



## Peninsula Citizens for Sustainable Development

General Delivery, Placencia Peninsula, Belize

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12 November 2007

**Via Facsimile, Email and Registered Mail**

Department of the Environment

10/12 Ambergris

Belmopan, Belize

Re: Comments on False Caye Environmental Impact Assessment dated September 2007

Dear Environmental Officer:

Following are comments by the Peninsula Citizens for Sustainable Development (PCSD) regarding the Environmental Impact Assessment (EIA) for a proposed development on False Caye located 1 kilometer (a little over ½ a mile) east of the Placencia Peninsula near Seine Bight/Maya Beach in the Stann Creek District of Belize (False Caye Development). The developer is apparently a partnership of Maya Island Resort Properties, Ltd., a Belize corporation, and The Poe Companies, a Kentucky corporation engaged in domestic US hotel and office building development and real estate sales (Developer).

In addition to the following comments on the False Caye EIA, PCSD also wants to go on record as abhorring the blatantly racial tactics used at the False Caye public consultation on 8 November 2007 in which attempts were made to create a racial schism on the Peninsula. We cannot endorse a development that uses these sorts of tactics, regardless of the environmental impacts, or lack thereof. Creating racial divisions goes beyond environmental issues, it goes to our very humanity, and is simply detestable from the perspective of common human decency.

Concerns of PCSD about the False Caye Development are detailed in the attached False Caye EIA Comments.

Areas of primary concern include:

- **Cumulative Impact:** The EIA makes no assessment of the impact of the development on Peninsula infrastructure and communities when combined with other developments recently approved for the Peninsula of approximately **1,600** hotel rooms, condos, villas, suites and single family residences, plus another approximately **495** currently under review for approval – an almost 400% increase in the next 2-3 years. The Peninsula currently has about 600 hotel rooms.
- **Coastal Development Guidelines:** The EIA fails to address the recommendations of the Coastal Zone Management Authority for False Caye, as set forth in the Placencia/Laughing Bird Caye Coastal Planning Region, Development Guidelines, 2001, which recommend a maximum guest capacity of six (6) for False Caye based on social, economic and environmental factors.
- **Net Littoral Drift:** A key assumption on which the EIA is based is that the net littoral drift at False Caye is to the southeast. Net littoral drift is actually south-southwest, invalidating all EIA assessments of impacts of sedimentation from dredging, water contamination and erosion.

- **Source and quality of potable water for the development:** The EIA and the environmental impact assessment for the Ara Macao development (Ara Macao EIA) seriously conflict about the source of water for Ara Macao and the False Caye Development, with significant implications for the Peninsula water supply. Ground water, as the preferred source of water, was not sampled, but is merely characterized to be of excellent quality, without any substantiation for this characterization.
- **Sanitary waste disposal:** The EIA fails to address several important sanitary waste disposal issues, especially with respect to sludge disposal and sanitary waste disposal for construction workers. Wastewater estimates are also very low and the EIA is not clear about how sewage lines will be installed. Sanitary waste from docked boats is not addressed.
- **Solid Waste (Garbage) Disposal:** Garbage disposal is a serious issue on the Peninsula, and the False Caye Development will substantially increase the existing garbage problem, especially when combined with all other recently approved developments. However, the EIA does not include a comprehensive solid waste management plan.
- **Dredging:** Effects on coral, sea grass beds and fish stock by sedimentation from dredging are, at best, inadequately addressed and do not comply with the Terms of Reference for the EIA.
- **Destruction of a rich mangrove island habitat solely for tourist accommodations to the detriment of the Peninsula community.** The EIA itself recognizes that “the area of the project site is marked by three (3) of the most productive tropical ecosystems, viz: mangrove forests, sea grass beds and coral reefs . . . [and] [t]he bird species documented is an indication of the species “richness” of the area.” No guarantees are given for continued access by Peninsula residents to the beaches and 66-foot reserve on the caye. Also, the increased numbers of tourists, employees, effluent, garbage and sedimentation will seriously affect the ability of the World Heritage Garifuna community members in Seine Bight to obtain food for their families through artisanal fishing, plus earn additional income through the sale of fish and lobster caught at False Caye and sold.
- **Lack of Environmental Assessment for Developments Ancillary to primary False Caye Development:** These ancillary developments include construction of a pier at the Placencia airstrip for transportation of guests to False Caye, a construction equipment/construction staging area on the Peninsula beaches, a garbage disposal area on Peninsula beaches and possibly an underwater water pipeline from Zeboz.
- **Non-compliance with the Terms of Reference for the EIA as required by Belize environmental laws.** Particularly disturbing is the complete lack of substantive analysis to alternatives for development as required by TOR E.1.01
- **Completely non-sensical mitigation measures for social impacts suggest that social impacts and mitigation of social impacts are of no concern to the False Caye Developer.**

[Petitions](#) regarding this development from Placencia Village, Seine Bight Village and Maya Beach are enclosed.

Thank you for your attention.

Sincerely,

Peninsula Citizens for Sustainable Development,  
Ltd.



By: \_\_\_\_\_  
Mary V. Toy, First Vice President

enclosure

cc: Placencia BTIA  
Friends of Nature  
BACONGO

Belize Audubon Society  
Placencia Village Council  
Seine Bight Village Council

SATIIM  
Friends of Swallow Caye  
TIDE

**Comments on False Caye Environmental Impact  
Assesment dated September 2007**

by

**Peninsula Citizens for Sustainable Development**  
12 November 2007



### **Cumulative Impact.**

It appears that the Placencia Peninsula may see an almost a 400% increase in the number of existing hotel rooms in the next 2-3 years.

