

# DEPARTMENT OF THE ENVIRONMENT

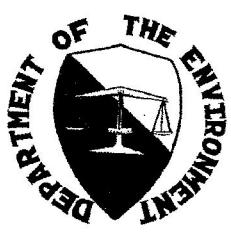
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Please Quote :PRO/SUB/11/160 VOL 2/15(70)



December 28, 2015

Mr. Hart Porsch  
President  
**BALAM INVESTMENT LLC**  
2625 Collins Avenue, Ste. 1206  
Miami Beach, FL 33140

Dear Mr. Porsch,

Please be informed that ***Environmental Clearance*** is hereby granted to **BALAM INVESTMENTS, LLC** for the proposed Balam Jungle Estates Development, a Residential and Tourism Development located near Shipstern Lagoon in Corozal District.

This Environmental Clearance is granted subsequent to the signing of an Environmental Compliance Plan (ECP) on December 28, 2015.

Kindly be informed that **BALAM INVESTMENTS, LLC** is required to comply with all the stated terms and conditions within the Environmental Compliance Plan. Disregard of any of the terms and conditions stipulated in the compliance plan will result in the revocation of the ***Environmental Clearance*** and/or legal actions being taken against **BALAM INVESTMENTS, LLC**.

No changes or alterations to what has been agreed within the ECP may be permitted without the written approval of the Department of Environment

Thank you for your kind consideration and cooperation in addressing these issues of mutual concern.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Alegria".

Martin Alegria  
Chief Environmental Officer  
Department of the Environment



# ENVIRONMENTAL COMPLIANCE PLAN

**WRITTEN BY:**

***THE DEPARTMENT OF THE ENVIRONMENT***

***PREPARED FOR***

Balam Investments, LLC  
***(Balam Jungle Estates Development)***

A Proposed Residential/ Tourism Development Located  
Near Shipstern Lagoon, Corozal District

***DECEMBER, 2015***

# **ENVIRONMENTAL COMPLIANCE PLAN FOR BALAM INVESTMENTS, LLC *A RESIDENTIAL/ TOURISM DEVELOPMENT PROJECT* LOCATED NEAR SHIPSTERN LAGOON, COROZAL DISTRICT BELIZE, CENTRAL AMERICA**

The following are the terms and conditions of the Environmental Compliance Plan (ECP) entered into between Balam Investments, LLC hereinafter referred to as **THE DEVELOPER**, and the **DEPARTMENT OF THE ENVIRONMENT (DOE)** hereinafter referred as **THE DEPARTMENT** in respect to the development of a residential/ tourism development located near Shipstern Lagoon in the Corozal District.

It is agreed by the Developer that the terms and conditions of this environmental compliance plan (ECP) shall be binding upon **THE DEVELOPER**, its servants or agents, successors, or assigns. The terms and conditions embodied in this ECP are made pursuant to section 20 (7) of the Environmental Protection Act, Chapter 328 of the Laws of Belize, Revised Edition 2000, and all other relevant provisions of the Act. Environmental Clearance is being granted under a series of conditions contained in this ECP.

## **PURPOSE**

The purpose of this document is to officially institute best practice measures that would prevent, control and mitigate the environmental degradation that may arise from the project. The specific actions proposed have been made only after careful analysis by the National Environmental Appraisal Committee (NEAC) of the information contained in the Environmental Impact Assessment and its Addenda, and identification of potential negative environmental impacts associated with such development projects. It must be borne in mind that this Environmental Compliance Plan (ECP) was prepared based on the best available information on the project contained in the Environmental Impact Assessment and Addenda prepared for this project. Therefore, the Department of the Environment (DOE) reserves the right to make modifications to this ECP, with prior notification to the Developer, as the project develops and more information becomes available.

The Developer agrees to strictly adhere to this document during all stages of the development of the project. The Department of the Environment and other relevant agencies will conduct compliance monitoring. Disregard of the terms and conditions of the ECP specified herein may result in The Developer's permits and environmental clearance being revoked.

This ECP is dynamic, and may be reviewed and revised from time to time as the project develops and more information becomes available. The Developer must note that obtaining environmental clearance does not absolve the Developer from the need to obtain other permits and approvals from other relevant agencies. Notification of any disregard or violations shall be presented to the Developer/agents/successors or assignees in writing who shall immediately take actions to rectify the violation.

