REVISED PROCEDURAL MANUAL

DAO NO. 30 SERIES OF 2003 (DAO 03-30)

Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
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REVISED PROCEDURAL MANUAL

FOR

DENR ADMINISTRATIVE ORDER
NO. 30 SERIES OF 2003 (DAO 03-30)

(Implementing Rules and Regulations
of Presidential Decree No. 1586,
Establishing the Philippine
Environmental Impact Statement System)

EMB- Environmental Impact Assessment and Management Division (EIAMD)
www.emb.gov.ph/eia.htm
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FOREWORD

This "Revised Procedural Manual of DAO 2003-30" supersedes the Procedural Manual issued under DENR-EMB Memorandum Circular No. 2005-01 on 05 January 2005. All memoranda, memorandum circulars, MOAs based on DAO 96-37 or earlier IRRs of PD 1586, and other issuances where provisions are inconsistent with this revised version are amended accordingly.

The Manual derives its legal basis from Section 8.1 of DAO 2003-30, which prescribes a Manual of Procedures for the processing of applications for Environmental Compliance Certificates (ECCs) and Certificates of Non-Coverage (CNCs) within the timeframes specified in Malacanang Administrative Order No. 42 (issued in November 2002).

This revised Manual integrates new DENR-EMB policies to further promote EIA as a planning and decision-making tool, foremost of which is the segregation from the EIA process of the practice of prior submission of permits, clearances, licenses, endorsements, resolutions and other government approvals within the jurisdiction of other National Government Agencies and Local Government Units which can pre-empt the EIA evaluation process. Thus, it is the EIA findings and recommendations, which shall be transmitted through the ECC for consideration of other GAs and LGUs prior to the issuance of government documents under their mandates. In effect, the policy recognizes the primacy of jurisdiction of these entities over a project's implementation. Mandated to be done simultaneous with the Feasibility Study, EIA marks the beginning, rather than the end, of the integration of environmental concerns throughout the project cycle.

This revised Manual further simplifies the original version by presenting application and review procedures in process flowcharts, tabulating all requirements with new annexed supplements of mostly pro-forma documents for easy compliance. EIA scoping and review processes as well as EIA Report outlines, contents and lengths have been rationalized, condensed and provided with specific guidance to focus analysis to the most relevant significant impacts and corresponding baseline data requirements. The EMB shall continually improve on these procedures with the end view of shorter but quality EIA Reports and faster review timelines through more efficient and meaningful EIA processes. EMB seeks your improvement proposals through a feedback form provided at the back of this Manual.

By virtue of the authority vested upon me, I am hereby issuing this Revised Procedural Manual, effective immediately upon signing. Any queries or clarifications may be addressed to the EMB EIAMD Central Office.

DR. ELY ANTHONY R. OUANO
DENR-EMB OIC-DIRECTOR
Date Signed: August 21, 2007

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The publication of this manual evolved from a series of consultation with various stakeholders. The Asian Development Bank (ADB) provided support through the Technical Assistance (TA) on Harmonization and Managing for Results Part D: Improving Quality at Project Entry–Environment. The following actively shared in the development of this Manual:

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The EIAMD-EMB further acknowledges earlier initiatives and contributions by the former EMB Director, JULIAN D. AMADOR, and the late REYNALDO P. ALCANCES, Division Chief of the EIAMD-EMB.

MEMORANDUM CIRCULAR 002 – Series of 2007

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MEMORANDUM CIRCULAR NO. 002
Series of 2007

TO : **ALL EMB REGIONAL DIRECTORS**
ALL HEADS OF EIAM DIVISION
ALL CONCERNED

FROM : **THE OIC-DIRECTOR**

SUBJECT : **REVISED PROCEDURAL MANUAL FOR DENR ADMINISTRATIVE ORDER NO. 30, SERIES OF 2003 (DAO 03-30)**

The attached Revised Procedural Manual for DAO 2003-30 is hereby being adopted, superseding the Procedural Manual (First Edition) for DAO 2003-30 issued as MC 2005-01 on 05 January 2005. This revised Manual integrates DENR MC 2007-08 issued on 13 July 2007 segregating from the EIA process the practice of prior submission of permits, clearances, licenses and other similar government approvals outside the EMB mandate. This revised Manual also integrates other EMB MCs issued in 2006 which provide for a) clarifications in the PEISS implementation guidelines (MC 005 issued 19 December 2006), b) improvement in the ECC format/content for more timely and substantive advice of EIA Recommendations to other government entities for their consideration in their decision-making process (MC issued 22 December 2006) and c) a manual on guidelines for focusing EIA Review to the most significant issues (EMB MC 2007-01 issued 09 March 2007). As prescribed in Malacanang Administrative Order No. 42 Series of 2002 and of Section 8 of DENR Administrative Order No. 30 Series of 2003, the attached Revised Procedural Manual further improves on the application and review procedures resulting to more condensed high quality EIA Reports and faster review thru more efficient and meaningful EIA process.

All memoranda, memorandum circulars, and other issuances whose provisions are inconsistent with the provisions of this new revised Procedural Manual are hereby amended accordingly.

This Memorandum Circular shall take effect immediately.

ELY ANTHONY R. OUANO

Recommending Approval:

ESPERANZA A. SAJUL
EIAMD Chief

INTRODUCTION

This revised version of the manual has three (3) major features:

1) Integration of new EMB policies on application, review, decision-making and public participation, including explicit instructions on how to consider EIA within the project planning cycle as well as how to situate the EIA process in relation to issues and concerns outside the mandate of the DENR-EMB;

2) Standardization and shortening of procedures from EIA Scoping to EIA Review, and flowcharting of the EIA application procedures across EIA Report types, project groupings and across EMB offices (CO or RO) for more efficient EIA processes and easy tracking of status of applications;

3) Condensation and revised formatting of EIA Reports and Decision Documents, and inclusion of more matrices, checklists, outlines, pro-forma documents and specific guidelines to focus EIA Study Terms of Reference, EIA Reports, Review and Evaluation, Decision Making, and Monitoring, Validation and Evaluation/Audit to the essentials.

The Revised Procedural Manual (RPM) has four (4) main sections, as follows:

1) **Overview of the Philippine EIS System (PEISS*),*** which provides the basic policy and operating principles of the PEISS, defines what an Environmental Impact Assessment (EIA) is as a process and how it best serves as a planning and decision-making tool. This section also situates the EIA Process in relation to the project cycle, to other environmental laws and to other regulatory agencies/units who exercise their own mandates over the project proposal. An overview is also provided on the coverage of the EIS System under five (5) project groupings, seven (7) EIA report types, three (3) decision documents and six (6) key stages of the EIA process.

2) **Procedural Requirements of the EIA Process**, which describes the steps and requirements per stage of the EIA process, which include Screening, Scoping, Conduct of EIA Study and Report Preparation, EIA Report Review and Evaluation, Decision Making, and Monitoring, Validation and Evaluation/Audit. This section presents a consolidated screening procedure for coverage or non-coverage in the EIS System as well as determination of other requirements for application. The procedures for ECC and CNC application are presented in flowcharts across EMB offices (central and regional) and across seven (7) EIA Report types (P/EIS, P/EPRMP, IEER, IEEC and PDR). The monitoring stage describes the procedural flow of various modes of how to validate Proponent's performance against the ECC and its commitments in the EIA Report and Review Stages. This section also describes the process flow of administrative investigation for projects, which are suspected or found to be in violation of the terms and conditions of the ECC or other PEISS regulations, and consequently presents the resulting fines and penalty provisions.

3) **Miscellaneous Provisions** provides the provisions for the effectivity of the Manual, repealing clause and continual improvement.

4) **Annexes,** which provides supporting documents and guidelines to any interested party for a facilitated compliance and performance evaluation against the EIS System's procedural requirements.

The revision process included at least three (3) consultations with the EMB Regional Directors, EIAMD Division Chiefs and staff and with other EMB Divisions who are involved in post-ECC monitoring work. Workshops were held on May 22-24 (Manila), June 4-6 (Baguio) and June 13-15, 2007 (Davao). Consultations were also held with EIA practitioners who had the most experience in the EIS System. Pre-testing of the shortened EIS Scoping process and relevant checklists/templates was also done in a mining project.

The Manual is intended to be used by ECC/CNC applicants (Proponents and EIA Preparers); Review and Evaluation Team – the EMB case handlers, an internal DENR–EMB Technical Committee, a third party EIA Review Committee and/or Resource Persons; EMB/DENR Decision Makers (endorsing and deciding authorities on the applications); Other Government Agencies; Local Government Units (LGUs); and the General Public, and any other interested stakeholder in the Philippine EIS System.

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ACRONYMS

AI	Additional Information
ALMED	Agricultural Land Management and Evaluation Division
AO	Administrative Order
AWFP	Annual Work and Financial Plan
BFAR	Bureau of Fisheries and Aquatic Resources
BMBE	Barangay Micro-Business Enterprises
BPS	Bureau of Product Standards
BSWM	Bureau of Soils and Water Management
CADC	Certificate of Ancestral Domain Claim
CALC	Certificate of Ancestral Land Claim
CBFRU	Community Based Forest Resources Utilization
CCO	Chemical Control Order
CENRO	Community Environment and Natural Resources Office
CER	Compliance Evaluation Report
CH	Case Handler
CM	Compliance Monitoring
CMR	Compliance Monitoring Report
CMVR	Compliance Monitoring and Validation Report
CNC	Certificate of Non-Coverage
CO	Community Organizer
CoWA	Certificate of Water Availability
CP	Certificate Precondition
CRMP	Coastal Resources Management Plan
CSRA	Cumulative Safety Risk Assessment
DA	Department of Agriculture
DAO	DENR Administrative Order
DepEd	Department of Education
DENR	Department of Environment and Natural Resources
DIA	Direct Impact Area
DOE	Department of Energy
DOH	Department of Health
DOLE	Department of Labor and Employment
DP	Development Permit
DPWH	Department of Public Works and Highways
DTI	Department of Trade and Industry
EC	Executive Committee
ECA	Environmentally Critical Area
ICC	NEDA-Investment Coordination Committee
IEC	Information, Education and Communication
IEE	Initial Environmental Examination
IEEC	Initial Environmental Examination Checklist
IEER	Initial Environmental Examination Report
IMP	Impacts Mitigation Plan
IFMA	Integrated Forest Management Agreement
IIA	Indirect Impact Area
IP	Indigenous People
IPDP	Indigenous People Development Plan
IPRA	Indigenous Peoples Rights Act
IRA	Internal Revenue Allotment
IRR	Implementing Rules and Regulations
ISO	International Organization for Standardization
LGU	Local Government Unit
EGF	Environmental Guarantee Fund
EGGAR	Engineering Geology and Geohazard Assessment Report
EHIA	Environmental Health Impact Assessment
EIARC	Environmental Impact Assessment Review Committee
EIS	Environmental Impact Statement
EMB	Environmental Management Bureau
EMB CO	EMB Central Office
EMB RD	EMB Regional Director
EMB RO	EMB Regional Office
EMF	Environmental Monitoring Fund
EMP	Environmental Management Plan
EMoP	Environmental Monitoring Plan
EMS	Environmental Management System
ENRO	Environment and Natural Resources Office
EPEP	Environmental Protection and Enhancement Program
EPRMP	Environmental Performance Report and Management Plan
EQD	Environmental Quality Division
EQP	Environmental Quality Performance
EQPL	Environmental Quality Performance Level
ERA	Environmental Risk Assessment
ERARC	Environmental Risk Assessment Review Committee
EU	Environmental Unit
EWP	Environmental Work Program
FMB	Forest Management Bureau
FPA	Fertilizer and Pesticide Authority
EWP	Environmental Work Program
FMB	Forest Management Bureau
FPA	Fertilizer and Pesticide Authority
FPIC	Free and Prior Informed Consent
FS	Feasibility Study
FTAA	Financial or Technical Assistance Agreements
GA	General Assembly
GLCs	Ground Level Concentrations
HLURB	Housing and Land Use Regulatory Board
HSA	Health Sensitive Area
HSP	Health Sensitive Project
PAMB	Protected Area Management Board
PAWB	Protected Areas and Wildlife Bureau
PCD	Pollution Control Division
PCG	Philippine Coast Guard
PCL	Priority Chemical List
PCS	Pollution Control System
PCO	Pollution Control Officer
PDS	Project Description for Scoping
PDR	Project Description Report
PECC	Programmatic Environmental Compliance Certificate
PEIA	Programmatic Environmental Impact Assessment
PEIS	Programmatic Environmental Impact Statement
PEISS	Philippine Environmental Impact Statement System
PEMAPS	Project Environmental Monitoring and Audit