Attached to these comments as Exhibit A is a list of known Peninsula developments that have already been approved, or are close to approval. As stated in the cover letter to these comments, these new developments will add approximately 1,600 new hotel rooms, condos, villas, suites and single family residences to the Peninsula, plus another approximately 495 currently under review for approval. If False Caye is approved, this number rises to 2,275 new hotel rooms and other accommodations coming on-line in the next 2-3 years.

Moreover, these numbers do not take into account the already existing 612 rooms – for a grand total of almost 3,000 new hotel rooms and other vacation accommodations.

The Peninsula infrastructure simply cannot absorb this type of increase in population, especially a tourist population that uses more utilities (water, electricity, gas), generates more garbage and accounts for more traffic than a residential population.

And, this tourist population increase doesn't take into account the collateral increase in construction workers and other service providers that will come with new development, further straining waste and utility systems and the already dangerous and almost non-existent road, plus putting an overwhelming burden on the area's only 2 primary schools and one high school, the Peninsula's very small (6-7 member) police force spread over 12 miles, not to mention medical care which currently consists of one doctor and two nurses.

And where will all these people be housed?

Both the Department of the Environment (DOE) and the False Caye Developer's EIA consultant agreed at the False Caye public consultation held on 8 November 2007 that a cumulative impact study needs to be done so that they know when the carrying capacity of the Peninsula has been reached.

Unfortunately, it seems that we do not have time for a cumulative impact study to be funded and completed because, based on the above numbers, we could very well reach the saturation point for development in the next 3 years.

Therefore, PCSD calls for a moratorium on new development approvals, including the proposed False Caye Development, until this study has been done by a qualified consultant approved not only by the national government, but also by the residents of the Peninsula.

### **Coastal Development Guidelines**

In 2001, the Coastal Zone Management Authority and Institute completed development guidelines for all cays in the Placencia/Laughing Bird Coastal Planning Region, including False Caye.

Coastal Development Guidelines for False Caye are:

<ul style="list-style-type: none"><li>• Primary land use: residential</li><li>• Secondary land use: guesthouse</li><li>• Maximum lot size: 1.5 acres</li><li>• Maximum building coverage: 700 sf</li><li>• Maximum site clearance: 1.15 acres</li><li>• Piers: 1</li></ul>	<ul style="list-style-type: none"><li>• Maximum no. lots: 1</li><li>• Net site housing density: 2</li><li>• Maximum room density: 7</li><li>• Maximum guest capacity: 6</li><li>• Maximum building height: 28 feet</li><li>• Maximum number of floors: 2</li></ul>
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The Guidelines also note that:

As the caye is generally very low-lying, it should accommodate limited development, and this should take place on the west or south sides, with access from the west or south. The plan of survey indicates a 66-foot reserve that, due to the size of the caye, should be complied with. Attention should be taken to avoid damaging the archeological site. The rest of the caye should remain in its natural state.

This is a generally low caye with high mangrove, though with a marginally high ridge fringing the south and west sides. The interior has two areas of swamp. Reef extends to the northeast. The surrounding waters are good for lobster diving.

These guidelines were prepared by Belizean marine specialists, and are based on information from local residents and users, Government agencies and extensive field work. The objectives of the Guidelines are to:

- Promote the social and economic well-being of the communities that rely on the region’s resources;
- Establish a balance between the requirements for national economic development and the need to promote the potential for local economic initiative;
- Protect the terrestrial and marine environment and the region’s natural attractions
- Protect the region’s fishing resources.
  - As stated on page 14 of the Guidelines: “The cayes of the region, and their surrounding waters, have provided a reliable source of fishing for centuries: lobster, conch, snapper and grouper are the main commercial types though other fish such as permit, tarpon and bonefish are sought for sport. *The very nature of land, sea and over wash mangroves acts an ideal breeding ground that could be devastated by inappropriate development and unsustainable use.*” (emphasis added)

Section 4-1 of the Belize Environmental Protection Act defines the objectives of the Act and DOE as including:

- Ensuring the protection and rational use of natural resources for the benefit of the present and future generations, and
- Fostering, through inter-ministerial cooperation, the prudent use and proper management of the natural resources of Belize, the control of pollution of the natural environment and the re-establishment of an ecological equilibrium, where needed, so as to guarantee a better quality of life for present and future generations

Thus, the goals of both the Coastal Development Guidelines and DOE seem to be the same with respect to the proposed False Caye Development. Therefore, DOE should follow the Guidelines established for False Caye by the Coastal Zone Management Authority and Institute.

## Net Littoral Drift

Sections 2.2.2 and 10.3.1 of the EIA both incorrectly state that net littoral drift at False Caye is to the east and south. Net littoral drift is actually to the south-southwest as confirmed by the Ara Macao EIA done by the same consultant (Figure 2.02 of the Ara Macao EIA), Section 2.1.2 of the Coastal Development Guidelines and local fishermen and boaters.

Therefore, all assessments in the EIA based on a south-southeast current are invalid, including flow of sedimentation, water contamination/effluent, and possible erosion based on preventing sand from over-washing the caye and flowing south-southwest into the Placencia Peninsula, an issue that is not addressed by the EIA.