## **1.0    SPECIFIC ACTIVITIES FOR WHICH CLEARANCE IS BEING GRANTED**

- Balam Investments, LLC has proposed a master plan for the development of a residential tourism project that will entail placement of 25,000 domicile units on 37,400 acres of coastal scrub (Glady) forest & savanna in 5 sequential stages over a period of 25 years.
- Environmental Clearance has been granted for both the Master Plan concept, and the first stage of development as petitioned in the Environmental Impact Assessment submitted for The Balam Jungle Estate Development in September 2007.
- Planning documents for each subsequent stage or phase of development must be submitted to the Department of Environment for review and determination of compliance with the approved master plan concept, along with the understanding that the requirement for submission of any further environmental studies in support of any subsequent petition(s) for environmental clearance will be as per the Environmental Protection Act, 2000 and the Environmental Impact Assessment (Amendment) Regulations, 2007.
- Therefore, the Developer shall ensure that the purchasers/owners of any subsequent stage(s) or phase(s) or sub-component(s) thereof are informed that development of such parcels falling within the planning envelope of stages two through five shall be required to obtain separate Environmental Clearance.

**Environmental Clearance is granted for the following components of phase 1 of the overall project for Balam Investments, LLC a "Residential Tourism Master Plan".**

The "Residential Tourism Master Plan" will include the following components establishment of:

### **1. Full-service resorts/hotels (1,000-1,500 rooms)**

- Discovery Bay Resort (4-star)-350-500 rooms
- Oceanfront hotel (Marriott class)-500-750 rooms
- Island hotel (Ritz Carlton class)-150-250 rooms

### **2. Residences (2,500-3,500 units)**

- Hotel affiliated residences (200-400 units)
- Marina Village (200 - 400 units)
- Discovery Village (100-200 units)
- Residences (1,500 to 2,500 units)

### **3. Community and recreational amenities**

- Discovery Village (vendors, street performers, exhibits, etc)
- Blue Hole pools, water recreation/sports
- Art park
- A 15 acres marina to accommodate (50-200 slips) and the creation of 35+acres of navigable waterways within the Caribbean Sea
- Casino
- 18-27 holes golf course
- Airstrip of not more than 2,000 meters in length
- Convention space
- Retail/restaurants
- Public carriageways

- 4. Social/community aspects**
  - Kindergarten to 12<sup>th</sup> Grade School
  - Medical facility
  - Public safety/police/fire
  - Civic/community center/Library
  - Interfaith chapel
  - Green Technologies Research and Education Center (GreenTREC)
- 5. Implementation of a Sustainable Forest Management Plan developed for Balam Investments, LLC.**

This compliance plan addresses the overall conditions which will guide the development, however it is also understood that EACH separate component shall require separate Environmental Clearance from the Department prior to commencement of any construction on any of the above-mentioned components of the phase.

## **2.0 ENVIRONMENTAL RISK ANALYSIS**

The Department of the Environment has prepared this environmental risk analysis based on the Environmental Impact Assessment, Addenda and other relevant information gathered by the DOE and NEAC. This Environmental Compliance Plan (ECP) was then developed to prevent, control and mitigate the deleterious impacts associated with this type of development.

### **POTENTIAL SOURCES OF ENVIRONMENTAL IMPACT DURING DEVELOPMENT OF THE PROJECT:**

- Contamination of water resources during pre and post project stages from increased liquid waste disposal problems.
- Contamination of soil resources.
- Contamination of groundwater and marine resources during pre and post project stages from the following: siltation, sewage, desalination, fuel, oil, boating activities and solid waste production.
- Changes to the hydrographic characteristics of the area, with its associated increase in potential flooding.
- Increased sediment loading downstream from dredging sites.
- Changes in population dynamics arising from the development and its consequential environmental effects.
- Increased vehicular traffic in zone of influence.

This list is by no means an exhaustive list of potential environmental problems that could arise from the said proposed project.

### **3.0 ENVIRONMENTAL COMPLIANCE PLAN**

After review of the Environmental Impact Assessment and Addenda submitted, the Department of the Environment (DOE) and **The Developer** agree to the following:

The implementation of this project will be carried out only for those activities described in section 1 of this Environmental Compliance Plan (ECP). No further development shall take place outside of what has been proposed hereunder without the prior written permission of the Department of the Environment.

**The Developer** will apply to the Department for *Environmental Clearance* for all new activities outside of what is agreed upon in this Environmental Compliance Plan.