LOI	Letter of Intent
LWUA	Local Water Utilities Authority
MGB	Mines and Geo-Sciences Bureau
MEPEO	Mine Environmental Protection and Enhancement Office
MHO	Municipal Health Office
MMT	Multi-Partite Monitoring Team
MOA	Memorandum of Agreement
MOO	Manual of Operations
MSWD	Municipal Social Welfare and Development
MT	Metric Ton
MW	Megawatts
MWSS	Manila Waterworks and Sewerage System
NA	Not Applicable
NAF	Notice of Adverse Findings
NAMRIA	National Mapping and Resource Information Authority
NAV	Notice of Alleged Violation
NCCA	National Commission for Culture and the Arts
NCIP	National Commission on Indigenous Peoples
NEDA	National Economic Development Authority
NEPC	National Environmental Protection Council
NGO	Non-Governmental Organization
NHA	National Housing Authority
NHI	National Historical Institute
NIA	National Irrigation Administration
NIPAS	National Integrated Protected Areas System
NM	National Museum
NOCOP	National Operations Center for Oil Pollution
NOV	Notice of Violation
NWRB	National Water Resources Board
OHSP	Occupational Health and Safety Program
OSRA	Oil Spill Risk Assessment
PAGASA	Philippine Atmospheric, Geophysical and Astronomical Services Administration
	Prioritization Scheme
PENRO	Provincial Environment and Natural Resources Office
PEPRMP	Programmatic Environmental Performance Report and Management Plan
PLTU	Private Land Timber Utilization
PMP	Pesticide Management Plan
PNP	Philippine National Police
PO	Peoples Organization
PRA	Philippine Reclamation Authority
P/EIS	PEIS and EIS
P/EPRMP	PEPRMP and EPRMP
QRA	Quantitative Risk Assessment
RAP	Resettlement Action Plan
RIZ	Regional Impact Zone
RO-RO	Roll On - Roll Off
RP	Resource Person
RPM	Revised Procedural Manual
RPR	Review Process Report
RWFP	Review Work and Financial Plan
R & E	Review and Evaluation
SAMP	Sampling and Measurement Plan
SCL	Show Cause Letter
SDP	Social Development Plan
SDMP	Social Development and Management Plan
SEC	Securities and Exchange Commission
SEPMES	Strengthening Environmental Performance and Monitoring Evaluation System
SIFMA	Socialized Industrial Forestry Management Agreement
SMT	Sectoral Monitoring Teams
TCP	Tree Cutting Permit
TESDA	Technical Education and Skills Development Authority
wd	working days

1.0 OVERVIEW OF THE PHILIPPINE EIS SYSTEM (PEISS)

1) Basic Policy and Operating Principles of the PEISS

Consistent with the principles of sustainable development, it is the policy of the DENR to implement a systems-oriented and integrated approach to the EIS system to ensure a rational balance between socio-economic development and environmental protection for the benefit of present and future generations. The following are the key operating principles in the implementation of the Philippine EIS System:

a) The EIS System is concerned primarily with assessing the direct and indirect impacts of a project on the biophysical and human environment and ensuring that these impacts are addressed by appropriate environmental protection and enhancement measures.

b) The EIS System aids Proponents in incorporating environmental considerations in planning their projects as well as in determining the environment's impact on their project.

c) Project Proponents are responsible for determining and disclosing all relevant information necessary for a methodical assessment of the environmental impacts of their projects;

d) The review of EIA Reports by EMB shall be guided by three (3) general criteria: (1) that environmental considerations are integrated into the overall project planning, (2) that the assessment is technically sound and proposed environmental mitigation measures are effective, and (3) that the EIA process is based on a timely, informed and meaningful public participation of potentially-affected communities;

e) Effective regulatory review of the EIA Reports depends largely on timely, full, and accurate disclosure of relevant information by project Proponents and other stakeholders in the EIA process;

f) The timelines prescribed within which a decision must be issued apply only to processes and actions within the Environmental Management Bureau's (EMB) control and do not include actions or activities that are the responsibility of the Proponent.

2) Definition of EIA

An Environmental Impact Assessment (EIA) is a "process that involves predicting and evaluating the likely impacts of a project (including cumulative impacts) on the environment during construction, commissioning, operation and abandonment. It also includes designing appropriate preventive, mitigating and enhancement measures addressing these consequences to protect the environment and the community's welfare".

3) Purpose of the EIA Process

As a basic principle, EIA is used to enhance planning and guide decision-making. In this Manual, EIA is primarily presented in the context of a requirement to integrate environmental concerns in the planning process of projects at the feasibility stage. Through the EIA Process, adverse environmental impacts of proposed actions are considerably reduced through a reiterative review process of project siting, design and other alternatives, and the subsequent formulation of environmental management and monitoring plans. A positive determination by the DENR-EMB

results to the issuance of an Environmental Compliance Commitment (ECC) document, to be conformed to by the Proponent and represents the project's Environmental Compliance Certificate. The release of the ECC allows the project to proceed to the next stage of project planning, which is the acquisition of approvals from other government agencies and LGUs, after which the project can start implementation.

4) The EIA Process in Relation to the Project Cycle

a) The EIA study shall determine the environmental impacts of the project and shall provide recommendations/guidance at various stages of the project cycle. It is during the Feasibility Study (FS) stage when a Proponent defines its range of actions and consider project alternatives, thus, it is the most ideal stage in the project cycle wherein the EIA study will have most added value. EIA documents are ideally prepared when prospective proposals are more concrete than mere concept and are preferably available before the project has reached a stage of investment or commitment towards implementation. Proponents are in fact directed under Malacanang Administrative Order No. 42 to conduct simultaneously the environmental impact study and the project planning or Feasibility Study (FS).

b) The correspondence of the EIA process in relation to the project cycle is defined in **Figure 1-1,** and described as follows:

   i) Between the Project Concept and Pre-Feasibility Stages of the project cycle, EIA-related activities include self-screening whether the development proposal is covered or not by the Philippine EIS System, and if so covered, the self-determination of all requirements in preparation for the application process. At this stage the Proponent undertakes an initial rapid site and impact assessment to determine the criticality of the project location and have an initial scope of key issues.

   ii) During the preparation of the project FS, the Proponent initiates the detailed environmental impact assessment. The formulated Environmental Management Plan and corresponding costs and benefits are then inputted into the FS as a basis for decision making of the Proponent on its final project option, siting and design. It is at this stage when the formal EIA application is initiated, wherein positive review and evaluation of the submitted EIA documentation is expected to result to an issuance of a DENR decision document containing the Proponent's commitments and other requirements for the Proponent to comply with existing environmental regulations and environmental best practices.

   iii) During the project's Detailed Engineering Design (DED) stage, which is post-ECC, the generic measures identified during the EIA study at the FS stage will now be detailed based on the project facility design and operational specifications. Additional baseline monitoring may also be required prior to construction or implementation of the project to provide a more substantive basis for defining the environmental management and monitoring plans.

   iv) Upon initiation of Project Construction/Development/Operations and throughout the project lifetime, environmental mitigation measures are fully implemented, and monitoring of the Proponent's environmental performance is continuously done, findings and learnings from which shall be fed back into the project cycle for continual improvement of the project, with corresponding updating of the environmental management plans of the project. Major improvements may need new formal applications for DENR approvals, which shall then be related to previous approvals for an integrated environmental management approach of the project.

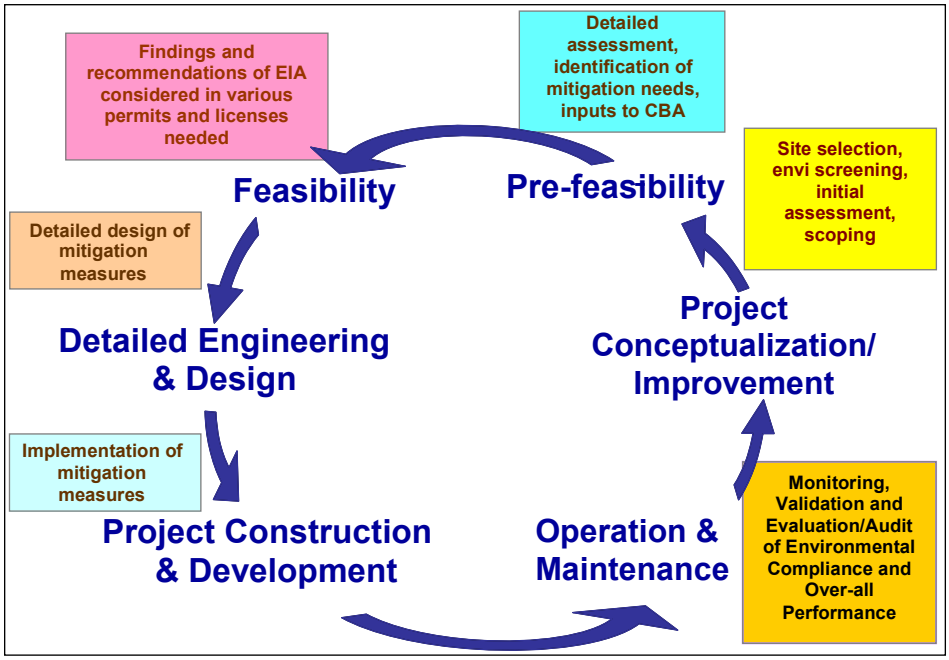


Figure 1-1. EIA Process within the Project Cycle

5) The EIA Process in Relation to Enforcement of Other Laws

The PEISS is supplementary and complementary to other existing environmental laws. As early as the project's Feasibility Study (FS) stage, the EIA process identifies the likely issues or impacts that may be covered later by regional environmental permits and other regulatory bodies' permitting requirements. In addition, where there are yet no standards or where there is a lack of explicit definitions in existing laws, the EIA process fills in the gap and provides appropriate cover for environmental protection and enhancement-related actions. For example, the planting of greenbelts is not a requirement under any environmental law but is included in the ECC as a contractual obligation and commitment of the project Proponent to the DENR.

6) The EIA Process in Relation to Other Agencies' Requirements

It is inherent upon the EIA Process to undertake a comprehensive and integrated approach in the review and evaluation of environment-related concerns of government agencies (GAs), local government units (LGUs) and the general public. The subsequent EIA findings shall provide guidance and recommendations to these entities as a basis for their decision making process.

a) An Inter-agency MOA on EIS Streamlining was entered into in 1992 by 29 government agencies wherein ECC of covered projects was agreed to be a pre-requisite of all other subsequent government approvals;

b) DENR Memo Circular No. 2007-08 issued on 13 July 2007 reiterates in effect the intent of the MOA and reinforces the role of the ECC/CNC as a guidance document to other agencies and LGUs, as follows:

i) "No permits and/or clearances issued by other National Government Agencies and Local Government Units shall be required in the processing of ECC or CNC applications.

ii) The findings and recommendations of the EIA shall be transmitted to relevant government agencies for them to integrate in their decision making prior to the issuance of clearances, permits and licenses under their mandates.

iii) The issuance of an ECC or CNC for a project under the EIS System does not exempt the Proponent from securing other government permits and clearances as required by other laws. The current practice of requiring various permits, clearances and licenses only constrains the EIA evaluation process and negates the purpose and function of the EIA."

iv) Henceforth, all related previous instructions and other issuances shall be made consistent with the Circular.

c) "Permits, licenses and clearances" are inclusive of other national and local government approvals such as endorsements, resolutions, certifications, plans and programs, which have to be cleared/approved or other government documents required within the respective mandates and jurisdiction of these agencies/LGUs.

d) Issues outside the DENR-EMB purview shall be considered and evaluated within the EIA review process but resolution shall be within the responsibility of the GA or the LGU. For example, social acceptability within the EIA process is limited to its environmental aspects, e.g. EMB can advice on magnitude of direct and indirect impacts, extent of impact areas and nature of environmental management measures needed to be considered in land use rezoning, or in issuance of LGU endorsement or to assuage the people's fears and concerns on environmental pollution, health and safety. Other aspects of social acceptability shall be recognized by the DENR-EMB as falling entirely within the Local Government Unit's or respective GA's jurisdiction and authority.

e) The EIARC and EMB Case Handler shall examine closely the intent and purpose of any permit and documentations included in the EIA Report for an ECC or CNC application.