## Source and Quality of Potable Water

Section 4.6 of the EIA states that ground water wells (the preferred potable water option) on False Caye would not have any effect on other water users in the “Zone of Influence” because the wells would draw water from the ***confined*** aquifer that will supply Ara Macao with water. However, the Addendum to the Ara Macao EIA (done by the same consultant) states that the wells that will provide Ara Macao with water will draw from the same aquifer that provides drinking water to Placencia, Seine Bight, Independence, Big Creek, Sagitun Farms and Mango Creek. (See page 12 of the pdf version of the Ara Macao Addendum, page 6 of the paper version.) Further, the False Caye EIA contradicts itself in Section 11.2.4 which contradicts Section 4.6 by stating that the primary source of water is the aquifer supplying Placencia and Mango Creek.

***Clearly, either the False Caye EIA or the Ara Macao EIA is wrong***, and the importance of a sufficient potable water supply for the Placencia Peninsula cannot be jeopardized by ignoring the fact that no one apparently has any clue as to the source of the drinking water that will be used by Ara Macao and possibly by False Caye.

In addition, this contradiction means that the False Caye EIA cannot comply with the EIA’s Terms of Reference:

- TOR B.2.06 mandates determining safe maximum sustainable yield. If the Ara Macao EIA is correct, the False Caye EIA fails to comply with TOR B.2.03 because no inventory of other users in the zone of influence is provided, together with possible impacts and mitigation measures.
- TOR B.2.05 requires a proper pump test where the recommended water supply source is ground water and the specification of any residual impacts of meeting water needs through this option, their significance and mitigation measures to be undertaken. Section 11.5 acknowledges that a pump test was not done and somehow justifies this failure to comply with TOR B.2.05 by defining the pump test as a “mitigation measure.”

Consequently, the option of groundwater abstraction for False Caye raises the same issue of water quantity that the Ara Macao development raised, and it is vital that we know how much water is necessary for ALL communities using this aquifer for drinking water, including planned and approved resorts. In other words, cumulative impact of existing and planned water withdrawal from the aquifer must be carefully analyzed before any new developments are approved.

In addition, the False Caye EIA repeats the Ara Macao EIA’s inadequate estimate of daily water usage, assuming a water demand of only 50 gallons of water per day, without differentiating among guests, employees and residents. Also, the EIA does not mention water usage from the TWO swimming pools as shown on the Hotel Buildings Layout in Annex VII.

At a minimum, guests are likely to use 80-100 gallons a day of water, which is the average water usage for residents in the US. Tourists use considerably more water than residents use - more in the range of between 150 and 179 gallons of water per day resulting in at least a 77% underestimation of the quantity of water needed at the proposed development at capacity. (See Relationship between Tourism and the Environment in Barbados and St. Lucia < [http://www.sia-gcc.org/acp/download/acp\\_eu\\_sia\\_tourismenvironment\\_case\\_study.pdf](http://www.sia-gcc.org/acp/download/acp_eu_sia_tourismenvironment_case_study.pdf) > in which studies in Barbados and St. Lucia found that Caribbean hotel guests on the average use 179 gallons of water per person per day, as opposed to an average use by residents of 50 gallons per person per day.)

Further, the EIA for the Coco Plum development, approved by DOE, estimated average daily water usage of 75 gallons per day for primarily long-term residential use.

Finally, the False Caye Developer does not really know where its water will come from, since it also identifies the Zeboz pipeline as its second choice of potable water option if ground water does not work out. It does not seem wise to approve a development that may not be able to obtain an affordable source of water, which could result in a half-completed development that provides none of the promised economic benefits, only destroys False Caye. In addition, it is very unlikely that the Zeboz pipeline is a valid option because this water line is only a three-inch main which is already supporting numerous resorts, single family homes and businesses on the main Placencia road, and is also being extended to side roads toward the Placencia Lagoon in the Plantation and Maya Beach areas. Further, no water quality testing was done on this water, another failure to comply with the EIA's terms of reference.

### **Sanitary Waste Disposal/Waste Water**

As stated in the comments on the EIA by E-Law:

The U.S. EPA recently presented an analysis of water usage rates that are applicable to the categories of activity that the proposed False Caye development would include. Of particular interest are the results of the Residential End Uses of Water Study (REUWS), which was funded by the American Water Works Association Research Foundation (AWWARF) and 12 water supply utilities (Mayer et al., 1999), (U.S. EPA (2002) "Onsite Wastewater Treatment Systems Manual," EPA 625/R-00/008. Chapter 3 - Establishing treatment system performance requirements. <http://www.epa.gov/ORD/NRMRL/pubs/625r00008/html/625R00008chap3.htm>)

This study provides water usage rates for other categories of activity that the proposed Ara Macao Development would include: A typical hotel generates 190 liters per day of wastewater per hotel guest and an additional 38 liters per day of wastewater per hotel employee. A typical restaurant generates 34 liters per day of wastewater per customer and an additional 38 liters per day of wastewater per hotel employee. **These estimates are substantially higher than those contained in the EIA.**

In addition, the EIA does not address the following issues:

- Sanitary waste disposal from construction workers. Will porta-potties be required? If yes, how will they be emptied, where and by whom? Will the False Caye Developer be required to ensure that construction employees use the porta-potties?
- Effect on sewage lines on the Caye in the event of a hurricane surge -- even a Category 1 hurricane will inundate some, or most, of the island. Will the lines be buried, and if so, how deep? Also, the sewage lines from the over-the-water cabanas will be under the dock and will surely be impacted by even tropical storms or tropical depressions that routinely destroy docks all along the coast and at the cayes.

If the pipes are not buried under the seabed, all sewage from these lines could end up in the sea – and straight to the Placencia Peninsula given the south-southwest currents in the area.

