

BELIZE

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August 10, 2009

Mr. Marco Caruso
The Placencia Hotel
Placencia Peninsula
Stann Creek District



Department of the Environment
10/12 Ambergris Avenue
Belmopan,
Belize, C. A.

This is the letter from DOE to Placencia Marina marked "IF4" and referred to in Affidavit of Ismael Fabro sworn to before me on the 18th day of November 20 10


Commissioner of the Supreme Court

RE: Placencia Marina EIA

Dear Mr. Caruso:

Kindly be informed that the National Environmental Appraisal Committee (NEAC) met on August 5, 2009, to review the Environmental Impact Assessment (EIA) for the proposed Placencia Marina, Placencia Marina Limited.

At said meeting the NEAC was unable to make an informed recommendation due to the overall inadequacy of the document. The EIA report was poorly written, lacked scientific data and supporting documentation, and most importantly the potential impacts and their corresponding mitigation measures were not properly thought through or presented therein. Consequently, the NEAC recommended to the Department of the Environment (DOE) that the EIA be revised as per the previously approved Terms of Reference (TOR) and resubmitted at a later date.

In addition, the NEAC requested that details discussed with the Consultants at the August 5th, 2009 meeting be emphasized within the Revised EIA Report. This information includes, but is not limited to, the following:

1. Details on the coastal dynamics of the project area, such as wave action, current movement, erosion and accretion potential, flushing of the marina and preferred design of the facility, etc.). This information would need to be developed into a numeric modeling format that would greatly assist in finalizing the design and specific location of the proposed marina, among other issues of concern.
2. Details on the Methodology proposed for the 'grounding/anchoring' of the geo-tubes to the seabed, especially taking into consideration hurricane events. This method should contemplate safeguarding the developer's investment and environmental mitigation measures necessary.
3. Information on the potential negative impacts to species of conservation significance, particularly in regards to manatees and migrating routes.
4. Information on the national legal requirements and international obligations for the development of a marina facility, bearing in mind the navigational issues and international maritime requirements (ISPS, IHR2005, MARPOL, etc.). This should include the issue of internationally generated waste and its required management.

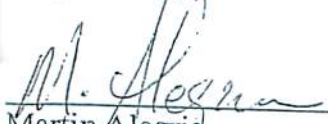
5. Details on the methodology used, and the calculations, to ascertain the volumes of dredged/excavated materials needed for the development. This is critical in order to determine source, quality and potential impacts.
6. Details on the social & economic benefits of this marina project to the nearby communities, and Belize as a whole.

The Department of the Environment has decided to accept such a recommendation and hereby requests that the EIA be revised and resubmitted at your earliest convenience.

Kindly submit thirteen hardcopies and one digital copy of the revised EIA to the Department for subsequent distribution to the NEAC members.

Thanks for you kind attention.

Respectfully,



Martin Alegria
Chief Environmental Officer
Department of the Environment

cc: Mario Fernandez, Natural Resource Consulting