

Belize

Country: [Belize](#) [1]

EIA Law: Environmental Protection Act, 2000; Environmental Protection (Amendment) Act, 2009

Law Link: [Link](#) [2]

EIA Regulations: Environmental Impact Assessment Regulations, Environmental Impact Assessment (Amendment) Regulations, 2007

Regulations Link: [Link](#) [2]

Projects Requiring EIA: Government projects
Private Projects

Abridged Assessments: Yes

Assessment Detail: "The Departments shall determine or cause to be determined whether any of the undertakings, projects or activities specified in Schedule II require an environmental impact assessment or a limited level environmental study." EIA Regulations, sec. 8 (as amended by sec. 4 EIA (Amendment) Regulations). A Limited Level Environmental Study "means a study used for the prediction, evaluation, estimation and communication of the possible environmental effects of some proposed projects. . . where it is the opinion of the Department that the project. . . could have some negative impacts on the environment. The terms of reference for a Limited Level Environmental Study can be limited and nature and should not be as comprehensive as that for an EIA." EIA Regulations, sec. 2 (as amended by sec. 2 of EIA (Amendment) Regulations)

Best Practices in Lieu of EIA: No

Who Conducts Screening: Government

Who Conducts Screening Detail: "The Departments shall determine or cause to be determined whether any of the undertakings, projects or activities specified in Schedule II require an environmental impact assessment or a limited level environmental study." EIA Regulations, sec. 8 (as amended by sec. 4 EIA (Amendment) Regulations). See also sec. 14 (Department has 30 days to conduct screening)

Criteria for Screening: List or appendix of project or activity types
Proposed project or activity may cause significant environmental impact

Criteria for Screening Detail: "All undertakings, projects, or activities specified in Schedule I shall require an environmental impact assesment." EIA Regulations, sec. 7. An EIA for activities listed in Schedule II are discretionary, and determined by the Departments. EIA Regulations, sec. 8. See also Section 20(1), Environmental Protection Act (EIA required if project may cause significant environmental impact).

Who Prepares EIA: Project Proponent (with or without contractor)

Who Prepares EIA Detail: "The developer shall: (a) undertake the necessary study for the preparation of an environmental impact assessment; and (b) submit the environmental impact assessment to the Department by the prescribed date." EIA Regulations, sec. 13(3); see also EIA Regulations, sec. 17.

Who Pays for EIA: Project Proponent

Who Pays for EIA Detail: EIA Regulations, secs. 13(3); 17 (developer responsible for preparing EIA - implied that developer bears the costs of preparation)

EIA Contractor Qualifications: No

Conflict of Interest: No

Terms of Reference: Yes

Terms of Reference Detail: When a project requires an EIA the project developer must submit a draft terms of reference to the Department of the Environment, which determines whether the terms of reference is adequate. The Department may direct the developer to modify the draft and/or approve the draft. EIA Regulations, secs. 15-17.

Days for Decision Maker Review: 60 days

Automatic Approval: No

Written Decision: Yes

Written Decision Detail: There is no requirement in the Act or regulations, but a written decision is issued in practice.

Authority to Impose Conditions: Yes

Authority to Impose Conditions Details: "A decision by the [Department of the Environment] to approve an environmental impact assessment may be subject to conditions which are reasonably required for environmental purposes." Environmental Protection Act, sec. 20(7). Conditions may include signing an Environmental Compliance Plan (ECP) that contains the conditions specified by the Department of the Environment. EIA (Amendment) Regulations, sec. 13.

Expiry of Decision: Variable

Expiry of Decision Detail: The Act and regulations do not specify how long the environmental clearance is valid.

Financial Assurances or Bond: Sometimes

Financial Assurances Detail: The project developer is not automatically required to provide financial assurances, but the Department of the Environment may require the developer to provide performance bonds or guarantees to ensure that the developer complies with the terms and conditions of the environmental compliance plan. EIA Regulations, sec. 30 (new regulation added by Environmental Impact Assessment (Amendment) Regulations, sec. 18).

Interdisciplinary Team: No

Interdisciplinary Team Detail: This aspect is not discussed in the EIA law or regulations.

Range of Alternatives: Yes

Range of Alternatives Detail: An EIA must include "all reasonable alternatives in comparative form, exploring each alternative, including the no-action alternative, and the reason why certain alternatives were recommended or eliminated." EIA Regulations, sec. 19(i); see also Environmental Protection Act, sec. 20(3)

No Action Alternative: Yes

No Action Alternative Detail: An EIA must include "all reasonable alternatives in comparative form, exploring each alternative, including the no-action alternative, and the reason why certain alternatives were recommended or eliminated." EIA Regulations, sec. 19(i)

Type(s) of Impact Analysis: Direct environmental impacts

Cumulative environmental impacts

Social impacts

Cultural impacts

Mitigation: Yes

Mitigation Detail: An EIA must include "an identification and description of measures available to mitigate the adverse environmental impacts of proposed activity or activities and assessment of those mitigative measures. . ." EIA Regulations, sec. 5(e); see also Environmental Protection Act, sec. 20(3)

Monitoring Plans: Yes

Monitoring Plans Detail: The EIA process includes the development and implementation of an Environmental Compliance Plan (ECP). EIA Regulations, sec. 6(c), as amended by EIA (Amendment) Regulations, § 3.