- Sanitary waste from docked boats – will there be a pump-out station at the caye?
- Where wastewater will be stored until it is used.

### **Solid Waste (Garbage) Disposal**

As stated in the E-Law comments on the proposed False Caye Development:

Chapter 6 of the EIA does not have a comprehensive solid waste management plan. According to the EIA, approximately 950 people will be in the area at capacity, with each person generating about 4 lbs of solid waste per day. Therefore, a total of about 2 tons of solid wastes/day will be generated daily. The developer proposes to compost the organic wastes. That is a good option! However, composting needs to be well managed to prevent odors, intrusion of species in the wastes, in general, adequate management practices. The EIA does not have detailed information about the composting methods, location of the composting area, dimensions and other relevant information to guarantee that it would be done in a proper manner.

In addition, there would be a large amount of inorganic wastes that could not be treated in the area. The EIA proposes to take those wastes to the Placencia dumpsite that is already in bad condition. This would increase the already existing problem, and there is no opinion of the municipality of Placencia about this either. The EIA does not have information about the safety measures or details of a contingency plan.

Instead of including a contingency plan and information about improving the Placencia dump site, Section 10.3.5 of the False Caye EIA dismisses solid waste impacts as “minor” with respect to effects on human populations at False Caye, and does not address what will happen on the Peninsula if the Peninsula waste dump cannot handle the greatly increased garbage from new developments on the Peninsula. The effect of this happening will not be minor, but extremely significant in terms of disease, rodents, insects, foraging animals and reptiles and aesthetics.

In addition, the treatment of construction wastes is much less than satisfactory – either burning or being given to the communities as firewood? Believe it or not, local communities have progressed past the firewood stage. Further, wood that cannot be composted is highly likely to include treated wood, and burning treated wood can release arsenic, copper, chromium and other cancer-causing hazardous compounds into the air and the sea, not to mention contaminating the land itself. ([www.healthybuilding.net/arsenic/hbn\\_wood\\_factsheet.html](http://www.healthybuilding.net/arsenic/hbn_wood_factsheet.html))

Although the EIA spends a great deal of time discussing recycling options, recycling simply is not feasible from the Peninsula for the scale of waste generated by a development of this size. No recycling pick-ups are available in the area because of distance and the condition of the Placencia Road, making pick-ups economically unfeasible. And, it will be just as expensive for the False Caye Developer to get recyclable waste to the Peninsula for recycling as it will be to bring the waste to the Peninsula to be dumped into the garbage dump. Therefore, off-site recycling is highly unlikely.

Also, the EIA only addresses hazardous waste handling for wastes such as used batteries, marine paint, pesticides, insecticides, cleaning agents, etc. in passing in Section 6.05, does not include cleaning products in the definition of “commercial wastes” (e.g., hazardous wastes) and does not address hazardous wastes generated by households and boat operations.

Finally, the False Caye EIA states that the present Placencia dump site is to be turned into a transfer station, with garbage being transferred to a central regional landfill at Mile 24. No one connected with Placencia sanitation knows anything about this transfer station, including members of the Board of Directors of the Placencia Sanitation Company, which manages the Placencia dump.

Mr. Eugene Zabaneh did state at the False Caye public consultation that the False Caye Developer would make sure that the Placencia dump becomes well-managed and effective in containing local garbage. We appreciate this commitment.

### **Dredging**

Page 2 of Chapter 10 of the EIA assigns a Level 3 negative impact of dredging on fish and fishing around and the Caye, and a Level 2 negative impact on seagrass beds and macro invertebrates. Despite the acknowledged severe negative consequences of dredging, the EIA fails to:

- Provide any information on the composition of the material to be dredged such as coarseness or fineness of sand and mud (one of the primary information components needed to assess effects of sedimentation caused by dredging and required by TOR B.7.02);
- Provide any information about the area to be dredged and the composition of the sea bottom there other than the statement in Section 1.2.25 that dredging will occur in an area 300-750 meters east of the Caye. For example, are there sea grass beds in this area? Corals?
- Analyze any possible changes to bathymetry, topography, waves and currents
- Discuss the use of an anti-pollution cover for the cutter head and the use of a light soil-water mixture recycling system – both of which can significantly reduce sedimentation.

Incredibly, the responsibility for daily and long-term monitoring that will be done to assess dredging impacts is assigned to the Fisheries Department rather than the False Caye Developer. (See Table 12.1 in Chapter 12)

Also, Section 8.6.2 of the EIA suggests that dredging may occur in the “sandy flats” surrounding the Caye to deepen piers. This dredging is not mentioned in Sections 1.2.2.5 or 10.3.1, and, in fact, receives no analysis at all in the entire EIA despite significant effects dredging this close to the Caye could have on sea grass beds, coral and fish stocks, not to mention possible effects on the Placencia Peninsula since almost all piers will be on the leeward side of the island.

Coastal Zone Guidelines state that:

There should be no need for dredging for boat access. Land which has no feasible access should not be developed for purposes that would generate heavy boat traffic, resorts and/or residences.

Some of the dredged material will be used to construct at least one beach. (The EIA states that one beach will be manufactured, but three beach areas seem to be shown on the site plan for the development.) The Coastal Zone Development Guidelines state that:

The creation of “beaches” by dumping sand should be avoided. Such a practice obviously requires dredging (barging often being too costly), disrupts the sea flow causing accelerated erosion or accretion, adversely affects the local wildlife and gives a false impression of the area’s natural character.