Recognizing that the project could have significant negative environmental impacts, **The Developer** hereby agrees to take the necessary measures described in the following actions, to prevent, control and mitigate for these impacts.

#### **3.01 ACTIVITIES RELATED TO LAND CLEARING.**

Considering that much of the area is presently pristine:

- 3.01.1 Vegetation clearance will be limited to only what is required for surveying of the land of the various components of the project.
- 3.01.2 The Developer will ensure that all the requirements of the Forest Department for the clearing or alteration of mangroves and other vegetation are met and that the appropriate permits are obtained prior to the surveying of the project site.
- 3.01.3 During the survey the Developer will identify the key arboreal microhabitats within coastal savanna habitat such as rookeries and breeding sites of coastal birds which are to be kept in its natural state. This shall be done in consultation with and the approval of the Forest Department and the Department of Environment.
- 3.01.4 The developer will identify areas within the development rich in littoral forests and which will be kept in its natural state, removal of such plants would require replanting in other areas to allow for enhancement of coastal areas.
- 3.01.5 The littoral forest will be preserved and incorporated into the proposed developments overall beach development and land use plan.
- 3.01.6 Native plants, along with other horticultural plants, will be utilized in landscaping and replanting, particularly in areas devoid of trees.
- 3.01.7 The Developer will fully implement its Forest Management Plan as agreed to with the Forest Department requirements.

- 3.01.8 To aid in the monitoring of the Forest Management Plan, the developer will pay an annual monitoring fee of Ten Thousand Dollars (BZ \$10,000), this will be paid to the Department to aid the various agencies in particular the Forest Department in compliance monitoring of the Forest License, this fee will be paid annually for the remainder of the forest license.
- 3.01.9 The developer will establish protection areas or buffer zones of 20 meters (66 feet) that are to be left on all sides of all the water bodies identified in all development zones, save and except for those areas specified for marina development.
- 3.01.10 The Developer will enforce a strict no hunting, and fishing policy as per the Sustainable Forest Management Plan.
- 3.01.11 The developer will identify important habitats as well as species listed by CITES to ensure that these species are left undisturbed.
- 3.01.12 The Developer will as much as possible keep any fringing mangroves clearing be kept to a minimum.
- 3.01.13 The developer will develop and implement a fire management plan to address the possible risks of fire within the timber extraction area as well as the residential / tourism development of the project.

## **3.02 CONSTRUCTION OF ACCESS ROADS, EARTH MOVEMENT AND RELATED ACTIVITIES**

In an effort to mitigate the negative impacts associated with the extraction of fill material and soil alteration, the developer agrees to take the following measures:

- 3.02.1 The developer must obtain the necessary license/permission from the Geology and Petroleum Department prior to embarking on any earth movement activities.
- 3.02.2 Any excavated or dredged material will be used for (i) the sole purpose of elevating the low-lying parts of the property, (ii) beach reclamation and/or nourishment and (iii) for the construction of the roadways to and within the property.
- 3.02.3 Whilst the dredging or excavation activities are occurring silt curtains will deployed during any dredging activity to limit sediment travel; the lower ends of the curtains should rest on the seabed whilst the top should always be above surface of the sea.
- 3.02.4 The developer will consult/coordinate and abide with the Belize Port Authority and its requirements in addressing any possible navigational hazard during both the construction and operational phases. In addition, the developer will duly inform the General Public of its operations as per Belize Port Authority Regulations.
- 3.02.5 The developer will ensure that marker buoys and navigational lights are deployed and activated on barge and that sediment curtains are marked with brightly colored buoys and beacons that are fully functional from 6:00 am to 6:00 pm on a daily basis.

