

# MEB ANSWERS BEL ACCUSATIONS

"In November 2001 the Belize Department of the Environment rushed through a review of the environmental assessment report for the dam. The National Environmental Appraisal Committee (NEAC), chaired by the head of the Department, is responsible for reviewing EIAs. In the case of the proposed Chalillo Dam, NEAC ignored its own members' awareness of the major flaws, gaps, and distortions in the report and voted to give the project the green light. The minutes of NEAC's meetings leading up to its decision on November 9 are rife with comments on the incomplete information in the report, lack of mitigation measures, wrong information on geology, the need to conduct further studies on archaeology and more. Despite this, and under pressure from the head of the committee to come to a quick decision, NEAC voted to approve the environmental assessment and the project. BACONGO filed suit after construction on a road to the dam began illegally in January.

"In the case, BACONGO argued that:

"The environmental assessment was inadequate and provided false information. The review committee (NEAC) pointed out dozens of failings of the environmental assessment. The environmental report, and the NEAC itself, said that more studies needed to be done on geology, archaeology, wildlife, hydrology and economics. According to the law, all of these studies need to be done before a decision is made on the project.

"**Geology:** The CEO of Fortis' company in Belize admitted that the original geology studies were wrong. If these studies are not corrected, it could affect the safety and cost of the dam and have devastating consequences for communities downstream.

"**Archaeology:** The dam could also flood major cultural remains of the Maya civilization, but no studies have been done to know how many sites are there or their importance.

"**Wildlife:** The Natural History Museum of London, in their report, which was part of the environmental assessment, said that the dam would cause major damage; much more study of the wildlife was needed to know the extent of devastation to wildlife. The studies for the report were done in a few weeks in the dry season, with no studies done of wildlife in the wet season.

"**Hydrology:** The environmental assessment points out that the hydrology studies were based on a gauge that has not been calibrated since 1982. The report, and the hydrology member of the committee, said that a much better record of hydrology would be needed to know how much water could be expected for energy production. Without these studies, it is impossible to know the risk of flooding or the prospects for energy production from the dam with any accuracy.

"**Economics:** The environmental study does not contain any estimate of the cost of the dam. It claims, based on a study by General Electric, that the dam would be the "lowest cost" source of electricity. Despite repeated requests from BACONGO, this GE study has never been made available to the public.

"NEAC failed to consider public comments, flooding of National Park, before making its decision—Many Belizeans, including top scientists in the country and international groups, including NRDC, wrote to the committee with their concerns about the dam. The committee did not consider or discuss these comments. The government claimed that the committee knew that the comments were in a folder at the Department of Environment, but didn't actually have to read the comments to consider them. The dam would flood parts of the Chiquibul National Park, and the committee failed to consider this and the fact that flooding of the park would be illegal.

"NEAC and the Department of Environment didn't follow legal requirements—the law requires the company and government to agree in writing on a "Terms of Reference" before beginning the studies—and this was not done. The Terms of Reference sets out the expectations for the environmental assessment report. Once the report is submitted to the government, the committee is supposed to compare the report to the Terms of Reference to see if it meets all the requirements. In this case, the government and Fortis could not even show that a final Terms of Reference existed. It is clear that the committee did not follow the law, and that its review was completely ad hoc.

"The decision was taken without required public hearings. Under Belizean law, public hearings should be held to discuss the environmental assessment for a project of this size and potential impact. The government committee decided to hold public hearings only after its decision, when it was too late for the hearings to be meaningful.

"NEAC, the government review committee, was biased. On November 6, the Prime Minister announced on national television that he hoped his advocacy 'would influence' NEAC, which is supposedly an impartial technical group. Three days later, the committee approved the 1500-page environmental assessment and the project, despite deep misgivings reflected in the minutes of the committee meetings. NEAC reviewed the 1500-page environmental assessment in only three meetings, two of which were held back-to-back after the Prime Minister's speech. NEAC consists of 9 government and 2 non-governmental members, and all government members voted in favor of the project. In February, the head of the committee signed a statement on behalf of the government saying that the government's interests would be harmed by not allowing the project to go ahead.

"BACONGO's lawyers systematically showed that NEAC did not do its job and that the govt.'s approval was illegal. The facts presented in this case are almost without exception exactly what I have been writing for the past 3 years and which BEL has vehemently denied and called me a liar. When it came time for NEAC to defend itself in court, their lawyers said that BACONGO was right: it would be illegal to approve the dam in the current circumstances. They went on to claim that NEAC never approved the dam in the first place. This false claim and the facts presented in the case reveal the truth of the case against the dam and the depths and deceit of BEL's deliberate campaign against me and their denial of the truth about Chalillo."

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