## **Destruction of False Caye**

False Caye Developer representatives claimed at the public consultation on Thursday, 8 October 2007 that False Caye would be essentially preserved, with most mangrove remaining. And, the EIA states that the development will have a “small footprint.”

However, also according to the EIA, five feet (5') of fill will be deposited on False Caye inside a perimeter retaining wall. No plants, not even mangroves, can survive the dumping of five feet of fill on them, and Section 2.6 of the EIA states that 62.6 acres, or 87.6% of False Caye is covered by mangrove. In addition, the False Caye Developer did not include the amount of acreage to be cleared in the EIA as required by Section 1.03 of the EIA's Terms of Reference (TOR), and the development will require at least 76 buildings to be constructed on the Caye.

Therefore, it appears that the only mangrove to be preserved on the caye will be mangrove outside the retaining wall, and possibly around the perimeters of the lagoons (although this is not clearly stated), and that the False Caye Developer has attempted to hide this fact by failing to provide required information on how much acreage will actually be cleared. When five feet of fill is added to this scenario, it can reasonably be inferred that the existing False Caye is being destroyed and will become merely a base for the creation of an entirely new caye. (Section 1.2.2.5 of the EIA somewhat acknowledges this result by stating that “The majority of the caye will need to be reclaimed and reconfigured if the project is to be developed along the current lines submitted.”)

The EIA further reinforces this conclusion by focusing almost solely on post-development mitigation methods. (The EIA discusses pre-development mitigation methods only in terms of dredging activities. See Section 11.1 of the EIA.)

As noted in the cover letter to these comments, the EIA itself recognizes that “the area of the project site is marked by three (3) of the most productive tropical ecosystems, viz: mangrove forests, sea grass beds and coral reefs . . . [and] [t]he bird species documented is an indication of the species “richness” of the area.”

This type of habitat is one of the primary reasons that tourists visit the Placencia area. Further, False Caye provides guests of Peninsula resorts with the closest opportunity to experience this rich marine environment.

Members of the World Heritage Garifuna community in Seine Bight also fish and dive this area for lobster and conch, and the currently pristine mangrove habitat is a nursery for many species of juvenile fish – as recognized by the EIA itself.

There is no doubt that the number of tourists snorkeling and fishing in this area if the False Caye Development is approved will greatly reduce the fish, conch and lobster populations, will adversely affect False Caye's juvenile fish population, and will impede access to these traditional Garifuna fishing grounds.

Unfortunately, the EIA does not address these issues except to dismiss False Caye's function as a fish, conch and lobster nursery as only a minor tertiary impact because of “limited fishing efforts,” which has nothing to do with the nursery function. A nursery fosters juvenile species, not species that are old enough to be commercially fished. Further, the EIA itself recognizes in Table 2.3 that the following important food species are found in the False Caye project area: Queen Conch, Barracuda, snappers and lobster, in addition to sprat commonly used as fish bait. Clearly, the loss of the nursery function and fishing grounds for these important food species cannot be described as non-existent to minor as stated in Section 10.3.2 of the EIA.

Consequently, the destruction of False Caye except for the retention of a mangrove fringe threatens the viability of existing Peninsula businesses and communities in favor of a development that could be constructed on the Peninsula, or on a caye where existing conditions would not require the destruction of the caye itself, along with such a rich habitat.

And, since no mitigation measures can be taken to reduce this effect, other than changing the entire scope of the development, it seems that the decision to approve a development of this kind, which favors foreign investment over the environment and local communities, is a policy decision that should be made at the Cabinet or legislative level, and not at the administrative agency level (the DOE level).

### **Environmental Impact Assessments for Ancillary Developments**

Developments ancillary to the primary False Caye Development include:

- Construction of a pier at the Placencia airstrip for transporting guests by boat to the Caye
- Possible pipeline for water from Zeboz water source
- Use of a beach property on the Peninsula for construction equipment, material storage and staging, and preliminary garbage disposal.
- Helipad

None of these four ancillary developments received any attention in the False Caye EIA, despite significant environmental issues such as routing of the pipeline and the effects of pier construction and coastal dredging on other Peninsula properties, including erosion, noise, airport congestion, smell and reduced property values (particularly for the construction staging/preliminary garbage disposal development).

In fact, it is highly likely that neighboring property owners would have a very viable action for nuisance if such a use of beachfront were attempted. Further, the use of beachfront for this purpose can hardly be said to be the highest and best use of scarce and quite valuable beachfront property.

All such ancillary development will also increase traffic on the Peninsula, both boat and road traffic, and no mention or assessment was made of this type of effect in the EIA.

### **Non-Compliance with Terms of Reference for the False Caye EIA**

The False Caye EIA fails to comply with the following terms of reference, among others:

- **No proof of ownership as required by TOR A.1.01.** Legal documents in Annex III only include corporation documents for Maya Island Resort Properties, Ltd. and do not include a copy of land tenure documents as required by TOR A.1.01
- **Carrying capacity not documented as required by TOR A.2.03 and TOR C.1.03.** The EIA does not provide any technical justification for numbers of buildings, number of persons residing and visiting the project site/resort.
- **Acreage to be cleared not provided as required by TOR B.1.03.** The EIA provides the total acreage of the caye and total acreage covered by mangrove (62.6 acres), but fails to provide total cleared acreage, but instead tries to minimize the size impact of the development by characterizing the development as having a “small footprint” in Section 6.3(ii)
- **Water quality and quantity and safe maximum sustainable yield of water supply from all possible sources including wells, pipeline from the Peninsula, rainwater harvesting, reverse osmosis and**

**desalinization not determined as required by TOR B.2.03.** Also, no water testing was done on either the ground water available on the Caye or the water from the Zeboz pipeline.