- 3.02.6 All dredging activities that are relatively small in scope should be limited to a single operation and implemented only during calm sea states.
- 3.02.7 Silt traps will be constructed in drains leading from disturbed sites to the sea to allow sediments to settle out from storm-water runoff. In doing so, temporary diversions will be used to direct runoff to sediment traps.
- 3.02.8 Any area showing significant levels of accretion will be maintained by extracting the sediments through the use of a suction dredge. These extracted materials will be disposed of by:
- (i) Establishing a dewatering/ stockpile area within the project site for the extracted materials; these materials will then be used in the ongoing landscaping.
- 3.02.9 Considering that material for the dredging activities from the expansion of the turning basin could have impacts on the surrounding water quality, the Developer will have a proper spoil de-watering area, wherein berms of an appropriate height will be constructed around the perimeter of the dewatering site to properly contain any spoil slurry associated with the material. All berms will be constructed of clay materials, and properly compacted to avoid structural failure of the walls.
- (i) To assist in the reduction of sediments released from the de-watering site, geo-textile materials will be employed if and when the need arises.
  - (ii) To assist in the filtering of the spoils, velocity reduction structures will be employed in the de-watering site. The Developer will install "Y" shaped flow-reducing structures along with raised bars and other appropriate structures at the effluent outfall to minimize the amount of suspended sediment in the released effluents.
  - (iii) No sediments deposited at the de-watering site will be removed from the site until a minimum of eighty percent (80 %) of the water content has been removed from within the sediments.
- 3.02.10 The Developer will conduct a chemical analysis of the sediments on a five year basis to determine the presence and concentration of key heavy metals, and other persistent organic pollutants prior to maintenance dredging of the access channel and turn basin. Also, a representative composite sample will be taken of the deposited sediments to determine the levels and the extent of key heavy metals contamination in these sediments, including the bottom most layers.
- 3.02.11 The developer will take yearly measurements of the dredged area to determine the rate of sedimentation.3.02.12. The Developer will within 18 months of signing this ECP conduct an assessment of the existing near shore and offshore sedimentation patterns in order to serve as baseline data for long term sedimentation monitoring of this project, the results of these studies will be submitted to the Geology and Petroleum Department (GPD), Physical Planning Section (PPS), Lands & Surveys Department and the Department of Environment (DOE)

### **3.03 WATER RESOURCES**

- 3.03.1 The Developer will be responsible to supply potable water for the entire Balam Jungle Estate Development.
- 3.03.2 Considering the type of development proposed the Developer will ensure that water supply for fire protection and fire hydrants purposes is established within the confines of the Balam Investments, LLC. This shall be done in consultation with the Belize Fire Service.
- 3.03.3 The developer will be responsible for the supply of potable water for the entire development through a combination of rainwater catchments and use of a reverse osmosis plant.
- 3.03.4 The primary source of potable water for the entire development will be provided through the installation of Reverse Osmosis Plant (R.O.) plant. The developer will ensure that an analysis of the water intended as the supply source (shallow wells) shall be conducted by an independent laboratory and the results of these analyses will be submitted to the DOE. The tests to be conducted should include, but not limited to, the following parameters: fecal coliform, nitrates, nitrites, phosphates, salinity, pH, hardness, fluorine, arsenic and sulfides. Thereafter, the developer shall conduct bi-annual analysis of this source and the results submitted to the Department. Likewise, the developer shall ensure that water quality testing is carried out for potable water produced by the R.O. Plant on a bi-annual basis and the results submitted to the Department.
- 3.03.5 Freshwater may be supplemented by means of rainwater catchments. For this purpose the developer may construct cisterns for storage of rainwater. Should this source be intended for consumption, the developer will ensure it is adequately treated/ chlorinated before use.
- 3.03.6 In an effort to conserve freshwater, the developer shall use exclusively low volume flush toilets and other water saving devices for the entire development.
- 3.03.7 If an alternate water source becomes necessary, a proposal will be submitted to the Department of Environment at the time it is applicable.
- 3.03.8 The developer will develop a method to monitor its daily water intake and output to be used at the project site. A copy of these abstraction rates will be submitted to the Department on a quarterly basis.

### **WATER QUALITY MONITORING PROGRAMME**

- 3.03.9 **The Developer** will immediately develop and start implementing a Water Quality Monitoring Programme of the nearby surface waters to form baseline data. During construction and operational phases, when effluent is being discharged from the many activities of this development, the parameters to be monitored on a monthly basis will include: **Dissolved Oxygen, Turbidity, Ammonia, Nitrogen, Suspended Solids, Sulfates,**

**Alkalinity, Chemical Oxygen Demand (COD), Phosphates, Nitrates/Nitrates, Chlorine, Temperature, and pH.** Data resulting from this monitoring programme will be submitted to the DOE on a quarterly basis. The expenses associated with the water quality monitoring program will be borne by the Developer.

- 3.03.10 The Developer will ensure that copies of the results of its water quality monitoring programme are submitted to the Department of Environment and Public Health Bureau and made available on-site at all times for inspection.

