

**ANNEX I**

**TERMS OF REFERENCE**

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**FOR AN EIA TO BE PREPARED FOR BELLCAN PROPERTIES FOR A**  
**TOURISM DEVELOPMENT NORTH OF ROCKY POINT ON**  
**AMBERGRIS CAYE**

This Terms of Reference (TOR) has been prepared following the scoping for the most critical issues that will need to be addressed by the proposed development.

In the preparation of the EIA, the EIA preparers will need to focus on addressing the main areas of concern, such as:

- i. Impacts on water resources and water quality**
- ii. Impacts on flora and fauna associated with habitat alteration**
- iii. Impacts associated with the extraction of materials;**
- iv. Possible impacts to groundwater and soil due Liquid/Sewage and solid Waste;**
- v. Possible impacts to marine transportation and navigation**
- vi. Possible impacts associated will fuel storage and used oil**
- vii. Possible impacts to any areas of historical significance.**
- viii. Possible impacts to the socio-economic framework of the community**

Scoping of these issues speeds up the EIA process, cuts down its cost, improves the quality of the development, and ensures that environmental concerns are clearly addressed.

This Draft Term of Reference (TOR) is divided into five (5) sections:

**A. PROJECT DESCRIPTION AND PHYSICAL ENVIRONMENT**

This section of the document deals primarily with information pertaining to the background of the project, and the physical environment within which it is proposed. The EIA will need to address:

**1.0 THE PROJECT DESCRIPTION AND LAYOUT PLAN**

Legible maps at appropriate scales (1:25,000) must be provided and with proper labels and legends to illustrate the general settings of project related development sites as well as surrounding areas likely to be environmentally affected. These maps shall include topographic contours, where available, as well as location of major surface waters, natural drainage, roads, parks or reserves, political boundaries and existing adjacent land uses (tourism, agricultural, industrial) and a photo-geologic/geomorphic map of the project area showing geomorphic features (by use of aerial photographs, if available). Additionally the following should be provided:

- 1.01 Give the exact location of the project and provide proof of ownership of the parcel(s) of land comprising the project site. Include a copy of the land tenure documents.

- 1.02 Include a map outlining the Bacalar Chico Marine Reserve including the layout plans of the entire project to proximity to the Belize Barrier Reef (Mesoamerican Barrier Reef) and as well as to the lagoon.
- 1.03 Provide the following plans:
  - a) The layout plan for the overall development, including siting of all facilities such as the utilities, water treatment facilities, sewage treatment facilities, storage facilities including boat storage, drainage facilities, administrative buildings, residential lodging (Beach front Casitas, Eco Villas), swimming pools, arrival pier, plant nursery, power generation, battery/fuel storage facilities, recycling/composting facilities, garbage storage/treatment facilities, etc.;
  - b) A detailed legible layout plan drawn to scale showing the dimensions of all buildings and proposed facilities, 66ft lagoon and sea reserve, areas of natural waterbodies, acreage of all parcel, 30 feet canal buffers (if applicable), size of roads, etc., and open spaces.
  - c) The physical plan for the development, including the siting and rationale of all facilities and infrastructure.
- 1.04 Describe briefly the facilities provided in the plans above.
- 1.05 Provide specifications for the following:
  - a. Waste treatment facilities; (liquid and solid)
  - b. Water Generating Facility
  - c. Energy Generating Facility (if applicable)
  - d. Recreational sites
  - e. Roads and Amenities
  - f. Tourism facilities
  - g. Piers construction (size and location)
- 1.06 Provide an outline of all water sport activities that will be carried out in the area (if any).
- 1.07 Provide outline of the overall management structure anticipated for the proposed development.
- 1.08 Describe the implementation of the project in terms of:
  - a) The time-frame over which the proposed undertaking is to take place, including starting date and conclusion;
  - b) The various phases of the project and the time-frame within which each phase is to be accomplished. (if applicable)