> *Example #1: A Proponent applies for an ECC for its proposal to construct a large commercial center adjacent to a forest reserve within a rural area. Anticipating that the EIA will recommend limiting any development in the area to agriculture and at most low density housing, the Proponent will include in its EIA submission permits and documentations from the LGU or other government agencies classifying the area as commercial zone. The appropriate process should be for the EIA review to evaluate the advisability of commercial development in such area, and then for the evaluation findings and recommendations to be relayed to the responsible entity (e.g. LGU) with authority to decide on the zoning. Should the project be proposed to be sited within the NIPAS reserve, the DENR-Protected Area Wildlife Bureau and/or the multi-sectoral Protected Area Management Board will be the entity to consider the EIA findings on the proposed project's compatibility with the reserve's zoning and development plans, and if so, if the project finally merits their approval.*
>
> *Example #2: If the EIA review finds a coral reef of high ecological significance, it can recommend to the Philippine Reclamation Authority (PRA) its exclusion to be considered in the issuance of the reclamation permit. However, if the reclamation permit has already been issued before the EIA was evaluated, it will be difficult to amend the reclamation permit to exclude the ecologically sensitive area.*

f) The final decision whether a project will be implemented or not lies either with the LGUs who have spatial jurisdiction over the project or with the lead government agency who has sectoral mandate to promote the government program where the project belongs, e.g. DOE for energy projects; DENR-MGB for mining projects.

7) Covered Projects of the Philippine EIS System

a) Pursuant to Sec. 4 of PD 1586 (1978), the EIA Process covers projects which have been originally declared as Environmentally Critical Projects (ECPs) or projects in

Environmentally Critical Areas (ECAs) presumed to have significant impacts on the quality of the environment. On the other hand, Sec. 5 of PD 1586 provides for non-covered projects, which may be required environmental safeguards if deemed necessary by DENR.

b) The mentioned PD 1586 provisions do not specifically preclude DENR from including into the EIS System additional non-environmentally critical project (NECP) types which if located in ECAs may have significant impacts on the environment. DENR may also exclude from the System certain projects, regardless of location or threshold/project size, due to nil significant impacts arising from inherent benign or clean technology and due to the very nature of the projects' mitigation of environmental issues or enhancement of the quality of the environment.

c) The four (4) ECP project types and 12 ECA categories have been declared through Proclamation No. 2146 (1981) and Proclamation No. 803 (1996), as shown in ***Table 1-1.*** These have been subsequently technically defined by the EMB in this Manual (presented in Section 2.0, in Annex 2-1a for ECAs and Annex 2-1b for ECPs), pursuant to the authority vested by AO 42 (2002).

Table 1-1: Summary List of Environmentally Critical Project (ECP) Types and Environmentally Critical Area (ECA) Categories

A. List of ECPs	
- As declared by Proclamation No. 2146 (1981)	
1.	Heavy Industries – Non-ferrous Metal Industries, Iron and Steel Mills, Petroleum and Petro-chemical Industries including Oil and Gas, Smelting Plants
2.	Resource Extractive Industries – Major Mining and Quarrying Projects, Forestry Projects (logging, major wood processing projects, introduction of fauna (exotic animals) in public and private forests, forest occupancy, extraction of mangrove products, grazing), Fishery Projects (dikes for/ and fishpond development projects)
3.	Infrastructure Projects – Major Dams, Major Power Plants (fossil-fueled, nuclear fueled, hydroelectric or geothermal), Major Reclamation Projects, Major Roads and Bridges
- As declared by Proclamation No. 803 (1996)	
4.	All golf course projects
B. List of ECA Categories - As declared by Proclamation No. 2146 (1981)	
1.	All areas declared by law as national parks, watershed reserves, wildlife preserves, sanctuaries
2.	Areas set aside as aesthetic potential tourist spots
3.	Areas which constitute the habitat of any endangered or threatened species of Philippine wildlife (flora and fauna)
4.	Areas of unique historic, archaeological, or scientific interests
5.	Areas which are traditionally occupied by cultural communities or tribes
6.	Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc.)
7.	Areas with critical slopes
8.	Areas classified as prime agricultural lands
9.	Recharged areas of aquifers
10.	Water bodies characterized by one or any combination of the following conditions: tapped for domestic purposes; within the controlled and/or protected areas declared by appropriate authorities; which support wildlife and fishery activities
11.	Mangrove areas characterized by one or any combination of the following conditions: with primary pristine and dense young growth; adjoining mouth of major river systems; near or adjacent to traditional productive fry or fishing grounds; areas which act as natural buffers against shore erosion, strong winds and storm floods; areas on which people are dependent for their livelihood.
12.	Coral reefs characterized by one or any combination of the following conditions: With 50% and above live coralline cover; Spawning and nursery grounds for fish; Act as natural breakwater of coastlines

d) **ECA Determination**: Any one (1) confirmed ECA among the 12 categories renders a project location an ECA. However, before a project location is considered in a Non-ECA (NECA), all of the relevant ECA categories *(e.g. ECA category of "coral reefs" and "mangrove areas" are not relevant for a project proposed to be located up in the mountains)* have to be confirmed by Proponent through the mandated agencies as "not an ECA" based on the technical descriptions (presented in Annex 2-1a as part of ECA

Screening Procedure). EMB will decide on the relevance of the ECA categories to the project location. If the agency with jurisdiction on the ECA cannot confirm the ECA status of the project, the "uncertain" status renders the project location as ECA, per EMB convention. The burden of proof lies with the Proponent in proving that the project is located in a NECA. DENR can only certify ECAs within its own mandate, as follows: water bodies to be certified by DENR-EMB; NIPAS areas, wildlife habitats and mangrove areas, by PAWB/CENRO/PENRO; geologic hazard areas and areas of critical slope, by DENR-MGB.

e) **Single Project Groupings**: Consistent with Proclamation Nos. 2146 and 803 and AO 42, single projects have been classified into three (3) major groups, as follows, (with the detailed Project Grouping Matrix for specific projects presented in Annex 2-1b in Section 2.0 of this Manual):

i) **Group I: ECPs in either ECAs or NECAs** (Environmentally Critical Projects in either Environmentally Critical Areas or Non-Environmentally Critical Areas) - These are project types declared through Proclamation Nos. 2146 and 803 with technical descriptions provided by NEPC Circular No. 3 of 1983 and updated by EMB with DTI concurrence on 6 July 2004 as authorized by Sections 2-D and 3-A of AO 42 (2002): **ALL** Golf Course projects; Heavy Industries, Fishery, Logging and Grazing projects with EIS requirement (with highest potential level of significance of impact); **ALL** projects introducing exotic fauna in public and private forests; **MAJOR** wood processing; **MAJOR** mining and quarrying projects and **MAJOR** listed infrastructure projects. There are currently a total of 37 listed project types in Group 1, all with EIS requirement.

ii) **Group II: NECPs in ECAs** (Non-Environmentally Critical Projects in Environmentally Critical Areas) - These are Heavy Industries, Fishery, and Logging projects with IEE as the highest documentary requirement (with moderate to nil significance of impact); **MINOR** wood processing projects, **MINOR** mining and quarrying projects, **MINOR** infrastructure projects in the same project types as listed in Proc No. 2146, as well as 16 additional project types which may be located in any of the 12 ECAs, as enumerated in ***Table 1-2***. There are currently 118-listed project types under Group II.

Table 1-2. Summary List of Additional Non-Environmentally-Critical Project (NECP) Types in ECAs Classified under Group II

1.	Agriculture industry	9.	Pipeline projects
2.	Buildings, storage facilities and other structures	10.	Textile, wood and rubber industries
3.	Chemical industries	11.	Tourism industry
4.	Cottage industries	12.	Transport terminal facilities
5.	Demonstration and pilot projects	13.	Waste management projects
6.	Environmental enhancement and mitigation projects	14.	Water supply, irrigation or flood control projects
7.	Food and related industries	15.	Treasure hunting in NIPAS areas
8.	Packaging materials and miscellaneous products industries	16.	Wildlife farming or any related projects as defined by PAWB

iii) **Group III: NECPs in NECAs** (Non-Environmentally Critical Projects in Non-Environmentally Critical Areas) - These are **ALL** Group II project types **outside ECAs**.

f) **Group IV (Co-located Projects in either ECA or NECA):** A co-located project is a group of single projects, under one or more proponents/locators, which are located in a contiguous area and managed by one administrator, who is also the ECC applicant. The co-located project may be an economic zone or industrial park, or a mix of projects within a catchment, watershed or river basin, or any other geographical, political or economic unit of area. Since the location or threshold of specific projects within the contiguous

area will yet be derived from the EIA process based on the carrying capacity of the project environment, the nature of the project is called "programmatic".

g) **Group V (Unclassified Projects):** These are the projects not listed in any of the groups, e.g. projects using new processes/technologies with uncertain impacts. This is an interim category – unclassified projects will eventually be classified into their appropriate groups after EMB evaluation.

h) **Project Sub-groups**: There are at most three (3) sub-groups under each main project group, as follows: new projects, existing projects with ECC with proposal for modification or resumption of operation, and operating projects without ECC (***Table 1-3***). Currently operating projects which preceded the implementation of the PEISS (i.e. projects that were operational or implemented prior to 1982) are not covered by the EIS System unless these apply for modification/expansion falling within thresholds of covered projects under Groups I and II.

Table 1-3. Project Sub-groups

Main Project Groups	Description	Project Sub-groups		
		New	Existing with ECC but with Proposal for Modification or Resumption of Operation	Operating Without ECC
I	Single ECP in ECA or NECA	I - A	I - B	I - C
II	Single NECP in ECA	II - A	II - B	II - C
III	Single NECP in NECA	III - A	Not applicable	Not applicable
IV	Co-located Projects in either ECA or NECA	IV - A	IV - B	IV - C
V	Unclassified Projects	V - A	Not applicable	Not applicable

8) EIA Report Types and Generic Contents

There are seven (7) major EIA Report types for which preparation and application procedures have been provided in this Manual. ***Table 1-4*** presents the report type per project sub-group.

a) For new projects: EIA-covered projects in Groups I, II and IV are required either an ***(1)*** Environmental Impact Statement (EIS), ***(2)*** Programmatic EIS (PEIS), ***(3)*** Initial Environmental Examination Report (IEER) or ***(4)*** IEE Checklist (IEEC), depending on project type, location, magnitude of potential impacts and project threshold. For non-covered projects in Groups II and III, a ***(5)*** Project Description Report (PDR) is the appropriate document to secure a decision from DENR/EMB. The PDR is a "must" requirement for environmental enhancement and mitigation projects in both ECAs (Group II) and NECAs (Group III) to allow EMB to confirm the benign nature of proposed operations for eventual issuance of a Certificate of Non-Coverage (CNC). All other Group III (non-covered) projects do not need to submit PDRs – application is at the option of the Proponent should it need a CNC for its own purposes, e.g. financing pre-requisite. For Group V projects, a PDR is required to ensure new processes/technologies or any new unlisted project does not pose harm to the environment. The Group V PDR is a basis for either issuance of a CNC or classification of the project into its proper project group.

b) For operating projects with previous ECCs but planning or applying for clearance to modify/expand or re-start operations, or for projects operating without an ECC but applying to secure one to comply with PD 1586 regulations, the appropriate document is not an EIS but an EIA Report incorporating the project's environmental performance and its current Environmental Management Plan. This report is either an ***(6)*** Environmental Performance Report and Management Plan (EPRMP) for single project applications or a

(7) Programmatic EPRMP (PEPRMP) for co-located project applications. However, for small project modifications, an updating of the project description or the Environmental Management Plan with the use of the proponent's historical performance and monitoring records may suffice.

c) A typical EIA Report has the following substantive contents:

i) **Project Description**, including its location, scale and duration, rationale, alternatives, phases and components, resource requirements, manpower complement, estimate of waste generation from the most critical project activities and environmental aspects, project cost

ii) **Baseline Environmental Description** (of the land, water, air and people), focused on the sectors and resources most significantly affected by the proposed action

iii) **Impact Assessment**, focused on significant environmental impacts (in relation to pre-construction, construction/development, operation and decommissioning stages), taking into account cumulative, unavoidable and residual impacts;

iv) **Environmental Management Plan**, specifying the impacts mitigation plan, areas of public information, education and communication, social development program proposal, environmental monitoring plans (with multi-sectoral public participation for EIS-based projects) and the corresponding institutional and financial requirements/ arrangements.

d) Key improvements on the EIA Reports integrated in this RPM are as follows:

i) Setting an estimated limit on the number of EIA Report pages (PEIS~350 pages, EIS ~250 pages; PEPRMP~ 200 pages, EPRMP~150 pages; IEER~75 pages), made possible by requiring upfront the submission of substantive analysis, key findings and conclusions on environmental characterization (in lieu of voluminous raw information), with due comparison to Philippine standards, typical baseline environmental values, country statistics or other acceptable reference standards. Non-compliance to the prescribed number of pages of the report is not a basis for denial of acceptance of any application for ECC or CNC;

ii) Resubmission of draft EIA Reports (excluding IEE Checklists and PDRs) in its "FINAL" version after integration of all Additional Information/Review Findings and Recommendations;

iii) Provision of templates and other pro-forma documents for organized and direct-to-the-point presentation of information, assessments, management and monitoring plans;

iv) Presenting the baseline information, impact assessment and mitigation by ecosystem – land, water, air and people for a more integrated analysis and mitigation of environmental quality.