### **3.04 WASTE DISPOSAL**

In an effort to control, reduce and prevent the environmental impacts associated with waste generation and disposal, **The Developer** agrees to take the following measures.

#### **Liquid Waste**

- 3.04.1 All Sewage and wastewater disposal at Balam Investments LLC will be by the use of the Liquid Waste Package Treatment Systems whether these are modular or individual systems.
- 3.04.2 At the domestic marina, a dockside pump-out system for sewage waste will be installed on each of the marinas piers to service vessels docked at the slips. The dockside pump-out system must at least consist of centralized vacuum pumps (suitably located) and PVC pipes with flexible hoses along with expansion joint connecting to the designated BEST Treatment System.
- 3.04.3 A bilge pump-out system will also be installed on each of the domestic marina piers. The system will consist of an oil/water separator, peristaltic pump, and a hydrocarbon accumulator. The oils will be collected from the oil/water separator and the water pumped to the BEST Treatment Plant for treatment designated for servicing the domestic marina.
- 3.04.4 The Developer shall ensure that these treatment systems are situated within the utility area where they will not pose a nuisance to guests. In the event that the Developer intends to use a system other than the one presented in the EIA, specifications on the system of choice will be submitted to the DOE for vetting and approval prior to its installation.
- 3.04.5 No effluent from any sewage treatment system will be discharged into any drains where it can contaminate the surrounding water bodies.
- 3.04.6 Only effluent or treated wastewater that meets the minimum standards set in the Effluent Limitations Regulations will be permitted to be recycled for irrigation purposes.
- 3.04.7 The results of water quality tests on treated effluent from the treatment system will be submitted to the DOE as baseline data. The monitoring programme would require quarterly analysis of the treated effluent from the sewage treatment plant.

- 3.04.8 Low volume flush toilets will exclusively be used for the overall development. The Developer will ensure that irrigation loading does not exceed the background capacity of the soils to retain and polish the treated effluent to be used to maintain post land-fill landscaping.
- 3.04.9 Regular maintenance of all sewage and wastewater facilities will be performed by the Developer to ensure proper functioning of the facilities. Special care must be taken in order to avoid contamination of the surface and ground water, and the surrounding environment. All chemical and hazardous wastes (such as paints, thinners, acids, used oil etc.) will be properly collected in sealed containers for final disposal at a designated disposal site.
- 3.04.10 Waste oils will be managed and disposed of properly without contaminating the land and surrounding water bodies. All waste oils will be stored in sealed containers for future disposal as per recommendation by the DOE.

#### **Solid Waste**

- 3.04.11 The Developer will ensure that an adequate amount of waste collection bins are located in key locations at the project site.
- 3.04.12 All garbage storage containers will be sealed to the greatest extent possible to prevent the escape of odor and fly infestation and should be maintained on a daily basis. The location of these storage containers must take into consideration such factors as air pollution, odor, aesthetic values, access/safety and waste flow reduction.
- 3.04.13 Hazardous waste including tires, lead acid batteries and used oil, these will be stored in a special containment area for transportation to appropriate sites designated by the DOE.
- 3.04.14 The Developer will promote the:
- \* Separation of garbage into organic and inorganic wastes; and
  - \* Encouragement of reusing, recycling, reducing and composting of organic wastes.

- 3.04.15 Special receptacles (corrosion-free and resistant to petroleum-based products) will also be provided for the collection of used oil, oil filters, contaminated soils and empty containers. These will be transported to the mainland for disposal at an officially designated sanitary landfill.

#### **3.05 SEA BASED TRANSPORT**

- 3.05.1 Proper and adequate signage will be placed to establish designated navigational lanes, to limit vehicle traffic speed and no wake zones, for cruise ships and other sea based transportation in the area.
- 3.05.2 Prior to commencing construction of facilities for boat docking purposes, the Developer will obtain required license/permit from the Lands and Surveys Department.

- 3.05.3 Any fuel stored on site will be in above-ground fuel storage tanks and will comply with the guidelines of the DOE and National Fire Service.
- 3.05.4 Any spill shall be contained and cleaned-up immediately and the DOE shall be informed immediately. The Developer shall bear all cost associated with the clean-up of any spills.
- 3.05.5 Maintenance works of marine vessels associated with fiber glass sanding and spraying will be done in accordance with the “fiberglass best practices”.
- 3.05.6 The developer will ensure that all equipment and boats at the marina are fueled at selected spots, and that employees be trained in safe fueling procedures and proper disposal of petroleum waste, and solid waste collection.