## 2.0 THE PHYSICAL ENVIRONMENT

- 2.01 Provide details of the basic physical environment of the project site and zone of influence. This should include:
- ◆ **Topography:** including degree of slopes, flood hazard, drainage patterns around project site and the effects of rainfall averages on these conditions
  - ◆ **Climate:** hydrology and meteorology: including rainfall average per year, prevailing wind patterns and susceptibility to disaster caused by natural events,
  - ◆ **Geology:** Provide a detailed description of the characteristics of landform, land surface including exposed rock types, types of unconsolidated materials exposed (sediments), rivers, tributaries, ridges, valleys, and geological structures — faults, folds, if they can be determined by field mapping.
  - ◆ **Soils:** soil profile, permeability, classification, fertility, and the potential for erosion of the soils on the project site;
  - ◆ Current land use of project site and adjacent properties;
  - ◆ Physical description of surrounding receiving water bodies including creeks, lagoons, sea front and the Belize Barrier Reef (Mesoamerican Barrier Reef).
- 2.02 Determine the projected number of buildings to be constructed, including casitas, villas, and other similar complexes. A scaled layout of all complexes and other infrastructure to be built and the proximity to each other should be shown.
- 2.03 Provide technical justification for the number of buildings, number of persons residing and visiting the project site/resort. This should be described in such a way as to determine the physical carrying capacity of the area.

## 3.0 POLICY, LEGAL AND ADMINISTRATIVE FRAMEWORK

- 3.01 Describe the pertinent regulations, standards and policies, at the local and national levels governing environmental quality, health and safety, protection of sensitive areas, including cultural resources, protection of endangered or threatened species, infrastructure development, land use control and tourism that may have an impact on the proposed development. Provide and discuss policy, legal or administrative issues as they relate to this proposed development.

## **B ENVIRONMENTAL ISSUES**

This section of the document primarily targets the environmental issues of critical concerns based on information provided in section A. The following are the critical issues a high quality EIA will need to address for this development. The EIA will need to address:

### **1.0 IMPACTS TO FLORA AND FAUNA**

For the project site and the zone of influence:

- 1.01 Collect baseline data (field study) on the terrestrial and aquatic fauna and flora; rare, endangered species and commercially valuable species within or in areas adjacent to the project site with special emphasis on the Belize Barrier Reef (Mesoamerican Barrier Reef), effluent receiving water bodies, source of potable water supply and immediate areas to be used for recreational activities. This should provide a baseline from which to detect any changes in the abundance and vigor of the species due to this development.
- 1.02 Provide a general description of the methodology used to collect baseline data this is to include the date, time, area surveyed and methodology used.
- 1.03 Estimate the acreage and type of vegetation within the development site designated for removal as well as the percent of vegetation to be removed, taking into consideration the establishment of appropriate buffer zones along all permanent water bodies on site.
- 1.04 Identify any species of conservation significance (threatened and endangered species), such as manatees, crocodiles, turtles, etc., and specify detailed measures for their protection, which may include the establishment of reserves within the project site.
- 1.05 Highlight, where appropriate, measures that could be taken to enhance the habitat value of the project area.

Map terrestrial habitats at 1:15,000, including mangrove and vegetation cover, natural drains, etc. This should incorporate clear indicators of percent cover and habitat composition and health

### **2.0 IMPACTS TO WATER RESOURCES**

- 2.01 Establish a base line on the water resources of the project area. This base line should include water quality assessment of the ground water and surface waters of the project site and zone of influence. This data should be collected at appropriate intervals to establish any seasonal variation in the water quality between dry and rainy season. The base line should include, at a minimum, the following parameters:

- i. Temperature;
- ii. Conductivity
- iii. Total suspended solids;
- iv. Total dissolved solids
- v. Total Nitrate (as N03- N);
- vi. Salinity
- vii. Dissolved oxygen (surface & below surface, a.m. & p.m.)
- viii. pH
- ix. Sulphates;
- x. Hardness;
- xi. Total Phosphate

Assays i, vii & viii, to be conducted in the field and the remainder to be conducted by an independent water quality consultant.

- 2.02 Determine the projected water needs for the entire development (including drinking water supplies, supply to household appliances, and irrigation of lawns, and other uses.)
- 2.03 Assess all sources of water supply, quality and quantity, paying special attention to determining the safe maximum sustainable yield it can provide.
- 2.04 Given the results from above, evaluate alternatives for the provision of water supply for the entire development.
- 2.05 Identify the preferred option for water supply required for project development, based on environmental grounds. Where the recommended water supply source is ground water, a proper pump test on the aquifer must be conducted. Specify any residual impacts of meeting water needs through this option, their significance, and any mitigation measures to be undertaken.
- 2.06 Provide an inventory of other users in the zone of influence with respect to the selected water supply source and identify any impacts thereon and mitigation measures to be undertaken.
- 2.07 Identify and develop a water quality monitoring program able to detect any change in groundwater or surface water quality that will be of significant detriment to:
  - i. Public health; and
  - ii. Forest, and adjacent habitats, and water bodies including the Belize Barrier Reef (Mesoamerican Barrier Reef).