9) EIA Review and ECC Issuance Vested on DENR

Section 3.0 of P.D. 1586 requires that **all** EIA Reports be submitted to the National Environmental Protection Council or NEPC (now DENR, through Executive Order No. 192) for review and evaluation. Furthermore, pursuant to Section 4.0 of P.D. 1586, ECCs are issued only by the President of the Philippines or his duly authorized representative, which is DENR. A delegated authority cannot be re-delegated. Accordingly, AO 42 issued by the President of the Philippines on November 2002 vests upon the DENR Secretary, as alter ego of the President, the power to grant or deny ECC on behalf of the President. AO 42 further designates the EMB Central and Regional Directors as approving authorities for certain types of

ECC applications. Thus, administrators of declared area management authorities and economic zones/industrial parks as well as LGUs do not have the authority to issue ECC/CNC under P.D. 1586 unless otherwise expressly delegated by the President of the Philippines. **Table 1-4** summarizes the processing and deciding authorities with regards to ECC, CNC and related applications. Specific to forestry projects processed at the EMB RO, the final decision shall be issued by the EMB Central Office or the DENR Secretary, pursuant to DAO 99-53 and DAO 04-29.

10) Decisions on EIA Applications

The outcome of the EIA Process within the system administered by the DENR is the issuance of decision documents.

a) Decision documents may either be an ECC, CNC or a Denial Letter, described as follows:

   i) An ***ECC*** is issued as a certificate of Environmental Compliance Commitment to which the Proponent conforms with, after DENR-EMB explains the ECC conditions. The Proponent signs the sworn undertaking of full responsibility over implementation of specified measures which are necessary to comply with existing environmental regulations or to operate within best environmental practices that are not currently covered by existing laws The ECC shall not include any trivial recommendations and conditions which are not intended to critically guide the Proponent's performance against its EIA commitments. For example, the requirement of very specific dimensions of project facilities or billboards announcing the ECC issuance shall not be made an ECC condition to allow the Proponent flexibility in its project design within the limits and context of its ECC application.

   ii) A Certificate of Non-Coverage ***(CNC***) certifies that, based on the submitted Project Description Report, the project is not covered by the EIS System and is not required to secure an ECC. Further, the CNC advises the Proponent on coverage to other requirements by other DENR offices, LGUs or other government agencies. Based on the Supreme Court Decision on 12 September 2002 (DENR Region XI vs. City of Davao, G.R. #148622), DENR-EMB cannot require an ECC or deny a CNC application for a project that is confirmed to be not an ECP and not within an ECA. It is ministerial upon DENR-EMB to issue the CNC upon application by a Proponent.

   iii) A ***Denial Letter*** shall contain an explanation for the disapproval of the application and guidance on how the application can be improved to a level of acceptability in the next EIA process. Unsatisfactory evaluation by the EIARC or EMB of the Proponent's submitted Additional Information (AI) at the end of the review process shall be a basis for the denial of the application. However, non-submission of an AI within the agreed timeframe may result only to a return of the EIA Report. Should the Proponent fail to resubmit the EIA Report within a prescribed period, the application is considered "dropped" (not denied). The Proponent will thereafter have to submit a new application with payment of new processing fees if it decides to pursue acquisition of an ECC.

b) **Main Parts and Salient Features of the ECC:** The ECC is composed of three (3) parts with the following features:

   i) **First Part:** The certificate of environmental compliance commitment, which defines the scope and limits of the project, in terms of capacity, area, technology or process. Both endorsing and issuing authorities sign-off this portion of the ECC. This part of the ECC comes with a covering letter transmitting the ECC to the Proponent, signed off by the deciding and signing authority (either the DENR Secretary, EMB Director or EMB Regional Director);

Table 1-4. Summary Table of Project Groups, EIA Report Types, Decision Documents, Processing/Deciding Authorities and Processing Duration

PROJECT GROUPS/		APPLIED TO	DOCUMENTS REQUIRED FOR ECC/CNC APPLICATION	DECISION DOCUMENT	PROCESSING RESPONSIBILITY (Endorsing Official)	DECIDING AUTHORITY	MAX TIME TO GRANT OR DENY ECC APPLICATION (Working Days)
I: Environmentally Critical Projects (ECPs) in either Environmentally Critical Area (ECA) or Non-Environmentally Critical Area (NECA)	**I - A**: New	Single Projects	Environmental Impact Statement (EIS)	ECC	CO: EIAMD Chief / EMB Director	EMB Director / DENR Secretary	120 days
	I - B: Existing Projects for Modification or Re-start up (subject to conditions in Annex 2-1c)	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	CO: EIAMD Chief/ EMB Director	EMB Director / DENR Secretary	90 days
	I - C: Operating without ECC	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	CO: EIAMD Chief/ EMB Director	EMB Director / DENR Secretary	90 days
II: Non-Environmentally Critical Projects (NECPs) in Environmentally Critical Area (ECA)	**II - A**: New	Single Projects	Environmental Impact Statement (EIS)	ECC	RO: EIAMD Chief	EMB RO Director	60 days
			Initial Environmental Examination Report (IEER)	ECC	RO: EIAMD Chief	EMB RO Director	60 days
			Initial Environmental Examination Checklist (IEEC)	ECC	RO: EIAMD Chief	EMB RO Director	30 days
			Project Description Report (PDR)	ECC	RO: EIAMD Chief	EMB RO Director	15 days
	II - B: Existing Projects for Modification or Re-start up (subject to conditions in Annex 2-1c)	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	RO: EIAMD Chief	EMB RO Director	30 days
	II - C: Operating without ECC	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	RO: EIAMD Chief	EMB Director	30 days
III: Non-Environmentally Critical Projects (NECPs) in Non-Environmentally Critical Area (NECA)	**III – A1:** New (Enhancement and Mitigation Projects)	Single Projects	Project Description Report (PDR) (REQUIRED)	CNC	CO: EIAMD Chief	EMB Director	15 days
					RO: EIAMD Chief	EMB RO Director	
	III – A2: New (All Other Grp II Project Types/Sub-types in NECA)	Single Projects	Project Description Report (PDR) (AT OPTION OF PROPONENT)	CNC	CO: EIAMD Chief	EMB Director	15 days
					RO: EIAMD Chief	EMB RO Director	
IV: Co-located Projects	**IV - A:** New	Co-located Projects majority of which are Group I Projects	Programmatic Environmental Impact Statement (PEIS)	ECC	CO: EMB Director	DENR Secretary	180 days
IV: Co-located Projects	**IV - A:** New	Co-located Projects majority of which are Group I Projects	Programmatic Environmental Impact Statement (PEIS)	ECC	CO: EMB Director	DENR Secretary	180 days

PROJECT GROUPS/		APPLIED TO	DOCUMENTS REQUIRED FOR ECC/CNC APPLICATION	DECISION DOCUMENT	PROCESSING RESPONSIBILITY (Endorsing Official)	DECIDING AUTHORITY	MAX TIME TO GRANT OR DENY ECC APPLICATION (Working Days)
		Co-located Projects majority of which are Group II Projects	Programmatic Environmental Impact Statement (PEIS)	ECC	RO: EIAMD Chief	EMB RO Director	60 days
	IV - B: Existing Projects for Modification or Re-start up of Co-located Projects	Co-located Projects majority of which are Group I Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	CO: EIAMD Chief	EMB Director / DENR Secretary	120 days
		Co-located Projects majority of which are Group II Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	RO: EIAMD Chief	EMB RO Director	60 days
	V - C: Operating without ECC	Co-located Projects majority of which are Group I Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	CO: EMB Director	DENR Secretary	120 days
		Co-located Projects majority of which are Group II Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	RO: EIAMD Chief	EMB RO Director	60 days
V: Unclassified Projects	**V - A:** New		Project Description Report (PDR) (REQUIRED)	CNC or Recommendation on Final Grouping and EIA Report Type	CO EIAMD Chief	EMB Director / DENR Secretary	15 days
					RO: EIAMD Chief	EMB RO Director	
* IF THE MODIFICATION DOES NOT REQUIRE A PEPRMP OR EPRMP BASED ON ANNEX 2-1C, THE FOLLOWING APPLY:							
Request for Minor ECC Amendment		Single Projects with Applicable Modifications listed in Annex 2-1c	Letter Request	ECC Amendment	CO: EIAMD Review and Evaluation Section or Division Chief	EIAMD Chief/EMB Director	7 days
					RO: EIAMD Review and Evaluation Section Chief	EIAMD Chief	
Request for Major ECC Amendment		Single Projects with Applicable Modifications listed in Annex 2-1c	Letter Request and/or Updated Project Description or Update of other selected portions of the EIA Report (e.g. Baseline or impact assessment or EMP on the areas of amendment only)	ECC Amendment	CO: EIAMD Review and Evaluation Section or Division Chief	EMB Director/DENR Secretary	30 days
					RO: EIAMD Review and Evaluation Section Chief	EMB RO Director	

ii) **Second Part:** Annex A of the ECC which lists the conditions within the mandate of the EMB. Non-compliance to any of the conditions may be imposed a corresponding penalty. The Proponent commits to fully comply to the ECC through its Sworn Statement of Full Responsibility to implement the mitigation measures;

iii) **Third Part:** Annex B of the ECC which lists the EIA Review Committee's recommendations to the Proponent, as well as suggestions to the government agencies and LGUs who have mandates over the project so that they can integrate the EIA findings into their decision-making process. The EIARC Chair, the EMB Chief and the EMB Director/Regional Director sign this portion of the ECC. This last part of the ECC is formally transmitted by the DENR-EMB to the concerned GAs and LGUs.

c) **Decision Timelines**: The decisions on applications shall be made within prescribed timelines within the control of DENR, otherwise, the application shall be deemed automatically approved, with the issuance of the approval document within five (5) working days from the time the prescribed period lapsed.

d) **ECC Validity and Expiry**: Once a project is implemented, the ECC remains valid and active for the lifetime of the project. ECC conditions and commitments are permanently relieved from compliance by the Proponent only upon validation by EMB of the successful implementation of the environmental aspects/component of the Proponent's Abandonment/Rehabilitation/Decommissioning Plan. This pre-condition for ECC validity applies to all projects including those wherein ECC expiry dates have been specified in the ECC. However, the ECC automatically expires if a project has not been implemented within five (5) years from ECC issuance, or if the ECC was not requested for extension within three (3) months from the expiration of its validity. If the baseline characteristics have significantly changed to the extent that the impact assessment as embodied in the Environmental Management Plan (EMP) is no longer appropriate, the EMB office concerned shall require the Proponent to submit a new application. The EIA Report on the new application shall focus only on the assessment of the environmental component, which significantly changed.

11) Public Participation in the EIA Process

Public participation shall be demonstrated through the following activities:

a) As part of the social preparation process at pre-Scoping, Information, Education and Communication (IEC) of LGUs is now explicitly required at the minimum of PEIS/EIS-based applications for new or modification proposals for which Public Scoping is a requirement. The IEC serves as a basis for preliminary identification of stakeholders and related issues in preparation for the Scoping proper. The revised Manual presents pro-forma documents and supplementing guidelines for proper and timely identification of stakeholders to be invited for Scoping and to be covered by the EIA Study.

b) Public Scoping for PEIS/EIS-based new projects is now more meaningful as community inputs will precede the Technical Scoping of the EIA Review Team with the Proponent, and will be formally considered before the sign-off of the Scoping Checklist that comprises the final TOR of the EIA Study. Key stakeholder representatives, EMB personnel, EIA Review Committee and the Proponent/Preparer representatives also sign off the List of Issues raised during the Public Scoping.

c) The conduct of the EIA Study shall include local stakeholders, who may serve as local expert sources, aides/guides and resource persons in primary data collection to optimize access to indigenous knowledge of the environment, or as interviewers/ interviewees in the socio-economic/perception surveys which shall be used as the basis for the subsequent formulation of social development plans, IEC, monitoring plans and other components of the environmental management plans. LGUs and government agencies shall specifically be consulted and involved in the drafting of the project's Social

Development Plan (SDP) Framework. The EIA Scoping and EIA Report Outline/Content allocate specific sections for a presentation and discussion of Public Participation process and outcomes, to be subject to the review of the EIA Review Committee and evaluation of the EMB during the Site Visit done simultaneously with either Public Hearing or Public Consultation, where applicable.

d) As a form of disclosure of the EIA findings, Public Hearing is required for all new ECPs for which Public Scoping was undertaken and for PEIS-based applications. A waiver of the Public Hearing requested by the Proponent may be granted by the DENR-EMB subject to the absence of mounting opposition or written request for one with valid basis and Public Consultation may be conducted instead of Public Hearing. The Notice of Public Hearing provides explicit instructions on registration, access to the EIA Report (with Project Fact Sheet written in the local dialect or mixed with the popularly known language of the host communities), preparation of position papers, and on the mechanics of how issues may be received before or during the hearing. Prior to Public Hearings or Public Consultations, the Proponent is required to give copies of the full EIA Report to the EMB RO and host municipalities; copies of Executive Summary to the host barangays; and copies of Project Fact Sheets to other stakeholders for a well-informed participation in the hearing/consultation process.