### **3.06 ENERGY AND FUEL ISSUES**

- 3.06.1 The Developer will be responsible to supply electricity for the entire Balam Investments LLC.
- 3.06.2 As a secondary source of electricity supply, back-up generators will be installed at strategic locations at the project site. Should this be necessary, these generators will be on concrete pads in a soundproof facility where it will not affect guests at the project site. Proper measures will be taken in order to avoid fuel and oil spills, during their operations and maintenance. If fuel or oil spills occur accidentally, they will be cleaned as early as possible and the matter reported to the DOE as soon as possible.
- 3.06.3 All fuel storage tanks will be placed on a concrete pad within a containment area to minimize potential negative impacts from oil/fuel spills. The containment area must have a volume of 110% of the biggest fuel storage tank and must be made of an impervious material (such as concrete). The storage of any fuel (butane, diesel, gasoline, etc) will comply with the guidelines of the Department of the Environment and the National Fire Service.
- 3.06.4 The developer will provide training for all staff members involved in the management and disposal of fuels and waste oils to minimize the potential risk of spillages. Training should be conducted on a quarterly basis.
- 3.06.5 Special receptacles will also be provided for the collection of fuel/oil filters and empty containers.
- 3.06.6 During the construction and operational phases of the project, any spill (oils, lubricants and cleaning solvents) will be promptly cleaned and immediately reported to the DOE. The following guidelines should be followed in cleaning up small spills:
- i. Prevent any of these substances from entering storm water system or septic tanks.
  - ii. Mop up and contain spill immediately with Drizit, sandbags, sand or soil;
  - iii. If any of the spill enter the storm water system, the flow must be intercepted before it can contaminate other areas; and

- iv. If natural water systems are contaminated, use straw bales, absorbent booms and sand bags dams for containment and absorption.
- 3.06.7 There should be at least one (1) twenty-pound fire extinguishers per building site which should be placed at strategic locations within the buildings.
- 3.07 CULTURAL AND SOCIAL ISSUES**
- It is important that cultural and social issues be addressed so as to achieve sustainable development.
- 3.07.1 As long as there are qualified and available Belizean workers, no labor force will be imported. If this labour force is not sufficient, then foreigners with a valid Belize work permit will be employed.
- 3.07.2 All safety and health measures will be observed for all workers. Potable water, rest-room facilities and adequate accommodations will be provided during the construction phase. Adequate health services will be provided for guests and employees.
- 3.07.4 The Developer will ensure to train, educate and familiarize all employees with the various emergency plans for the Balam Investments LLC facility. Moreover, the developer will educate them about their roles and responsibilities in case of an emergency(s). These emergency plans/ and duty rosters should be posted where all employees can access them easily.
- 3.07.5 All areas designated for public use be it either for parks, police, fire or medical services will be properly kept by the Developer. Whilst these services are lacking the Developer will ensure to provide these services to all residents and visitors to the project.
- 3.07.6 The Developer will be responsible for the overall management of the facilities at the project site, however provisions must be included in the management scheme to allow for the provisions of governance from the Ministry of Local Government.
- 3.08 MISCELLANEOUS**
- 3.08.1 The Developer will ensure to adapt the hurricane preparedness plan, notification and evacuation plan presented in the EIA will be adopted and implemented by clients at the Balam Investments LLC Facilities.
- 3.08.2 The Environmental Compliance Plan is a binding document, therefore it cannot be transferred to any other company, organization or interested party, without transferring the land or part of it and binding the subsequent developer to the same terms and conditions. This ECP was developed for the sole use by Balam Investments LLC Limited and its co-developers.

- 3.08.3 The Developer will apply to the Department of the Environment for Environmental Clearance for all developmental activities taking place outside of what is agreed upon in this environmental compliance plan, which has been based on the Environmental Impact Assessment and its addendum submitted to the DOE.
- 3.08.4 It is understood, as described elsewhere in this document that restrictions apply to this ECP.
- 3.08.5 The Developer shall undertake at his expense such studies offshore as may be necessary in coordination and consultation with the Fisheries and Forest Department. This will be prior to the commencement of dredging activities. More specifically a benthic survey shall be conducted within the areas demarcated for dredging.