### **3.0 LIQUID WASTE**

- 3.01 Determine the nature, composition, source(s) and volume of liquid waste to be

generated by the entire project, including sewage and grey water, pool, RO system and run-off for irrigation.

- 3.02 Evaluate a minimum of three alternative options for the collection, treatment, recycling (if appropriate), and disposal of these liquid wastes. Be sure to identify any chemicals planned for use in the treatment or management of these wastes.
- 3.03 Identify the preferred option(s) for liquid waste management, based on environmental grounds, including necessary infrastructure and land requirements. Specify any residual impacts of liquid waste management, their significance, and any mitigation measures to be undertaken.

#### **4.0 SOLID WASTE GENERATION**

- 4.01 Determine the projected types and volumes of solid waste to be produced by the entire development both during construction and operation. This should include organic, inorganic and construction waste. It will also need to include solid wastes coming from boats and other transportation vehicles. If composting of organic wastes is to be conducted, provide specifications on the location of the site and procedures to be followed for the composting.
- 4.02 Evaluate options for the collection, storage, treatment, recycling if possible and final disposal of these wastes, including hazardous wastes.
- 4.03 Select the preferred option(s) for disposal of these materials. This should be based on environmental grounds and public health grounds, and should specify any residual impacts, their significance and the mitigation measures, which are to be undertaken. Should the EIA determine that the construction of an on-site landfill is to be the preferred option, the EIA should include a study to determine the most suitable site for the construction of the landfill and detailed designs of the proposed landfill.
- 4.04 If the EIA suggests the use of an existing landfill, assess the ability of the community or local government to provide the necessary infrastructure, resources and management for the collection, storage, treatment and final disposal of solid waste generated by the project and provide appropriate recommendations for these, in the event that they are inadequate.

#### **5.0 GEOLOGY AND EXTRACTION OF MATERIALS**

- 5.01 Provide information on the specific soil type and submit results of analysis carried out to determine soil permeability/profile in the proposed project area.
- 5.02 Conduct at least three bores of a diagonal transect of the tourism area for the reconfirmation of bedrock for structural support.

- 5.03 Determine the type and volume of construction materials required for the entire development.
- 5.04 Consult with the Geology and Petroleum Department over fulfilling requirements for a quarry/mining license, which will be required before any dredging/mining commences.
- 5.05 In light of this consultation, evaluate options for meeting these needs, reviewing their sources, volume, extraction methods and transportation and identifying;
  - 5.05.1 direct and indirect biological impacts on flora and fauna, marine and terrestrial with emphasis on the Belize Barrier Reef (Mesoamerican Barrier Reef).
  - 5.05.2 direct and indirect physical impacts;
  - 5.05.3 impact on receiving water bodies, Caribbean Sea, lagoon, creeks wetlands, marshes and mangrove systems.
  - 5.05.4 impact on the Belize Barrier Reef (Mesoamerican Barrier Reef)
  - 5.05.5 specific mitigation measures for the above mentioned.
- 5.06 Evaluate the potential impacts of excavation/dredging on flora, fauna and human beings including information on sub-tidal habitat such as sea grass beds, macro-algal beds, the beach and near-shore environment including the Belize Barrier Reef (Mesoamerican Barrier Reef).
- 5.07 Identify the preferred option for the extraction methods, source, and transportation of materials, specifying the necessary mitigation measures, their residual impacts and significance.

## **6.0 ROAD TRANSPORTATION**

- 6.01 Provide a layout of any existing access road(s)/walkways to the development site. Identify whether any new roads/walkways will be required for the development.
- 6.02 Identify any changes in drainage patterns, if applicable
- 6.03 Evaluate options for the provision of suitable roads/walkways for the development, taking into account proper access to proposed facilities, etc.
- 6.04 Select preferred option for the provision of suitable roads/walkways for the development. This will need to examine construction materials (types, sources, volumes, transportation) and methods in relation to their environmental impacts.
- 6.05 Identify the preferred option for surface drainage system for the project area, including drains, culverts, bridges, and sedimentation structures and run off ponds.