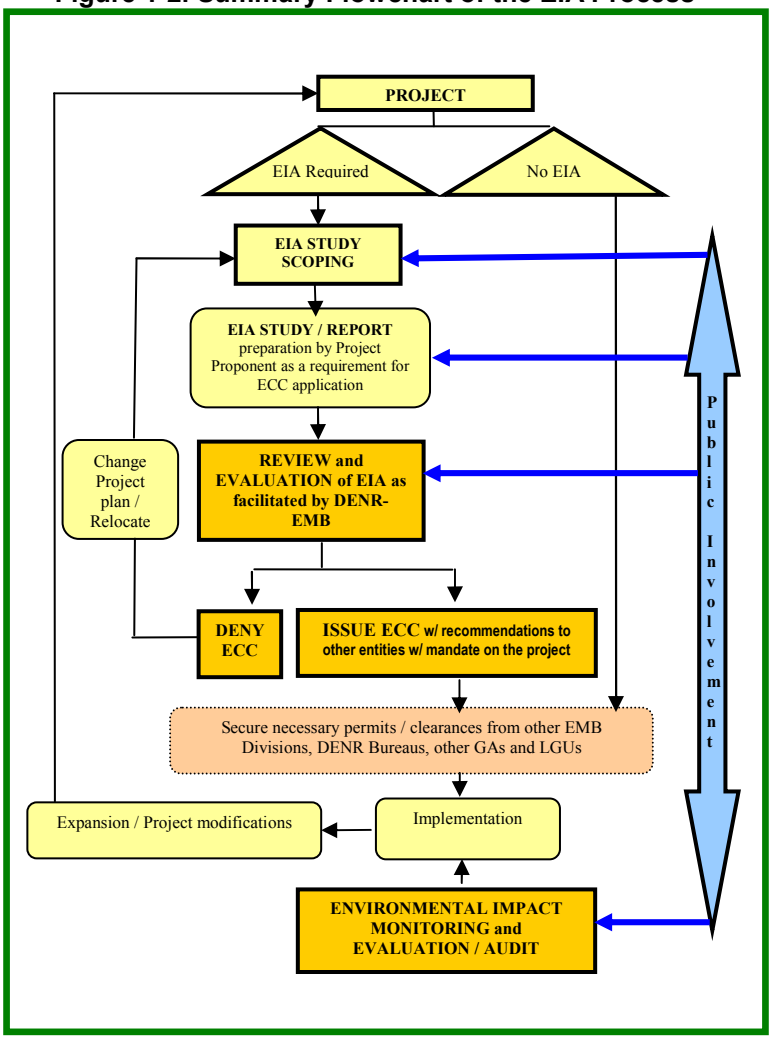
e) Once an ECC/CNC is issued, the EIA recommendations are transmitted by the DENR-EMB to the concerned GAs and LGUs to be considered in their decision-making process. This results to a more integrated, coordinated and participative safeguarding of environmental concerns.

f) Post-ECC multi-sectoral validation of a Proponent's self-monitoring results is instituted for PEIS/EIS-based projects. On the side of the EMB, through its Project Environmental Monitoring and Audit Prioritization Scheme (PEMAPS), a mechanism is provided for determination of EMB monitoring strategy and EMB monitoring priority rank a project will be assigned to, which provides guidance to the public on the applicable monitoring schemes for the project.

12) Summary Stages of the EIA Process

Application into the EIS System requires compliance with certain stages of the EIA Process. Requirements per EIA stage vary depending on the project group/type being applied for. A summary flowchart of the complete process is presented in **Figure 1-2** while a descriptive overview is provided in **Figure 1-3**. The Philippine EIA Process has six (6) sequential stages – Screening, Scoping, EIA Study and Report Preparation, EIA Review and Evaluation, Decision Making, and Post-ECC Monitoring, Validation and Evaluation/Audit stage. Stages 1, 2, 3 and 6a are all Proponent-driven while Stages 4, 5 and 6b are DENR-EMB driven stages. The first five (5) stages are those involved when a Proponent applies for ECC or CNC.

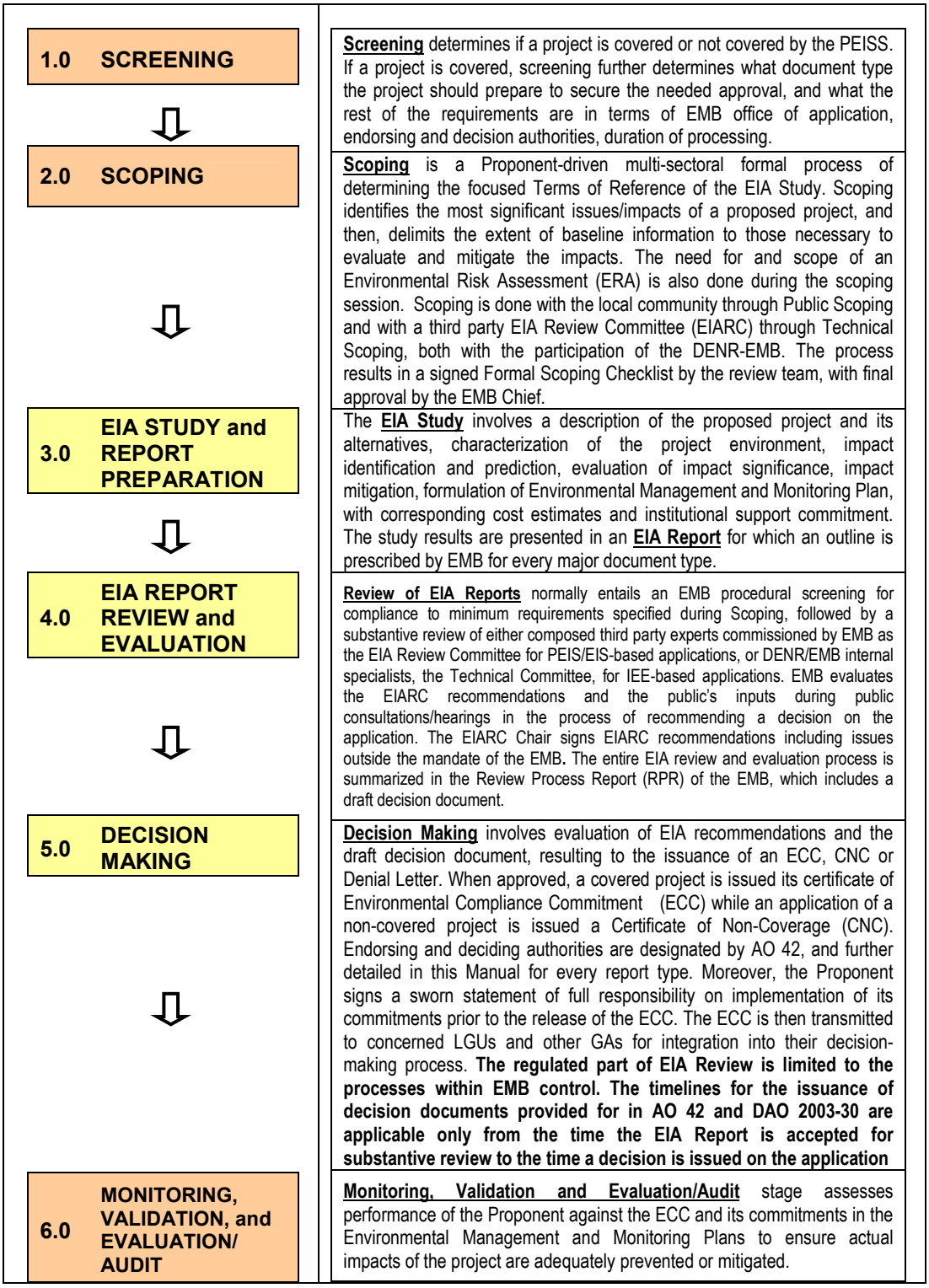
Figure 1-2. Summary Flowchart of the EIA Process



Legend:

- Proponent-driven
- DENR-EMB driven
- Proponent-driven but outside the EIA Process as requirements are under the mandate of other entities
- Public involvement, which typically begins at scoping but may occur at any stage of the EIA process.

Figure 1-3. Overview of Stages of the Philippine EIA Process



2.0 PROCEDURAL REQUIREMENTS OF THE EIA PROCESS

2.1 Screening for Coverage and Other Application Requirements

13) The EIA Coverage and Requirements Screening Checklist (ECRSC)

Annex 2-1a is a checklist for determining coverage under the Philippine EIS System and for determining corresponding requirements to comply with the system.

a) Annex 2-1a can both be used as a self-screening tool of the Proponent and a Screening Validation Form of the EMB. It also serves as a Site Inspection Report Form of the EMB for ECC/CNC applications, particularly for those that have passed procedural screening but need to be inspected for a rapid screening of issues prior to substantive screening. It may also be used for site inspection of suspected or reported operating projects without ECC as basis to support or validate issuance of a Notice of Violation.

b) The annex is applicable to both single and co-located projects, new and existing projects, with or without ECCs, or proposing for resumption of operations or project expansion/modification.

c) Annex 2-1a is the master-screening checklist, which contains the list of all requirements stated above to effect an application to the Philippine EIS System. It has three (3) main tables used in the screening process:

   (i) Annex Table 1 presents a short list of the project types for Groups I to III Project Groups for identification of main and support components of multi-component single-project applications or co-located project applications. This table assigns a specific number to the project type, which can help the Proponent easily locate its project in the Project Grouping Matrix (Annex 2-1c) for a determination of EIA Report type based on project threshold. For Group I projects (where an EIS is required regardless criticality of location) and for Group II projects with an optional PD Report, Table 1 is sufficient for a final determination without need for ECA screening. However, for Group II projects with EIS or IEE-based thresholds, Proponent may go to Tables 2a/b to confirm if the project location is a non-ECA for an option to be classified under Group III, which means the project is not covered by any documentary requirement and no need to secure an ECC. Moreover, Table 1 leads Proponent to Groups IV and V, if components are not found in Groups I to III.

   (ii) Annex Table 2a summarizes the list of the 12 ECA categories. The Proponent or the EMB has to complete the detailed ECA Screening Checklist (as presented in Table 2b) before the table can only be filled out. Table 2b will prompt the Proponent to check with DENR-EMB, other DENR offices, the LGU and other government agencies for confirmation of each relevant ECA category under respective mandates. Six (6) categories may be confirmed by the DENR as ECAs, while the technical descriptions for the rest of the six (6) categories shall be provided by DOT, NM/NHI/NCCA, NCIP, DOST-PAGASA, DOST-PHIVOLCS, DA/BFAR, DPWH or LGU. Table 2a will provide the final confirmation of non-coverage of projects listed in Group II with EIS/IEE-based thresholds.

   (iii) Annex Table 3 provides guidance as to the decision document required, what EMB office the Proponent may apply, who the endorsing and deciding authorities are and how long the decision process would take.

d) In filling out ***Annex 2-1a***, the user is prompted by the master checklist to refer to ***Annex 2-1b*** for the proper Project Group classification and EIA Report Type requirements for

new projects, and to ***Annex 2-1c*** for the determination of appropriate report type and corresponding decision document to be secured for modification of existing projects.

2.2 Procedures for ECC and CNC Application

14) Steps in the Application Process

The four (4) steps in this stage of the EIA Process -- from Scoping to Conduct of EIA Study/Report Preparation to Review and Evaluation of the EIA Report to Decision Making -- are described in each flowchart, whichever is relevant to the EIA Report type. It is noted that the EIA Study stage is fully within the control of the Proponent, thus, DENR-EMB does not regulate the duration of the EIA Report preparation. DENR-EMB emphasizes that the EMB-controlled timelines prescribed in DAO 2003-30 emanating from AO 42 apply only from the time the EIA Reports have been accepted for substantive review up to the time the ECC or CNC is issued.