- **No inventory of other users in zone of influence as required by TOR B.2.06 since ground water identified as preferred source of water.**
- **Proper pump test not conducted with respect to groundwater resources, and no specification of residual impact of meeting water needs through ground water as required by TOR B.2.05.**
- **No base line established for ground water or the lagoons on False Caye as required by TOR B.2.01.** For some reason, only seawater was tested and other important water sources such as the lagoons and the ground water were ignored.
- **No ground water monitoring program developed as required by TOR B.2.07.** The False Caye Developer proposes a quarterly analysis of groundwater, but the EIA does not contain any details on how the quality control and monitoring would be done.
- **Types and volumes of boat wastes not projected as required by TOR B.4.01.** Since all transportation of people, goods, garbage, etc, will occur by boat, the amount of boat wastes generated by the development is likely to be significant and is not addressed in the EIA.
- **TOR B.7.02 requires analysis of the following items with respect to dredging operations. The EIA does not provide information on any of them:**
  - Physical characteristics of materials to be dredged
  - Benthic substrate
  - Wave conditions
  - Requirement for maintenance dredging (for piers and other areas on the Caye)
- **TOR B.12.01 requires consultation with local NGOs, public interest groups and relevant government departments/agencies and TOR B.12.02 requires the False Caye Developer to provide a copy of questions/answers used for the report, including the name of organization of the interviewees.** The EIA implies that it consulted with PCSD and the Placencia Humane Society, when, it did not. Copies of questions/answers used to make the report on NGO views and concerns were not provided, and, *the answers of the interviewee for the local Placencia Chapter of the Belize Tourism Industry Association were falsified. (See attached memo from Mr. David Vernon, Chairman of the Placencia BTIA. This memo was distributed to all BTIA members nationwide by the national BTIA office.)*
- **Social factors were not addressed, or addressed only perfunctorily, which fails to comply with TOR B.10.**
  - *No interview with the Chairman of Seine Bight Village evidently occurred since the exact same language attributed to the current chairman, Adolph Williams, was attributed to the former chairman, Raymond Ogaldez, in the Ara Macao EIA.* (We find it very difficult to believe that both Mr. Williams and Mr. Ogaldez used the exact same words, phrases and sentences as reported by the two EIAs. See Section 9.1a of the False Caye EIA and Section 13.2.1 of the Ara Macao EIA. This casts great doubt on the validity of other reports and analyses in the False Caye EIA.)
  - Employment opportunities detailed in the EIA focus on employment for Seine Bight residents as tour guides for inland sites such as Cockscomb Basin. No mention is made of the very strong fishing cultures of both Placencia and Seine Bight Villages and no recognition is given to the fact that the primary tourism activities in both areas are concerned with the sea – and NOT Mayan archeological sites. Also, no mention is made of the Southwater Marine Reserve, the third protected area in the region – only Laughing Bird and Gladden Spit are mentioned, when the Southwater Marine Reserve is the closest to False Caye (only about 9 miles versus about 12 to Laughing Bird.) Further, Section 9.3 is lifted directly, verbatim, from the Ara Macao EIA, Section 13.3.

- Section 9.4.4 of the EIA falsely implies that a new road will be built soon, while a new road may never be built. (Dean Barrow, leader of the opposition UDP party, has publicly stated that the Caribbean Development Bank, the lender for most of the construction costs for the road, will not release the funds for the new road to the party in power, the PUP.)
- **TOR E.1.01 requires the False Caye Developer to present reasonable development alternatives, including a no-action alternative. Each alternative is to be explored in the EIA.** The only way to describe this section of the False Caye EIA is “screwed up.” The three alternatives presented are:
  - **A resort and residential development** – the selected alternative. Note that the proposed False Caye Development does NOT include a residential development, but hotels and time-shares. Time-shares do NOT constitute residential development, which implies people who actually live on the caye on a full-time basis. Time-shares are just another financing mechanism for the construction of a hotel or resort, they do not constitute residences.
  - **A resort located on the mainland.** This alternative definitely does not comply with TOR E.1.01 which requires alternatives for developments on False Caye.
  - **The non-development option: described as “loss of investment of US\$125 million.”** What the developer might lose in money if a development proposal is not approved is not the concern of DOE, NEAC or the government. The concern in the environmental process is on environmental impacts. The False Caye Developer could have taken steps to protect its investment, such as not paying for an interest in the caye until the False Caye Development was approved. If the False Caye Developer chose not to use such financial safeguards, the False Caye Developer chose to take the risk of losing its investment, and DOE and NEAC are not in any way involved with that decision, nor should the False Caye Developer’s decision play any part in the NEAC/DOE decision on whether or not to approve the development.
    - **The non-development option also does not address the environmental effects of no development.** Instead, it addresses each component of non-development as if the development would still occur, just without a specific development component. For example,
      - **Piers,** *Project not implementable without piers since this would be only practical access to site.*
      - **Over-the-Water Cabanas:** *Would significantly erode saleability of project with consequent loss of jobs and earning power without any good environmental, social or economic justification*
      - **Dredging and Reclamation:** *Project not technically or economically viable without reclamation*
  - To adequately comply with TOR E.101, the False Caye Developer should have identified a second reasonable use of the caye, such as a smaller resort or residential development and substantively evaluated that option against the currently proposed development option, as well as substantively evaluating on an environmental (not monetary) basis the option of no development at all.