## **4.0 ENVIRONMENTAL MONITORING AND ENFORCEMENT**

The implementation of this Environmental Compliance Plan (ECP) will be the direct responsibility of the Developer. The Department of the Environment (DOE), in conjunction with other relevant agencies, in particular members of the NEAC, will carry out compliance monitoring to ensure that this Environmental Compliance Plan is being adhered to. During development, measures taken to mitigate negative environmental impacts will be reviewed to assure compliance with the objectives of the plan. As development continues, the adequacy of mitigation measures will be assessed and where necessary revised in consultation with the Developer.

- 4.01 Conditions outlined in this Environmental Compliance Plan will be incorporated in the final engineering designs for the Balam Investments LLC.
- 4.02 The Developer will ensure that requirements, which are contained as conditions of local licenses/permits, are stipulated in tender documents.
- 4.03 The Developer shall analyze all plans and specifications to make sure that specifications for any given component are in line with requirements and conditions of performance contained in this ECP, local sector licenses/permits, Belize laws, and standards and regulations with regard to environmental protection and conservation.
- 4.04 The Developer will appoint one on-site liaison/person responsible for environmental protection in work areas, for distributing information pertaining to environmental protection to design engineers/architects, to construction supervision engineers/architects/technicians, contractors and sub-contractors and all employees, and for reporting on behalf of the Developer to DOE on environmental issues.
- 4.05 To ensure that compliance monitoring with respect to this environmental compliance plan, the Developer, its servants or agents, successors, or assigns will pay an annual monitoring fee of Ten Thousand (\$10,000.00) to the Department of the Environment/Government of Belize. The monitoring fee shall be paid to the Department of the Environment within three (3) months of signing this ECP and every successive year thereafter on the same date the environmental compliance plan was signed for the duration of the project or as the Department may deem necessary.

## **REPORTING REQUIREMENTS**

The Developer will comply with all of the reporting requirements specified in this Environmental Compliance Plan.

- 4.08 Before commencing work on a separate area, phase or feature of the project, all environmental concerns relating to the activities contemplated, will be reviewed by the Developer, its agents or assigns. Periodic meetings will be held with all supervisors regarding the implementation of ongoing environmental considerations.

## **POST DEVELOPMENT REVIEW**

- 4.09 After the construction period, the exercising of sound environmental ethic shall not end, but rather provisions will be made by the Developer for the monitoring of all facilities and activities in the post-construction period. A system must be put in place for reporting negative impacts as well as a means of co-opting project proponents to implement corrective mitigation measures where the need arises.
- 4.10 Additional monitoring will be carried out by the Department and other public agencies to ensure that the various pollution control features and facilities installed are functioning and being maintained properly.
- 4.11 As previously mentioned, wanton disregard for the conditions agreed upon in this document may result in the revocation of this ECP, all permits and licenses issued for the implementation of this project, and in the imposition of administrative and/or legal penalties.

**Balam Investments LLC** herein agrees to fully comply with this Environmental Compliance Plan (ECP) and to commence operation of this project within one year from the date of signing this ECP. If this project does not commence within one year from the date of signing this ECP, this document will be null and void. Should this happen, the developer will need to re-apply for Environmental Clearance and a new plan may be prepared.

SIGNED on behalf of )

**BALAM INVESTMENT LLC**)

  
HART PORSCHE

PRESIDENT

)  
**BALAM INVESTMENTS, LLC**

I, Jorge Castillo, am the attesting witness to the due execution of the said instrument and the signature hereto subscribed as that of such attesting witness is in proper handwriting of the said deponent.

Sworn at the Department of the Environment, Belmopan,

The 28 day of December, 2015.

  
\_\_\_\_\_  
WITNESS

SIGNED on behalf of the )

**DEPARTMENT OF THE ENVIRONMENT**)

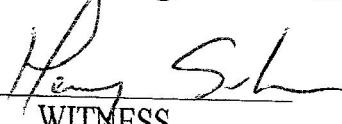
  
MARTIN ALEGRIA

) CHIEF ENVIRONMENTAL OFFICER

I, Henry Sanchez, am the attesting witness to the due execution of the said instrument and the signature hereto subscribed as that of such attesting witness is in proper handwriting of the said deponent.

Sworn at the Department of the Environment, Belmopan,

The 28 day of December, 2015.

  
\_\_\_\_\_  
WITNESS