15) Application Process for New Projects and Projects for Modification/ Expansion

Figures 2-1 to 2-3 present the application process for the seven (7) EIA Report types across project groups, based on what are prescribed to be processed at the EMB CO and EMB RO. The flowcharts also provide a description of the activity, the process and documentary requirements from Proponent applicants, the corresponding actions by DENR-EMB, and timelines for the activities, where prescribed. The flowcharts link the Proponents to the Annexes, which provide pro-forma documents and supplementing guidelines for easy compliance to the system.

16) Application Process for ECC Amendments

Figure 2-4 presents how Proponents may request for minor or major changes in their ECCs. Annex 2-1c provides a decision chart for the determination of requirements for project modifications, particularly for delineating which application scenarios will require EPRMP (which will be subject to Figure 2-1 process) or other support documentations (which will be subject to Figure 2-4 process).

17) Application Process for Relief from ECC Commitments

Figure 2-5 details the process for securing relief from the ECC issued for the project under previous DAOs of PD 1586 or the DAO 2003-30 under the following scenarios: a) for projects which have secured ECCs but have not been implemented; b) for projects which were previously covered but are currently classified as outside the PEISS purview; and c) for projects that will be terminated or completed, or will be abandoned or decommissioned.

Figure 2-1. Flowchart for ECC Applications for PEIS, EIS, PEPRMP, and EPRMP

	PEIS	EIS	PEPRMP	EPRMP
For EMB CO Applications for Group I and IV Projects	√	√	√	√
For EMB RO Applications for Group II and IV Projects	√	√	√	√

		NOTES
1.0	**Scoping**	
1.1	Social Preparation/IEC ↓	**1.1** **Information, Education and Communication (IEC) of LGUs** with jurisdiction over the project area is a required Proponent-driven activity, used as a basis for identification of stakeholders and issues in preparation for Public Scoping. Prior to IEC, tentative impact areas need to be determined by the Proponent, guidelines for which are provided in ***Annex 2-2.*** Stakeholders can then be identified with LGU assistance, using the pro-forma guideline/form in ***Annex 2-3***. The actual LGU IEC activities and outcome can be summarized using ***Annex 2-4.*** (NOTE: Projects in national waters outside any LGU jurisdiction are not covered by IEC requirement for Scoping purposes.)
1.2	Request for Scoping with EMB ↓	**1.2** **Scoping** is a required activity for PEIS and EIS-based projects. The Proponent submits to the EMB five (5) sets of Pro-forma Letter of Request for Scoping ***(Annex 2-5)***, attaching the Pro-forma Project Description for Scoping ***(Annex 2-6)***, with supporting docs: a) Filled out EIA Coverage and Requirements Screening Checklist ***(Annex 2-1),*** b) Map and Description of Preliminary Impact Areas, per ***Annex 2-2***, *c*) Stakeholder ID Form ***(Annex 2-3)***, *d)* Summary IEC documentation ***(Annex 2-4)***, *and e*) Filled out scoping portion of the appropriate EIA Scoping/Procedural Screening Checklist (SPSC), available for EIS ***(Annexes 2-7a)*** and for EPRMP ***(Annex 2-7b)***. (NOTE: Attachments c and d are not required for projects in national waters outside any LGU jurisdiction.)
1.3	Review Team Formation, Scheduling of Three-Level Scoping Activity	**1.3** Within five (5) working days from receipt of letter-request, EMB forms the prospective Review Team. ***Annex 2-8*** presents criteria/guidelines for selection of EIARC and Resource Persons. In coordination with the Proponent, EMB confirms the date and venue of the Three-Level Scoping Activity. The Review Team consists of an EMB Case Handler, third party EIARC members and/or Resource Person/s.
1.4	↓ Conduct of Three-Level Scoping Activity: a) 1st Level: Project Briefing Meeting with Review Team, b) 2nd Level: Public Scoping with Community and c) 3rd Level: Technical Scoping with Review Team ↓	**1.4** The **Three-Level Scoping Activity** is a Proponent-driven activity, preferably done one-time on site or in the region of project location: a) Project Briefing with Review Team (RT), during which Proponent presents a project overview, key issues and proposed TOR of EIA Study. Based on the pre-filled out SPSC, the RT may initially raise key issues on the scope of EIA Study, subject to Public/Technical Scoping. b) Public Scoping with project stakeholders, during which community sectors raise their issues to be addressed in the EIA Study. A Pro-forma Public Scoping Program/Guidelines is presented in ***Annex 2-9*** to guide Proponent in preparations and proper conduct of scoping. A Pro-forma Listing of Community Issues is provided in ***Annex 2-7c*** for sign-off by key scoping participants as an input to the Technical Scoping. (NOTE: Public Scoping not required for PEPRMP, EPRMP and for projects in national waters outside of any LGU jurisdiction, thus, only Two-Level Scoping is required at the EMB Office for these projects). c) Technical Scoping with Review Team, during which the EIA SPSC presented by the Proponent during Project Briefing is reviewed, finalized and signed by the RT and the Proponent. The RT is also referred to ***Annexes 2-7d and e*** for Environmental Risk Categorization and ERA format/coverage, and to ***Annex 2-10*** for guidance on segregation of other government requirements from the EIA scope.

1.5	Final Approval of Scoping Checklist	**1.5** The EMB Chief reviews and approves the EIA SPSC, rendering official the final TOR of the EIA Study.
2.0	**EIA Study and Report Preparation**	**2.0** **THIS STEP IS WHOLLY WITHIN THE PROPONENT'S CONTROL.** Proponent undertakes the EIA Study, with the assistance of its EIA Preparer Team. DENR-EMB personnel may clarify procedural and technical matters on the EIA process but is not allowed to take part in the EIA Study or in the preparation of the report. Outline/Content of EIA Reports for PEIS, EIS, PEPRMP and EPRMP are presented in ***Annexes 2-11 to 2-14. Annexes 2-17 to 2-20*** are forms for the preparation of the Impacts Management Plan (IMP), Social Development Plan (SDP) Framework, Information, Education and Communication (IEC) Framework and Environmental Monitoring Plan (EMoP). ***Annexes 2-21 and 2-22*** are Pro-forma Sworn Statements of Accountability of Proponent and Preparers for attachment in the EIA Report.
3.0	**EIA Report Review and Evaluation**	**3.1** Proponent submits one (1) copy of ***EIA Report***, and filled-out Procedural Screening portion of the ***SPSC Annex 2-7a).*** Within three (3) days from receipt of the EIA Report, the Screening Officer validates the procedural screening by the Proponent. Non-conforming document will be returned. If conforming, Proponent will be notified of the acceptance by being furnished a copy of the validated procedural screening portion of the SPSC duly signed by the Screening Officer. Proponent will also be instructed to pay the filing fee, set up the Review Fund, and then show the receipt to the EMB Case Handler to initiate the processing of the document.
3.1	Procedural Screening of EIA Report	
3.2	Payment of filing fee/ Set up Review Fund	**3.2** The Review Fund is estimated by the EIAMD and signed off by the EIAMD Chief. The Proponent with the DENR-EMB Fund Manager then enters into a MOA. ***Annex 2-23*** presents the guidelines for setting up the Review Fund.
3.3	Submission of Procedurally-accepted Application Documents	**3.3**

 # OF COPIES OF EIA REPORT REQUIRED TO BE SUBMITTED

PEIS	EIS	PEPRMP	EPRMP
10 Hard + 1 CD	7 Hard + 1 CD	5 Hard + 1 CD	5 Hard + 1 CD

Steps 4.0 to 6.0 START OF EMB - CONTROLLED REVIEW PROCESS

MAXIMUM WORKDAYS DENR/EMB REVIEW DURATION

PEIS		EIS		PEPRMP		EPRMP	
CO	RO	CO	RO	CO	RO	CO	RO
180	60	120	60	120	60	90	30

NOTE #1: ONLY THE TOTAL REVIEW DURATION and RESPONSE PERIOD OF PROPONENT TO AIs ARE CONTROLLED BY EMB. The rest of the timelines within the review process is provided FOR GUIDANCE and PLANNING PURPOSES only. The process and documentary requirements are mandatory, unless otherwise stated.

NOTE #2: Day 1 of the official processing period is reckoned on the day of the Proponent's show of receipts of the filing fee and Review Fund, together with the required number of reports, to the EMB Case Handler.

4.0	**Substantive Review**	
4.1	Reconvening of Review Team (RT) and Distribution of EIA Report copies to RT members	**4.1**

ESTIMATED WORKDAYS for EMB TO DISTRIBUTE EIA REPORTS and to FORMALLY RECONVENE EIARC

PEIS		EIS		PEPRMP		EPRMP	
CO	RO	CO	RO	CO	RO	CO	RO
20	5	10	5	10	5	10	5

The EMB convenes the EIA Review Committee and Resource Person through a formal invitation/contract. 2-4 EIARC members are ideally invited. EIARC individually reviews EIA Report and fills up the Pro-forma Additional Information (AI) Request (***Annex 2-24***) for submission before or during the 1st RT Meeting. ***Annex 2-24*** provides supplementing guidelines for requesting AIso while ***Annex 2-25*** provides review criteria and guidance to the Review Team on the conduct of review meetings.

4.2 Review Proper by Review Team (EMB CH, EIARC, RP)

4.2	ESTIMATED WORKDAYS for REVIEW PROPER*							
	PEIS		EIS		PEPRMP		EPRMP	
	CO	RO	CO	RO	CO	RO	CO	RO
	100	35	80	35	80	35	50	15

*Note: The Review Proper duration is inclusive of a maximum of two (2) Additional Information (AIs) *(except for EMB RO AIs, responses for which are outside the EMB review timeline),* maximum of 3 Review Team meetings, Site Visits/Public Hearing/Public Consultation, and submission of EIARC Report by EIARC Chair and Review Process Report of the EMB Case Handler.

4.2.1 1st Review Team Meeting

4.2.1 EMB can pre-select the EIARC Chair; otherwise, the EIARC members can select its Chair. EIARC members submit their AI Forms for internal discussion among EIARC members, then with the Proponent and subsequent consolidation by the EIARC Chair for submission to the EMB within 5 days from the meeting day. Note that If there is Public Hearing, Public Consultation or Site Visit, Proponent will be asked to respond to the AI after these activities. ***Annex 2-25*** presents a prescribed program for EIARC Meetings, responsibilities of the Review Team with criteria and guidance on the conduct of review and evaluation.

4.2.2 Site Visit (SV), Public Consultation (PC) or Public Hearing (PH)

4.2.2 PUBLIC PARTICIPATION DURING REVIEW PROPER

	PEIS	EIS	PEPRMP	EPRMP
SV	Must	Must *	Optional	Optional
PH**	Must	Must *	None	None
PC	-	Will be required if Public Hearing is waived due to absence of 1) significant mounting opposition, AND 2) written request for PH, both based on valid concerns within the DENR/EMB mandate	None	None

*Offshore projects are not covered by SV/PC/PH if there are no residents on site, no communities deriving livelihood from the site AND project area is outside any LGU jurisdiction.

Note: PH can only be held at the earliest on the 23rd calendar day from the 1st day of publication of Notice of Public Hearing. ***Annex 2-26* is a Pro-forma Notice of Public Hearing. Publication is once a week for 2 consecutive weeks, with the PH held at least 15 days from the 2nd date of publication. There are no similar restrictions to SV and PC. ***Annex 2-27*** presents a Pro-forma Public Hearing Program with supplementing criteria/guidelines on the conduct of public hearings/consultations. Timelines of PH/PC/SV are included in the Review Proper duration.