**Non-sensical social impact mitigation measures lead to the inference that social impacts and social impact mitigation have not been seriously considered by the False Caye Developer as required under Belize law**

- **Increased population density:** This mitigation measure is a settlement plan to be "envisioned" or additional temporary quarters be constructed. Shouldn't something more than "envisioning" be required? Table 11.6 states that all workers will be required to stay on the caye. Therefore, the

population section of the mitigation matrix must be discussing permanent population increases for which temporary quarters will be inadequate.

- **Workers to be transported to and from the site during all phases of construction is not an answer to the problem of spontaneous and unplanned settlements.** Will the developer force workers to live off the Peninsula? Will the developer provide transportation to all workers' homes in other parts of Belize - or Guatemala or Honduras? Another solution in Table 11.6 is not to encourage migrant workers to commence spontaneous settlement. Really? How will this work? Section 11.6 states that additional staff quarters "can" be constructed to ease housing demand. "Can?" - shouldn't this be "must?"
  - **The mitigation measure for marginalization of local minority groups and pressure on existing institutions, social groups and existing lifestyles is to "strengthen" existing capacity, institutions, social groups and regulatory systems and services.** Just what exactly will the developer do to create this strengthening? Will this be a legal obligation, including strengthening of the environmental regulatory system?
  - **The mitigation measure of increased pressure on education, health and sanitary system is to give locals first access to all existing infrastructure.** Does this mean that the developer thinks non-locals should be denied education, healthcare and sanitary facilities - or only get to use what might be left after the development and the local communities take their share?
  - **The developer also states that local education and health facilities should be "strengthened and coordinated."** Who will be responsible for doing this, and the associated costs? The developer? The government? Why should this extra burden be placed on the government to allow the developer to make private profit?
  - **Mitigation measures for beach erosion on the Peninsula.** The mitigation matrix states that beach erosion prevention methods should be "highly considered." Since when did "highly considering" something become a mitigation measure?
  - **Mitigation measure for location and size of development.** This mitigation measure is: "Adequate control development proposals . . . take into consideration future development activities being undertaken in the island to be developed." Shouldn't this mitigation measure be concerned with the cumulative effect on the Placencia Peninsula of the location and size of the development rather than other development on this caye itself – which cannot occur due to the size of this development?
  - **Crime:** Mitigation measure is more police officers and giving advice to Peninsula residents to secure their homes? As if we need advice to do this with the already steadily increasing crime rate? And, will the developer pay for the extra police?
  - **Competition with Belizeans in the tourism sector.** Mitigation measure is that "BTIA membership would offer a platform for the control on the number and type of tourism related businesses by locals and foreigners." BTIA does not have this type of power, and if it did, it could very well stop future developments, including the one on False Caye. We assume that is not what the developer intended by this statement, so we are not sure what it does mean.
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**Exhibit A**  
**Placencia Peninsula Developments**  
**(as of 8 November 2007)**

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- **Ara Macao** ([www.aramacao.com](http://www.aramacao.com)) – 1000+ condos, villas, houses and hotel rooms
  - Northern end of Peninsula
- **Bella Maya Resort and Residences** (<http://www.bellamayaresort.com/?gclid=CIuO2IuU4YsCFRe4Igodw0ayYA>): 60 condos (under construction)
  - The Plantation area
- **Carlton Watson development** – condos – no information available (possibly Bob Rampone's property)
  - Near Playa di Piratas/Buccaneer's Retreat
- **Coco Plum: A Resort Community** ([www.cocoplumbelize.net](http://www.cocoplumbelize.net)): 110 single family home lots averaging ½ acre each, 48-suite boutique resort, marina (under construction)
  - South of Maya Beach
- **False Caye:** resort planned, 74 main hotel rooms (148 people), 32 1-bedroom hotel units (128 people), 19 3-bedroom villas (114 people), thirty-four (41) 4-bedroom units (328 people), 76 employees, 100 day trippers
  - Approx. 1 mile off Placencia coast near Coco Plum and Maya Beach
  - Development will completely destroy an over wash mangrove caye – caye will basically be used as a base for a new caye that will be filled with 5 feet of dredge from sea bottom
- **Grand Reef Condos** - [www.belizebeachfront.com/the\\_grand\\_reef.htm](http://www.belizebeachfront.com/the_grand_reef.htm) - 33 condos, 5 or 6 stories
  - North of Chabil Mar Villas in Placencia Village
- **Jewel of Placencia** – [www.jewelofplacencia.com](http://www.jewelofplacencia.com) (also [www.belizebeachfront.com/new\\_page\\_9.htm](http://www.belizebeachfront.com/new_page_9.htm)) – 4 condos (under construction)
  - Just north of Tradewinds in Placencia Village
- **Kitty Fox development** – 10+ lots on Lagoon side across from Kitty's/Sak's/Los Portico condos (under construction) (no other information available)
- **Kokomo Belize** ([www.traversbelize.com/kokomo/index.html](http://www.traversbelize.com/kokomo/index.html)) - 2 cabanas, 20 lots, marina
  - Northern end of Seine Bight Village
- **La Chappelle Hotel: 6-unit hotel in Placencia Village in same area as Jewel of Placencia** (under construction)
  - On Sidewalk just south of Easy Living Apartments
- **Los Portico Villas:** [www.losportico.com](http://www.losportico.com) - 39 condos: 2 bedroom/2-bath (under construction)
  - Old Kitty's/Sak's resort
- **Lagoon Caye:** no information available, resort planned, including dredging of permit flats off caye
- **Luba Hati property** – 248 hotel rooms/suites (based on best available information)
  - North of Robert's Grove
- **Manatee Bay Estates:** [www.emerald futures.com](http://www.emerald futures.com) and [www.nauticalinnbelize.com](http://www.nauticalinnbelize.com) – 34 single family home lots (under construction)
  - North of Nautical Inn
- **Pacific Blue** – no information available
- **Paradise Vacation Hotel Condos** – no information available (under construction)
  - Near Yoli's in Bakader in Placencia Village
- **Placencia Club (Bulman/Dennis Johnson/Reagan International):** (Johnson just acquired title to the property – given by John Briceno immediately before he resigned as Minister of Natural Resources)