Draft EIA Available: No

Public Notice of Final EIA: Yes

Public Notice of Final EIA Detail: After submitting the EIA to the Department, the project developer must publish a notice, approved by the Department of Environment, in at least two widely-circulated newspapers, indicating the location and times during which the EIA (digital and hard copies) can be inspected. EIA Regulations, sec. 20(1)(e)-(f), as amended by Environmental Impact Assessment (Amendment) Regulations, sec. 12.

Final EIA Available: Yes

Final EIA Available Detail: Generally copies of EIAs are made available at public libraries and with Village Council Chairpersons. EIAs are also made available electronically on the Department of Environment's website. See <http://www.doe.gov.bz/EIAs.html>

Final EIA Locations: Internet

Library

Local government office

Fee to View EIA Documents: No

Availability of Reference Studies: No

Availability of Reference Studies Detail: It may be possible to request supporting studies and data through the Freedom of Information Act; however, the response times are so long that access to information is effectively meaningless.

Public Notice of Final Decision: Yes

Public Scoping: No

Public Scoping Detail: "The scope and extent of the environmental impact assessment shall be determined by the Department." EIA Regulations, sec. 7. There is no accommodation for public participation at this stage of the EIA process in Belize.

Public Review of TOR: No

Public Participation Opportunities: Public Meetings and/or public hearings

Review of final EIA

Public Meetings: Yes

Public Meetings Detail: The developer shall provide an opportunity for meetings between the developer and interested members of the public, especially within or immediately adjacent to the geographical area of the proposed undertaking. EIA Regulations, sec. 18(1), as amended by EIA (Amendment) Regulations, sec. 10. The Department, on the recommendation of the National Environmental Appraisal Committee, may require a public

hearing in respect of any undertaking, project or activity in respect of which an environmental impact assessment is required pursuant to these regulations. EIA Regulations, sec. 24(1).

Public Input at Meeting: Yes

Public Input at Meeting Detail: At the public hearing, the developer shall "record the concerns of the local community regarding the environmental impact of the proposed undertaking." EIA Regulations, sec. 18(1)(b).

Criteria to Hold Public Meeting: Public meeting and/or hearing is automatically required

Days for Public to Review Final EIA: Variable

Public Comments on Draft EIA: No

Public Comments on Draft EIA Detail: "At any time during an environmental impact assessment of a proposed undertaking the Department may invite written comments from interested persons concerning the environmental impact of an undertaking." EIA Regulations, sec. 18(2)

Public Comments on Final EIA: Yes

Public Comments on Final EIA Detail: "At any time during an environmental impact assessment of a proposed undertaking the Department may invite written comments from interested persons concerning the environmental impact of an undertaking." EIA Regulations, sec. 18(2)

Response to Public Comments: Yes

Response to Public Comments Detail: Response to comments is discretionary: The Department of the Environment *may* submit the public's written comments to the developer. The developer then must "answer pertinent questions raised." EIA Regulations, sec. 18(3) , as amended by EIA (Amendment) Regulations, sec. 10. Consideration of comments is mandatory: Every project assessment by the National Environmental Appraisal Committee must consider comments made by the public . EIA Regulations, sec. 26(1)(c) .

Facilitation of Public Participation: No

Citizen Administrative Review: No

Citizen Administrative Review Detail: Opportunities for administrative review of the Department's decision are limited to the project developer only. EIA Regulations, sec. 27(1),(4) .

Citizen Judicial Review: Yes

Citizen Judicial Review Detail: Citizens may apply to the court to seek review of the decision of a public body. Judicial review does not allow courts to substitute their own decisions for that of the public body but the courts can review the legality of a decision, where for instance the decision-maker failed to take into account relevant considerations. Standing requirements for judicial review are wide and inclusive for Belize.

Project Monitoring: Yes

Project Monitoring Detail: The EIA process must include "the design and implementation of a follow-up program." See also EIA Preparers Manual, Parts V and VII. There is some question whether monitoring actually occurs in practice.

Enforceability of EIA: Yes

Enforceability of EIA Detail: See *BELPO v. Dept. of the Environment* (<http://www.elaw.org/node/3607>)

Enforceability of Permit: Yes

Enforceability of Permit Detail: See *BELPO v. Dept. of the Environment* (<http://www.elaw.org/node/3607>)

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