4.2.3 2nd/ 3rd Review Team (RT) Meeting

4.2.3 NO. OF WORKDAYS FOR SUBMISSION OF RESPONSE* BY PROPONENT FOR EVERY AI

	PEIS		EIS		PEPRMP		EPRMP	
	CO	RO	CO	RO	CO	RO	CO	RO
1st AI	20	15	15	15	15	15	15	7
2nd AI	20	15	15	15	15	15	15	7

4.2.4 Submission of EIARC Report by EIARC Chair	*NOTE #1: Responses must include response to issues raised by the stakeholders and EIARC during the site visit, public hearing or consultation. NOTE #2: For ALL PEIS/EIS/PEPRMP/EPRMP Reports processed at the EMB RO, response periods by Proponent are **outside** the EMB-controlled review timeframe. **NOTE #3: NON-SUBMISSION OF THE AI WITHIN THE PRESCRIBED TIMEFRAME WOULD MEAN STOPPAGE OF THE REVIEW PROCESS and AUTOMATIC RETURN OF EIA REPORT TO THE PROPONENT, WHO IS GIVEN ONE (1) YR TO RESUBMIT WTHOUT HAVING TO PAY PROCESSING and OTHER FEES.**
	4.2.4 The EIARC Chair at the latest shall submit the EIARC Report within five (5) days from the last EIARC meeting. When applicable, concerned EIARC members shall submit inputs to the EIARC Report at the latest within two (2) days from the last EIARC meeting. ***Annex 2-28*** provides a pro-forma EIARC Report outline /content. EIARC Report Preparation is included in the Review Proper duration.
4.2.5 Submission of Review Process Report (RPR)/ Recommendation by EMB Case Handler	**4.2.5** The RPR/Recommendation Document shall be prepared and submitted by the EMB CH to the EIAMD Review Section Chief/EIAM Division Chief at the latest within five (5) days from receipt of the EIARC Report. ***Annex 2-29*** provides an outline of the RPR. ***Annex 2-30a*** presents the standard ECC format and content. The EIARC Chair signs Annex B of the ECC which relays relevant EIA Findings and Recommendations to the Proponent on issues both within the EMB/DENR mandate and those within the jurisdiction of other concerned GAs/LGUs. The RPR and its approval as well as clearance on Decision Document for release to Endorsing Authority are included in the Review Proper duration.
5.0 Endorsement of Recom-mendation	**5.0**

ESTIMATED WORKDAYS for EMB TO ENDORSE RECOMMENDATION							
PEIS		EIS		PEPRMP		EPRMP	
CO	RO	CO	RO	CO	RO	CO	RO
30	10	15	10	15	10	15	5
Endorsing Authority	CO: EMB Chief/EMB Director RO: EMB Chief						

6.0 Sign-off/ Issuance of Decision Document	**6.0**

ESTIMATED WORKDAYS TO SIGN-OFF and ISSUE DECISION DOCUMENT							
PEIS		EIS		PEPRMP		EPRMP	
CO	RO	CO	RO	CO	RO	CO	RO
30	10	15	10	15	10	15	5
Deciding Authority							

NOTE #1: If no decision is made within the specified timeframe, the ECC application is deemed automatically approved and the approving authority shall issue the ECC within five (5) working days after the prescribed processing timeframe has lapsed.

NOTE #2: Prior to the release of the ECC, Proponent shall submit to the EMB one (1) hard copy and 2 e-files of the FINAL EIA REPORT, integrating all AIs.

NOTE #3: The Proponent signs the Sworn Statement of Full Responsibility on ECC Conditions prior to the official release of the ECC.

7.0 Transmittal of ECC to Concerned GAs/LGUs	**7.0** EMB transmits through ***Annex 2-30b*** the ECC to concerned GAs and LGUs with mandate on the project for integration of recommendations into their decision-making process.

Figure 2-2. Flowchart for IEE-Based ECC Applications

	IEE Report (IEER)	IEE Checklist (IEEC)
For EMB RO Application for Group II (NECP in ECA) Projects	√	√

NOTES

1.0 Informal Scoping (option of the Proponent)

1.0 The Proponent may opt to request EMB CO/RO to scope the IEER. In the scoping meeting, the Proponent and EMB jointly fill out the Scoping Checklist ***(may use Annex 2-7a).*** The accomplished form may be signed by both parties to serve as the official TOR of the IEER.

2.0 EIA Study and Report Preparation

2.0 **THIS STEP IS WHOLLY WITHIN THE PROPONENT'S CONTROL.** Proponent undertakes the IEE Study. DENR-EMB personnel may clarify procedural and technical matters on the EIA process but is not allowed to take part in the EIA study or in the preparation of the report. ***Annex 2-1a*** (Project Grouping Matrix) highlights project types with available IEE Checklists under Groups I and II. Checklists must be used if these are provided by EMB. The IEE Report Outline is presented in ***Annex 2-15***. ***Annexes 2-17 and 2-20*** provide templates for the Impacts Management Plan and Environmental Monitoring Plan. The Proponent is reminded to submit the filled-out ***Annex 2-7d*** with the IEER/IEEC as basis of EMB for prioritization in compliance monitoring and evaluation. ***Annexes 2-21 and 2-22*** are Pro-forma Sworn Statements of Accountability of Proponent and Preparers for attachment in the IEER/IEEC.

3.0 EIA Report Review and Evaluation

3.1 Procedural Screening

3.1

- Proponent submits to EMB one (1) copy of the IEER or IEEC, together with the filled out Procedural Screening Checklist (may use Annex 2-7a as template) for the IEER submission.
- For IEER: Within **three (3) days** from receipt by EMB of the IEER, the Screening Officer validates the procedural screening done by the Proponent.
- For the IEEC: Within **one (1) day** from receipt of the report, the Screening Officer validates the completeness of the IEEC to ensure the information is sufficient to make a decision on the application.
- Non-conforming document will be returned. If conforming, Proponent will be instructed to pay the filing fee and then show the receipt to the EMB Case Handler to initiate the substantive review of the document.

3.2 Setting up the Review Fund

3.2 For the IEER, the Review Fund is estimated by the EIAMD and signed off by the EIAMD RO Chief. The Proponent with the DENR-EMB Fund Manager then enters into a MOA. ***Annex 2-23*** presents the guidelines for setting up the Review Fund.

3.3 Submission of Procedurally-accepted Application Documents

3.3

# OF COPIES OF EIA REPORT REQUIRED TO BE SUBMITTED	
IEER	**IEEC**
5 Hard + 1 CD	**5 Hard + 1 CD**

Steps 4.0 to 6.0 START OF EMB-CONTROLLED REVIEW PROCESS

MAXIMUM WORKDAYS DENR/EMB REVIEW DURATION	
IEER	IEEC
60	30

NOTE #1: **ONLY THE TOTAL REVIEW DURATION and RESPONSE PERIOD OF PROPONENT TO AIs ARE CONTROLLED BY EMB. The rest of the timelines within the review process is provided FOR GUIDANCE and PLANNING PURPOSES only.**

NOTE #2: Day 1 of the official processing period is reckoned on the day of the Proponent's show of receipts of the filing fee (and Review Fund for IEER), together with the required number of reports, to the EMB Case Handler.

4.0 Substantive Review

4.1 Inviting EMB Reviewers and Distribution of EIA Reports

4.1	PRESCRIBED WORKDAYS for EMB TO DISTRIBUTE EIA REPORTS	
	IEER	IEEC
	5	5

Should the EMB Case Handler decide to review the IEER with a team, the Case Handler may invite reviewers from EMB/DENR personnel with mandates on the key issues of the applications (e.g., water, air, hazardous waste from PCD; Solid waste from the NSWMS; mining issues from the MGB; forestry issues from the FMB; etc). For IEER, an external expert may be additionally invited depending on the criticality of the issue involved and absence of internal expertise.

4.2 Review Proper by EMB Case Handler or with EMB/DENR reviewers

4.2	PRESCRIBED WORKDAYS for EIA REVIEW PROPER*	
	IEER	IEEC
	35	15

*Note: The Review Proper duration is inclusive of a **maximum** of two (2) Additional Information (AIs), and **maximum** of three (3) Review Team meetings/exchange of communication, Site Visits/Public Consultation up to Submission of Review Process Report by the EMB Case Handler.

4.2.1 1st Review by EMB CH or with Review Team (RT)

4.2.1 The EMB Case Handler may review the EIA Report solely or with the assistance of EMB/DENR Reviewers. The reviewers may individually review the EIA Reports and fill up the Pro-forma Additional Information (AI) Request (***Annex 2-24***) for submission during the 1st Review Mtg or in an equivalent activity (i.e. routing the AI request to the EMB CH within a specific timeline). The EMB CH serves as the Chair of the Review Team. Should a meeting be held, the RT deliberations are discussed with the Proponent. The pending AIs are then consolidated by the EMB CH for transmittal to the Proponent at the earliest possible time. ***Annex 2-24*** provides supplementing guidelines for requesting AIs while ***Annex 2-25*** provides review criteria and guidance to the Review Team on the conduct of review meetings.

4.2.2 Site Visit (SV), Public Consultation (PC)

4.2.2	PUBLIC PARTICIPATION DURING REVIEW PROPER		
		IEER	IEEC
	SV	Option of EMB	Option of EMB
	PC	Option of EMB	Option of EMB

Note #1: No Public Hearing is required. Should the EMB require a public consultation, the response to the AI raised during the 1st Review Team Meeting shall be responded to within five (5) working days from the date of the Public Consultation.

Note #2: Timelines of SV/PC are included in the Review Proper duration.

4.2.3	2nd/3rd EMB CH Review or Meeting with Review Team (RT)	
4.2.4	Submission of Review Process Report (RPR)/Draft Recommendation Document by EMB CH	

4.2.3	NO. OF WORKDAYS FOR SUBMISSION OF RESPONSE* BY PROPONENT FOR EVERY AI	
	IEER	IEEC
1st AI	7	7
2nd AI	7	7

***NOTE #1:** Responses must include response to issues raised by the stakeholders and EMB during the site visit or public consultation.

NOTE #2: NON-SUBMISSION OF THE AI WITHIN THE PRESCRIBED TIMEFRAME WOULD MEAN STOPPAGE OF THE REVIEW PROCESS and AUTOMATIC RETURN OF IEER/IEEC TO THE PROPONENT, WHO IS GIVEN SIX (6) MONTHS TO RESUBMIT WITHOUT HAVING TO PAY PROCESSING and OTHER FEES.

4.2.4 The RPR/Recommendation Document shall be prepared and submitted by the EMB CH to the EIAMD Review Section Chief/EIAM Division Chief at the latest within five (5) days from receipt of the EIARC Report. ***Annex 2-29*** provides an outline of the RPR. ***Annex 2-30a*** presents the standard ECC format and content. The EIARC Chair signs Annex B of the ECC which relays relevant EIA Findings and Recommendations to the Proponent on issues both within the EMB/DENR mandate and those within the jurisdiction of other concerned GAs/LGUs. The RPR and its approval as well as clearance on Decision Document for release to Endorsing Authority are included in the Review Proper duration.

5.0	**Endorsement of Recommendation**

5.0	ESTIMATED WORKDAYS for EMB TO ENDORSE DECISION DOCUMENT	
	IEER	IEEC
	10	5
Endorsing Authority	EIAMD RO Division Chief	EIAMD RO Division Chief

6.0	**Sign-off/ Issuance of Decision Document**

6.0	ESTIMATED WORKDAYS TO SIGN-OFF and ISSUE DECISION DOCUMENT	
	IEER	IEEC
	10	5
Deciding Authority	EMB RO Director	EMB RO Director

NOTE #1: If no decision is made within the specified timeframe, the ECC application is deemed automatically approved and the approving authority shall issue the ECC within five (5) working days after the prescribed processing timeframe has lapsed.

NOTE #2: Prior to the release of the ECC, Proponent shall submit to the EMB one (1) hard copy and 2 e-files of the FINAL IEE REPORT, integrating all AIs. (Not applicable for IEE Checklists)

NOTE #3: The Proponent signs the Sworn Statement of Full Responsibility on ECC Conditions prior to the official release of the ECC.

7.0	**Transmittal of ECC to Concerned GAs/LGUs**

7.0 EMB transmits through ***Annex 2-30b*** the ECC to concerned GAs and LGUs with mandate on the project for integration of recommendations into their decision-making process.

Figure 2-3. Flowchart for CNC Applications

	PROJECT DESCRIPTION REPORT (PDR)			
	Groups II and III: Enhancement/ Mitigation Projs	Group II (Other NECP in ECA)	Group III (Other NECPs in NECA)	Group V (Unclassified Projects)
	REQUIRED	OPTIONAL	OPTIONAL	REQUIRED
For EMB CO Applications	√ (III)	NA	√	√
For EMB RO Applications	√ (II and III)	√	√	√

	NOTES
1.0 Project Description (PD) Report Preparation	**1.0** **THIS STEP IS WHOLLY WITHIN THE PROPONENT'S CONTROL.** Proponent undertakes the EIA Study, with or without the assistance of an EIA Preparer. DENR-EMB personnel may clarify procedural and technical matters on the EIA process but is not allowed to take part in the EIA study or in the preparation of the report. ***Annex 2-16*** presents the PD Report outline/content.
2.0 PD Report Review and Evaluation	
2.1 Procedural Screening ↓	**2.1** Proponent submits to EMB one (1) hard copy of the PD Report. Within one (1) day from receipt of the report, the Screening Officer validates the completeness of the PD report to ensure the information is sufficient to make a decision on the application. Non-conforming document will be returned. If conforming, the Proponent will be instructed to pay the filing fee and then show the receipt to the EMB Case Handler to initiate the processing of the document.
Steps 2.0 to 4.0 **START OF EMB-REGULATED REVIEW TIMELINE**	**MAXIMUM REVIEW DURATION FOR ALL PDRs IN EMB CO or EMB RO: 15 WORKING DAYS** ***NOTE #1:*** **ONLY THE TOTAL REVIEW DURATION and RESPONSE PERIOD OF PROPONENT TO AIs ARE CONTROLLED BY EMB. The rest of the timelines within the review process is provided FOR GUIDANCE and PLANNING PURPOSES only.** ***NOTE #2:*** **Day 1 of the official processing period is reckoned on the day of the Proponent's show of receipt of the filing fee to the EMB Case Handler,**
2.2 **Substantive Review**	**2.2** **WORKDAYS FOR REVIEW PROPER BY EMB CH FOR ALL PDRs AT EMB CO or EMB RO: Eight (8) WORKING DAYS OR LESS**
2.2.1 Review Proper by EIAMD Case Handler ↓	The EMB Case Handler solely reviews the application.