- Behind PBS on Lagoon
- ECP has been signed, *unable to get a copy from Department of Environment*
- **Placencia Pointe** - 8 condos (under construction)
  - Site of old Soulshine Resort on Lagoon
- **Punta Mar (old Serenity Resort)** – number of condos planned unavailable (under construction)
- **Robert’s Grove** – additional condos being built on Lagoon – number unknown (under construction)
- **Rum Point property** – no information available, purchased by Luke Espot, trying to attract large international chain – rumors of 12-story resort
- **Sea Kunga Resort and Restaurant** ([www.seakunga.com](http://www.seakunga.com)) – 5 cabanas (under construction)
  - Just north of Playa del Piratas/Buccaneer’s Retreat
- **Sunset Pointe:** [www.sunsetpointebelize.com](http://www.sunsetpointebelize.com) - 16 two-bedroom/two-bath condos (under construction)
  - Past Sugar Reef on Lagoon in Placencia Village
- **The Placencia Hotel and Residences:** [www.theplacenciacondos.com](http://www.theplacenciacondos.com) – 1 and 3 bedroom condos, 158 residential lots (under construction)
  - The Plantation area
- **Unnamed condos - 8 condos in same area as Jewel of Placencia**
  - 4 condos on Sidewalk near dock; 4 condos on beach just north of Jewel or Placencia
- **Villas at Coco Plum:** [www.thevillasatcocoplum.com](http://www.thevillasatcocoplum.com) – 25 condo buildings, 100 condos, 2 and 3 story buildings, projected completion date, April 2008 (under construction)
  - Just south of Coco Plum, a Resort Community
- **Villas at Placencia** ([www.villasatplacencia.com](http://www.villasatplacencia.com)) - 48-56 condos in 8 or 9 buildings (under construction)
  - South of Playa del Pirates/Buccaneer’s Retreat
- **Wild Orchid Properties:** [www.wildorchidproperties.com](http://www.wildorchidproperties.com) – 16 lots, 7 condo buildings, 35 condos, marina (under construction)
  - On Lagoon just south of Playa del Piratas/Buccaneer’s Retreat

## Exhibit B

### Memo from David Vernon, Chairman, Placencia BTIA

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#### PLACENCIA BTIA'S CHAIRPERSON SETS THE RECORD STRAIGHT

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BELIZE CITY, Belize (October 10, 2007)

To: Government of Belize Department of the Environment  
Cc: BTIA National and BTIA Placencia Chapter

Re: EIA for False Caye Development

(Direct quotes from the Official EIA for False Caye are in Italics)

It has been brought to my attention that I was quoted in the EIA for False Caye as a representative of BTIA Placencia. While I can't recall exactly what I said 6 months ago, I do know my views on these issues and roughly what I said in answer to questions. What is written is not what I said. Possibly the reason there is only one direct quote.

I was interviewed by Anselmo Castaneda about the development of False Caye, as David Vernon, an individual, not as a representative of BTIA. I was told only that the Caye was to be developed with cabanas and never informed of the details of development.

“...the chairman estimates that “the village population (Ed. Note: referring to Placencia) will double in 4 years”.

I did say that I welcome tourism developments, in general, as they bring employment to our area and offer diversity for our prospective visitors. I did not in any way state that the BTIA of Placencia endorses the project at False Caye. I had no details on the project and was not in a position to endorse it personally or as a BTIA representative. I cannot endorse a project on behalf of the BTIA membership without member support.

“In discussions with Mr. David Vernon, BTIA Chairman, he reports that there is 99% employment in the peninsula...”

I cannot be quoted that there is 99% employment in Placencia, because I do not know those figures. What I would have said is that numerous workers are coming into Placencia and finding work mostly due to the increased construction on the peninsula and there seem to be lots of jobs to be had.

“The Placencia BTIA welcomes this type of development at False Caye since it brings in employment at all levels. Chairman Vernon also envisions that the future of tourism in the peninsula is construction of condominiums; already two of the proposed five are already functioning. It is the expressed feeling that the development will attract more tourists to the peninsula area and thus increase business activity.”

Lastly, I did not say that I envision the future of tourism in Placencia to be condominiums. I said that it appears from all the new construction that tourism in Placencia is going in the direction of condo developments – stated as a fact. It is definitely not my personal vision for Placencia.

It is obvious that my words were twisted and taken out of context to show local support for the False Caye development. While I do support sustainable development, I would not endorse a project I know little about,

nor endorse it as chairperson of Placencia BTIA without support of the National and local BTIA board and its members.

Sincerely,

David Vernon

For more information about the Belize Tourism Industry Association position on False Caye, please contact the BTIA at telephone 227-5717 / 1144, E-Mail: [info@btia.org](mailto:info@btia.org) or visit our website at [www.btia.org](http://www.btia.org)

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