



## Peninsula Citizens for Sustainable Development

General Delivery, Placencia Peninsula, Belize

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16 February 2010

Mr. Martin Alegria  
Department of the Environment  
10/12 Ambergris  
Belmopan, Belize

Re: Placencia Marina Review

Dear Mr. Alegria:

PCSD yesterday received a copy of a letter to you from Mr. Ismael Fabro, former Chief Environmental Officer of DOE during the PUP administration. In his letter to you as the current Chief Environmental Officer, Mr. Fabro asks that the Placencia Marina be approved without the oceanic modeling and bathymetry studies NEAC has deemed necessary to determine what effect this proposed marina will have on longshore currents, flushing, alternative breakwater design and the flow and movement of sediments – all of which could have a significant impact on the Placencia Peninsula and its off-shore cayes.

Instead, Mr. Fabro asks that the Placencia Marina Environmental Impact Assessment be approved by DOE and NEAC without this information, but that DOE require the studies to be performed *after approval* as a condition of the Environmental Compliance Plan. Mr. Fabro's reason for asking for approval without required information is to protect the developer (Marco Caruso) and his investors.

Ironically, one of the arguments Mr. Fabro uses to induce DOE and NEAC to comply with his request is that bathymetry studies and modeling were not required by DOE under Mr. Fabro's reign as Chief Environmental Officer of DOE even though expert after expert said that they were critically necessary before a marina could be responsibly approved. We believe the crux of Mr. Fabro's argument is that the negligence of DOE and NEAC in years past should justify its continuing negligence.

Also, Mr. Caruso's own actions seem to be the reason for any delay that might be involved with performing the necessary modeling and studies. Mr. Fabro's first amendment to the marina EIA submitted in January 2010 claimed that the bathymetry and modeling tests simply could not be performed. However, the second amendment, submitted one month later in February 2010, suddenly admits that the tests CAN be done, but only with additional cost and time requirements. The terms of reference for the marina EIA have always required these bathymetry studies, so Mr. Caruso could have done them months ago for submission with the original EIA.

Further, Section 20-(2) of the Environmental Protection Act, CAP 328 of the laws of Belize, clearly states that an EIA must evaluate the effects of developments on people and the environment **BEFORE** any environmental approval can be given. This **LAW** of Belize does **NOT** allow DOE to approve an EIA and then figure out what effects the already approved development will be **AFTER** the development is already under construction.

One man and his dreams of wealth simply cannot take precedence over our laws and the protection of the health, welfare and environment of everyone else in this country.

Neither our laws nor common morality allow it, and please be advised that if NEAC and DOE approve the Placencia Marina without studies identified by NEAC and Fisheries in writing as necessary **BEFORE** any decision is made, PCSD will be forced to consider legal action against DOE and NEAC.

In addition, the marina EIA, even as twice amended, does not mention Section 14.1 of the Over-Water Structure Guidelines, January 2010, produced by DOE itself with consultation provided by Mr. Fabro himself. These Guidelines prohibit a marina of this size and should have precluded NEAC and DOE from even considering the marina: As stated in Section 14.1:

The construction of Overwater Structures in coastal Urban Areas (Corozal Town, Belize City, Dangriga Town, Punta Gorda, San Pedro East Coast, Caye Caulker East Coast, St. George's East Coast and **Placencia East Coast**) will not be allowed/permitted. Where extreme/vital need arises, proper justification for such an individual case will need to have been legislated for within Local Master Plans, must be low density (**not more than 10 boat slips or 4,000 square feet**), and will also be required to first have the written approval of the Local Planning Authority or Local Government, following a public consultation. This must be complied with before proceeding to obtain the pertinent permits as specified in Guideline 1.1 below. These permits shall not be issued for a project within the above-mentioned urban areas unless it has written approvals mentioned above. (emphasis added)

The public has not been allowed any input into the dredging of 10-12 acres of the Placencia Lagoon to a depth of 9 feet. The original EIA said that dredging would be in the Caribbean, under the marina. The EIA consultants at the public consultation contradicted the EIA and said dredging would be in the Placencia Lagoon. The January Addendum to the EIA did not provide the location of the dredging for the fill for the geo-tubes. The second Addendum, dated 15 February 2010, finally admitted that the dredging would be in the Lagoon "within the developer's lagoon property lines."

As we are sure you are aware, the developer does not and cannot own land **UNDER** the Placencia Lagoon. That is national land, which can only be conveyed by the government for a **PUBLIC** not a **PRIVATE** investment purpose.

We also wonder how deep Mr. Caruso's hole already is in this section of the Placencia Lagoon where Mr. Caruso has been dredging **for years**. We notice that the marina EIA does not provide the existing depth of the Lagoon in this area after Mr. Caruso's previous dredging and mining. Nor does the EIA analyze the effects this proposed dredging will have on sea grass, manatee, fish and other aquatic life in the Lagoon.

In fact, the marina EIA does not address at all the environmental impacts of dredging in the Lagoon as required by the Terms of Reference for the Placencia Marina EIA, specifically, Section B, 1.02 of the TOR which requires a survey of the aquatic vegetation that will be affected, Section B, 1.04 which requires highlighting measures that will enhance the habitat value of the project area and Section B, 6.02.07 which requires evaluating the benthic substrate of the area to be dredged.

Please also note that despite the vast amounts of dredging done by or on behalf of Mr. Caruso and his developments, silt curtains to protect the rest of the Lagoon from the damage caused by dredging have never, not even once, been used during Mr. Caruso's dredging.

Finally, we note that while the amended marina EIA states that the acreage of the marina was reduced from 50 acres in the original proposal to 34 acres in the new proposal, the new marina will actually be over 60 acres when the breakwaters are figured into the area calculation.

We have other comments that we would like to make, but it does not appear that the public will be given an opportunity to make comments even though two addendums have been required to address problems with the original EIA – so many changes that issues raised at the initial public consultation do not even address the marina as it is now presented.

We eagerly wait your reply.

Sincerely,

Peninsula Citizens for Sustainable Development,  
Limited



By:

Vincent Lopez, Co-Chair



By:

Mary V. Toy, Co-Chair

enclosures: copy of Fabro letter; copy of NEAC minutes of 21 January 2010

cc:

Prime Minister Dean Barrow

Gaspar Vega, Ministry of Natural  
Resources

Ms. Beverly Wade, CEO,  
Ministry of Natural  
Resources

Belize Association of Conservation  
NGOs

South Coast Citizens for Sustainable  
Development

Southern Environmental  
Association

Wil Maheia

Coastal Zone Management Authority

Ambergris Caye Citizens for  
Sustainable Development

Belize Tourism Industry Assoc.

