for, and shall indemnify and hold harmless the Cayman Islands Government from and against any expense, liability, loss, claim or proceedings whatsoever.

11 Governing Law

This agreement is governed by the laws of the Cayman Islands.

12 Freedom of Information Act (2021 Revision)

Information received in applications and in respect of applications is treated as confidential. However, documents in the possession of the Department of Agriculture are subject to the provisions of the Freedom of Information Act (FOI) (2021). Under some circumstances, a copy of the application form and other material supplied by the applicant may be released, subject to the deletion of the exempt material, in response to a request made in accordance with the FOI Act.

13 Privacy Policy

The Department of Agriculture will collect and store the information that applicants voluntarily provide to enable the processing of this application. Any information provided by the applicant will be stored on a database that will only be accessed by authorised personnel and is subject to privacy restrictions. Information collected will be shared with other Government Departments or entities as required under applicable Acts and Regulations. The information will only be used for the purpose for which it was collected. The Department of Agriculture is required to comply with the Data Protection Act (2021).

The Department of Agriculture collects the minimum personal information to enable it to contact persons/organisations and to assess the merits of an application. Applicants must ensure that people whose personal details are supplied with applications are aware that the Department of Agriculture is being supplied with this information and how this information will be shared.

14 Disclosure of Information

The Ministry and the Department of Agriculture may provide certain information regarding your application to other government agencies and the media. This information will include details such as the number of applications, number of applications approved/denied, block and parcel, etc.

15 Cabinet's Right to Waive Fees

Cabinet may at its discretion waive all or any portion of the specified service fees for any specified period of time that Cabinet may consider appropriate.



CAYMAN ISLANDS
Department of Agriculture

Application for Land Clearing & Land Preparation Service

TO: **Director of Agriculture**
Department of Agriculture
P.O. Box 459, Grand Cayman KY1-1106

FROM: Name: _____ FIRP ID #: _____
Postal Address: _____
Email Address: _____
Phone: _____ Cell _____ Work _____ Home _____
Date: _____

Dear Sir:

I hereby apply for the Department of Agriculture's Land Clearing & Preparation Service to clear and or prepare land situated at Block # _____ Parcel # _____. I intend to use the land for agriculture in the production of _____.

The specific service(s) requested is (please tick the appropriate option):

- 1 Land Clearing Only: _____ acres
- 2 Land Clearing & Preparation: Clearing of _____ acres, plus:
 - a. rock hammering of _____ acres for field crop (maximum 1 acre)
 - b. _____ acres for orchard crops (maximum 2 acres)
 - c. _____ acres for pasture establishment (maximum 2 acres)
- 3 Preparation of cleared land – Rock hammering only of:
 - a. _____ acres for field crop (maximum 2 acres)
 - b. _____ acres for orchard crops (maximum 3 acres)
 - c. _____ acres for pasture establishment (maximum 4 acres)

I understand that I will be informed by the Department of Agriculture, in writing, as to the outcome of my request.

I further understand that the proposed contract is on the following terms and requires written acceptance by the Cayman Islands Government for it to be binding.

Terms:

1. The revised Land Clearing and Preparation Policy 2023 is deemed part of this agreement. A copy is attached hereto, and I fully accept its terms.
2. I agree to reimburse the Government for the total commercial cost of the land clearing, less any previous payments made if agriculture production does not begin within three months after the land has been cleared.
3. I agree to keep the cleared land in agricultural production for a minimum of five years. I understand and agree that failure to do so will require me to reimburse the Government for the full commercial cost of the land clearing and any other costs associated, less any previous payments I have made for these services. I further agree to make payment within thirty days of the Government giving notice for such reimbursement.

Signature of Applicant Date _____ 20____ _____
Witness Date _____ 20____

On behalf of the Government Date _____ 20____ _____
Witness Date _____ 20____

For Office Use Only

REPORT ON INSPECTION OF PROPERTY

TO: Director of Agriculture

FROM: Land Clearing Supervisor

I have visited the premises in question and find it suitable/unsuitable* for the purpose intended.

Block #: _____ Parcel #: _____

Acreage to be cleared: _____

Acreage to be rock hammered: _____

Terrain: _____

Number of days/hours of operation (estimated): _____ days _____ hours.

Acreage Crop/Pasture, etc. to be planted: _____

Land Clearing Supervisor

Date

* strike through as needed

National Conservation Council (NCC) Consultation

The NCC has reviewed this application in accordance with Section 41 of the National Conservation Act (2013) and confirms that the NCC:

Supports this application

Supports with Conditions

Does not support

Full Name (NCC Representative) Signature

Date

Or NCC Directions received by Email attached

Director of Agriculture's Use Only

The above has been Approved Not Approved

Director of Agriculture

Date

Notification of Approval has been sent to the applicant.

Date: ___/___/20__ Initials: ___

Notification of Non-Approval has been sent to the applicant.

Date: ___/___/20__ Initials: ___



REVISED LAND CLEARING & PREPARATION POLICY

(2023)

Application Checklist

Please ensure that you have provided the required information as per the checklist. An application for land clearing will not be processed unless all required information has been completed/attached.

ITEMS	Done
1. a. A copy of a valid Farmers' Identification and Registration Programme (FIRP) Commercial ID b. Proof of Farmers' Identification and Registration Programme (FIRP) Provisional Commercial ID	<input type="checkbox"/> <input type="checkbox"/>
2. a. The block and parcel # b. Total acreage to be cleared c. Total Area to be rock hammered d. Application signed e. Application witnessed f. Application dated	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
4. Proof of ownership or lease (as per Section 6.3 of the Policy a. On file – Not required b. Not on file – Required: and/or i. A current certified copy (front & back) of the Land Register ii. A current copy of the lease agreement or written authorization giving the owner's permission to the applicant to clear and cultivate the said property	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
5. Proof of Department of Planning permission/ Approval where required	<input type="checkbox"/>
6. A certified copy of the land registry map showing the area to be cleared	<input type="checkbox"/>