- 6.06 Recommend mitigation measures, based on the specific option selected, for the proper management of the vehicular/boat traffic close to and within the project area. These mitigation measures must include recommendations for protection features against siltation, erosion, and other potential pollution to the environment.

## **7.0 WATER TRANSPORTATION**

- 7.01 Determine the projected number and types of boats likely to be associated with the entire development.
- 7.02 Evaluate options for storage of water borne vessels, (if applicable). This will require examination of:
- i. Dredging requirements/volume of materials to be dredged;
  - ii. Disposal/use of dredged materials;
  - iii. Physical characteristics of materials to be dredged;
  - iv. Benthic substrate
  - v. Design of marina
  - vi. Type of dredging equipment;
  - vii. Need for shoreline protection;
  - viii. Near shore and off shore current patterns;
  - ix. Near shore and off shore sedimentation patterns;
  - x. Wind conditions;
  - xi. Wave conditions;
  - xii. Transportation of construction materials;
  - xiii. Methods of controlling sedimentation of marina;
  - xv. Requirement for maintenance dredging (frequency & volume)
- 7.03 Provide bathymetry of the area to be dredged in particular the access channel and the marina area.
- 7.04 Evaluate options for the construction of beach protection structures/devices and identify the preferred option (if applicable).
- 7.05 Evaluate options for the supply of fuel to boats (if applicable) and identify the best method for eliminating potential spillages and maximizing health and safety. This should include options for the proper storage of the fuels.
- 7.06 Provide information on alternative sites considered and the rationale for the selection of the proposed site and design of the preferred choice for the pier(s).
- 7.07 Provide specifications (dimensions) of the proposed pier, indicating the type(s) of construction materials that will be used.

- 7.08 Identify the preferred option for the extraction methods, the source, and transportation of materials for the construction for the pier, specifying the necessary mitigation measures to be used, their residual impacts and significance.
- 7.09 The plan of the pier must include dimensions to scale (e.g. length, height, width) for all related structures both, land and water based, berthing and mooring arrangements as well as the specific siting for the various facilities such as fuel dispensing and boat storage off-land (if applicable). Text must be submitted (accompanying the plan) justifying the size and scope of the pier and details on the type, size and number of vessels to be involved with this undertaken.

## **8.0 DISASTER MANAGEMENT AND CLIMATE CHANGE ISSUES**

- 8.01 Identify emergency preparation and response management measures for the proposed development (e.g. hurricane, floods, fires etc.). This should include evacuation and hazard management plans inclusive of climate change adaptation measures (such as sea level rise and structural/building design conducive with the climatic conditions of project site.) This should include the number of emergency vehicles needed for the development.

## **9.0 ENERGY GENERATION**

- 9.01 Determine the projected energy requirements for the entire development.
- 9.02 Evaluate alternatives for meeting these needs, using fossil fuel, solar, wind resources (and others if appropriate). For each of these options, it will be necessary to investigate:
- 9.2.1 fuel storage (where relevant);
  - 9.2.2 transportation (where relevant);
  - 9.2.3 health and safety;
  - 9.2.4 pollution sources, volumes, and types;
  - 9.2.5 significance of any pollution that may result from energy generation; and
  - 9.2.6 mitigation measures for the above mentioned

It will be necessary to divide examination of energy provision into construction, operation, and maintenance phases.

- 9.03 Select the preferred option for energy generation. Again, this should be based on environmental grounds, and should specify the residual impacts of generation of the preferred option, their significance and the mitigation measures, which will be undertaken.

## **10.0 SOCIAL FACTORS**

- 10.1 Conduct an investigation to determine the potential social impacts of the proposed development.
- 10.2 Identify potential impacts of the project to the traditional use of the resources.
- 10.3 Labor; - employment opportunities for skilled and unskilled workers for example in the hotel industry or in the gaming industry; and provision of basic health care and hygiene, the provision of recreational spaces, sanitary facilities for all workers, during construction and operation of the project.
- 10.4 An analysis of the requirements of areas for public services should be incorporated into this study. Issues such as the following should be addressed;
  - i. Fire protection
  - ii. Police/Security services
  - iii. Educational institutions
  - iv. Recreational centers
  - v. Medical emergency evacuations
- 10.5 Identify emergency preparation and applicable management measures for the proposed development (e.g. hurricane, floods, fires etc.). This should include evacuation and hazard management plans inclusive of climate change adaptation measures.

## **11.0 ARCHAEOLOGY**

- 11.01 Consult with NICH-Institute of Archaeology to determine the Archaeological importance of the area, moreover provide a copy of the Institute's recommendations (if any).

## **12.0 NGO AND PUBLIC INTEREST**

- 12.01 The EIA team will report on the views and concerns of local NGO's, public interest groups and relevant government departments/agencies regarding the development of the project.
- 12.02 Provide a copy of the questions/answers used for the report including the name and organization of all the interviewees and the date of the interview.

## **C. ISSUES PERTAINING TO THE DIFFERENT DEVELOPMENT COMPONENTS**

**This section has been developed to ensure that issues pertaining to each individual component of the proposed development are adequately addressed:**

1.0 Tourism Component (Beachfront Casitas, Elevated Casitas, Eco Villas)

- 1.01 Determine the projected number of buildings to be constructed, including hotels, condominiums, cabañas or other similar complexes.
- 1.02 Provide a layout of all complexes and other infrastructure to be built; the proximity to each other should be shown. This should include the location of the pier.
- 1.03 Provide technical justification for the number of buildings and number of persons residing and visiting the project site/resort. This information will be used to determine the physical carrying capacity of the area.
- 1.04 Project the volume of fresh water for the overall tourism component and indicate its proposed source.
- 1.05 Provide a detailed waste management plan (solid and liquid) for the tourism component of the project.
- 1.06 Indicate the energy source to be used.

**D. POTENTIAL CUMULATIVE IMPACTS**

- 1.01 Identify all potential cumulative impacts and significant changes that may result from the implementation of this overall project, taking each individual component into consideration. This should include, but not be limited to, changes in the following:
  - i. Water Quality of the area (Lagoon, Caribbean Sea, and other tributaries);
  - ii. Possible effects on the Belize Barrier Reef (Mesoamerican Barrier Reef)
  - iii. Land Use pattern;
  - iv. Traffic (land and water);
  - v. Infrastructure;
  - vi. Employment opportunities;
  - vii. Socio-cultural environment; and
  - viii. Abundance of flora and fauna.

The above analysis should distinguish between significant positive and negative impacts; direct and indirect impacts; immediate, medium and long-term impacts, irreversible or unavoidable impacts and identify impacts that may result from accidental events (i.e. oil/fuel spills, accidental release of untreated wastewater/ effluent, etc.). This analysis should be divided into construction, operational and maintenance activities / phases.

- 1.02 Characterize the extent and quality of available data, explaining significant information deficiencies (gaps) and uncertainties associated with the prediction of such potential impacts.

## **E. CONCLUSIONS / RECOMMENDATIONS**

This section proposes alternatives to the execution of the project based on the information generated by Section B and C.

### **1.0 ALTERNATIVES FOR DEVELOPMENT**

- 1.01 Present all reasonable alternatives for development in comparative form, exploring each alternative. Include the no-action alternative, and the reason why certain alternatives were recommended or eliminated. These alternatives should look at the following components.
- 1.02 Siting of the necessary support infrastructure and all facilities;
- 1.03 Earth Movement Activities: evaluate the different extraction/dredging methodologies, extraction/dredging points (burrow sites), extraction/dredging volumes, material fill sites etc. (if applicable)
- 1.04 Liquid and solid waste treatment and disposal options (evaluate the different treatment technologies and methodologies).
- 1.05 Boat Storage and docking facilities (siting, design, etc.).

### **2.0 MITIGATION AND MONITORING PLAN**

- 2.01 Based on the investigations, develop a mitigation matrix outlining mitigation measures for all potential negative environmental impacts including, but not limited to: construction activities, water abstraction, waste treatment and disposal, habitat alteration, erosion and sedimentation.
- 2.02 Provide a monitoring plan to be implemented for the entire operation. This should include monitoring of waste water discharge characteristics (if any), water abstraction levels and changes in ecological species (including endangered species and the Belize Barrier Reef (Mesoamerican Barrier Reef)).
- 2.03 Characterize the extent and quality of available data, explaining significant information deficiencies and any uncertainties associated with the prediction of such impacts.
- 2.04 Provide a detailed plan for the rehabilitation of the site to other uses in the event that the project is discontinued.