2.2.2 Optional Site Visit (SV)	2.2.2	**SITE VISIT IS AT THE OPTION OF EMB FOR ALL PD REPORTS AT EMB CO and RO**
		Note #1: No Public Hearing or Public Consultation is required. **Note #2:** Timelines of the Site Visit are included in the 8-workday review duration by the EMB CH. **Note #3:** ***Annex 2-1a*** may be used for documenting observations during Site Visit.
2.2.3 Draft Recommendation Document by EMB CH	2.2.3	Recommendation shall be prepared and submitted by the EMB CH to the EIA Division Chief within two (2) working days from last activity. ***Annex 2-31*** presents the standard CNC format and content. The clearance for release of the EMB CH's Recommendation to the Endorsing Authority is included in the 8-workday review duration.
3.0 Endorsement of Recom-mendation	**3.0**	**ESTIMATED 3 WORKDAYS for EMB CO or EMB RO TO ENDORSE DECISION DOCUMENT**
	Endorsing Authority	CO: EIAMD CO Chief
		RO: EIAMD RO Chief
4.0 Sign-off/ Issuance of Decision Document	**4.0**	**ESTIMATED 4 WORKDAYS for EMB CO or EMB RO TO SIGN-OFF and ISSUE DECISION DOCUMENT**
	Deciding Authority	CO: EMB CO Director
		RO: EMB RO Director
		NOTE: If no decision is made within the specified timeframe, the CNC application is deemed automatically approved and the approving authority shall issue the CNC within five (5) working days after the prescribed processing timeframe has lapsed.
5.0 Transmittal of CNC Document	**5.0**	EMB transmits through ***Annex 2-30b*** the CNC to concerned DENR office, other GAs and LGUs with mandate on the project for integration of recommendations into their decision-making process.

Figure 2-4. Flowchart on Request for ECC Amendments

Scenario 1: Request for Minor Amendments[1]

1. Typographical error
2. Extension of deadlines for submission of post-ECC requirement/s
3. Extension of ECC validity [2]
4. Change in company name/ownership
5. Decrease in land/project area or production capacity
6. Other amendments deemed "minor" at the discretion of the EMB CO/RO Director

1 [Start]

Within three (3) years from ECC issuance (for projects not started) OR at any time during project implementation, the Proponent prepares and submits to the ECC-endorsing DENR-EMB office a **LETTER-REQUEST** for ECC amendment, including data/information, reports or documents to substantiate the requested revisions.

↓

2

The ECC-endorsing EMB office assigns a Case Handler to evaluate the request.

↓

3

ECC-endorsing Authority decides on the Letter-Request, based on CH recommendation

Maximum Processing Time to Issuance of Decision[3]	
EMB CO	**7 workdays**
EMB RO	**7 workdays**

Scenario 2: Request for Major Amendments

1. Expansion of project area w/in catchment described in EIA
2. Increase in production capacity or auxiliary component of the original project
3. Change/s in process flow or technology
4. Addition of new product
5. Integration of ECCs for similar or dissimilar but contiguous projects (NOTE: ITEM #5 IS PROPONENT'S OPTION, NOT EMB'S)
6. Revision/Reformatting of ECC Conditions
7. Other amendments deemed "major" at the discretion of the EMB CO/RO Director

↓

1 [Start]

Within three (3) years from ECC issuance (for projects not started) OR at any time during project implementation, the Proponent prepares and submits to the ECC-endorsing DENR-EMB office a **LETTER-REQUEST** for ECC amendment, including data/information, reports or documents to substantiate the requested revisions.

2

For projects that have started implementation[3], EMB evaluates request based on **Annex 2-1c** for various scenarios of project modification. Documentary requirements may range from a Letter-Request to an EPRMP to the EMB CO/RO while for those with Programmatic ECC; a PEPRMP may need to be submitted to the EMB CO to support the request. It is important to note that for operating projects, the appropriate document is not an EIS but an EIA Report incorporating the project's historical environmental performance and its current EMP, subject to specific documentary requirements detailed in **Annex 2-1c** for every modification scenario.

↓

3

For EPRMP/PEPRMP–based requests, EMB forms a Technical/ Review Committee to evaluate the request. For other requests, a Case Handler may solely undertake the evaluation. EMB CO and RO will process P/EPRMP for PECC/ECC under Groups I and II respectively.

(Go to **Figure 2-1**) [4]

↓

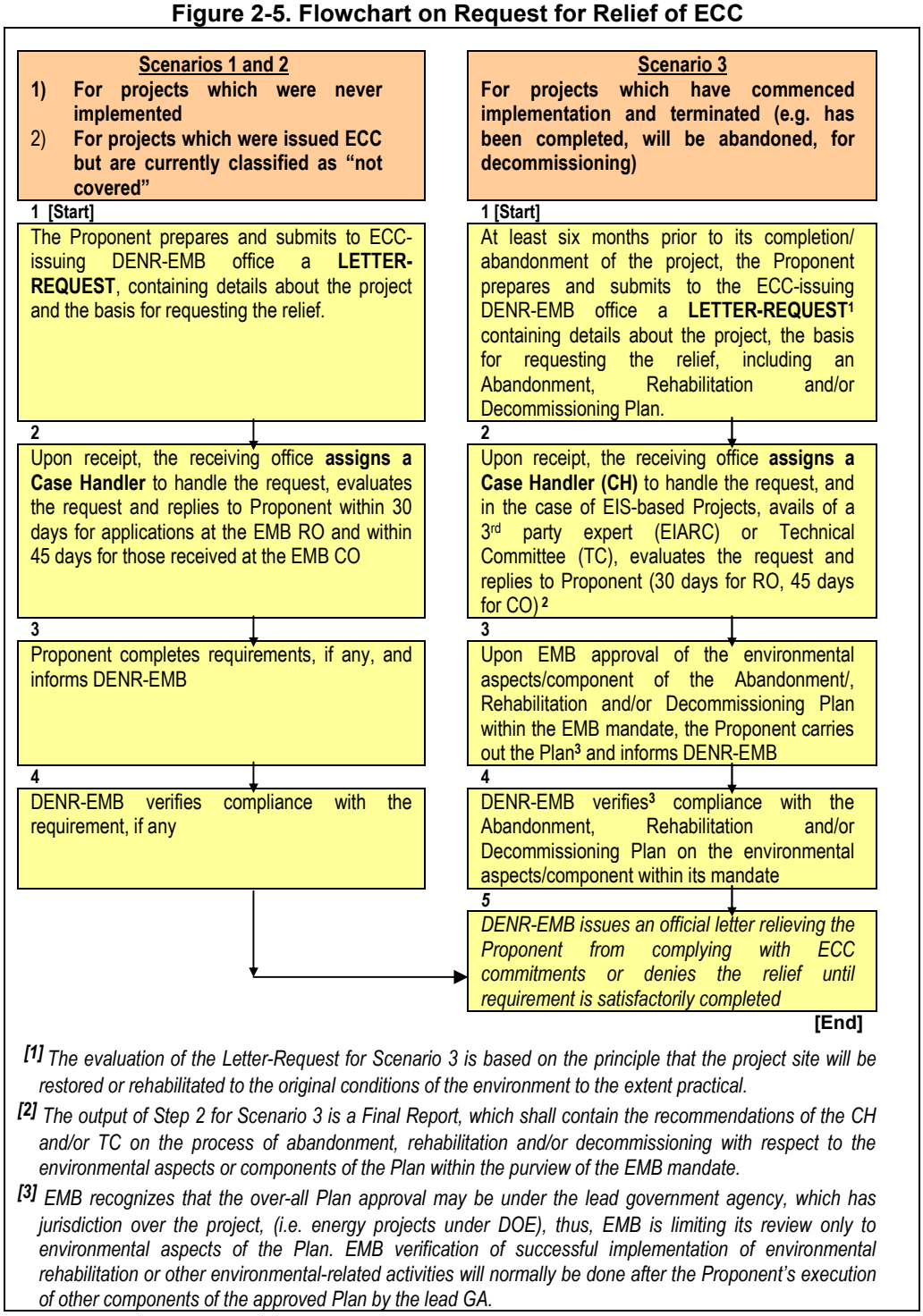
4

ECC-endorsing/issuing Authority (per Table 1-4) decides on Letter-Requests/EPRMP/PEPRMP/Other documents based on EMB CH and/or Tech//Review Committee recommendations.

Max Processing Time to Issuance of Decision[5]			
CO PEPRMP	**CO EPRMP**	**RO PEPRMP**	**RO EPRMP**
120 workdays	**90 workdays**	**60 workdays**	**30 workdays**
Other document applications: max 30 workdays (EMB CO and RO)			

[1] Applicable also to all CNCs. [2] In the case of request/s for extension of ECC validity for projects not started within 5 years from its date of issuance, the burden of proof is with the Proponent to substantiate that there is no significant deviations or changes in the baseline characteristics of the project site. In case the baseline characteristics have changed to such degrees that the impact assessment (as embodied in the EMP) is no longer appropriate, the EMB office concerned shall require the Proponent to submit a new application. The request for extension should be filed at least three (3) months before the expiration of the ECC validity. [3] Currently operating projects prior to 1982 (preceded PEISS implementation) are not covered by the EIS System unless these apply for modification/expansion falling within thresholds of covered projects under Groups I and II. [4] In case of an EIS-based ECC applied for amendment, the Technical/Review Committee shall include at least one (1) of the previous EIARC members (preferably the Chair) that evaluated the EIS. [5] If decision is not issued by DENR-EMB within prescribed approval period, automatic approval issued w/in 5 days from lapse of prescribed period).

Figure 2-5. Flowchart on Request for Relief of ECC



[1] The evaluation of the Letter-Request for Scenario 3 is based on the principle that the project site will be restored or rehabilitated to the original conditions of the environment to the extent practical.

[2] The output of Step 2 for Scenario 3 is a Final Report, which shall contain the recommendations of the CH and/or TC on the process of abandonment, rehabilitation and/or decommissioning with respect to the environmental aspects or components of the Plan within the purview of the EMB mandate.

[3] EMB recognizes that the over-all Plan approval may be under the lead government agency, which has jurisdiction over the project, (i.e. energy projects under DOE), thus, EMB is limiting its review only to environmental aspects of the Plan. EMB verification of successful implementation of environmental rehabilitation or other environmental-related activities will normally be done after the Proponent's execution of other components of the approved Plan by the lead GA.

2.3 Monitoring, Validation and Evaluation/Audit Procedures

18) Objectives of Monitoring, Validation and Evaluation/Audit

The primary purpose of monitoring, validation and evaluation/audit is to ensure the judicious implementation of sound environmental management within a company/corporation and its areas of operation. Specifically, it aims to ensure the following:

a) Project compliance with the conditions set in the ECC;

b) Project compliance with the Environmental Management Plan (EMP);

c) Effectiveness of environmental measures on prevention or mitigation of actual project impacts vis a vis the predicted impacts used as basis for the EMP design; and

d) Continual updating of the EMP for sustained responsiveness to project operations and project impacts.

19) Roles and Responsibilities

a) **Project Proponent/Company**: Proponents issued ECCs are primarily responsible for monitoring their projects.

(i) **Annex 3-1** presents a standardized Semi-annual ECC Compliance Monitoring Report (CMR), which a Proponent, through its Environmental Unit or Environmental Officer, is required to submit to the designated monitoring EMB office on a semi-annual frequency. The CMR requirement is to report performance at three (3) levels, at the minimum, as follows: a) performance against the ECC conditions; b) performance against the EMP; and c) performance against the monitoring of actual impacts (including residual impacts) as against predicted impacts in the EIA Report and as related to current project operations.

(ii) The detailed report on compliance to environmental standards specific to environmental laws shall be submitted through the Self-Monitoring Report (SMR) as required by DAO No. 2003-27 on a quarterly basis to the concerned EMB RO.

(iii) The semi-annual CMRs shall be submitted as Module 5 of the second and fourth quarter SMRs. Moreover, the second CMR shall include a simple trend analysis of the environmental standards and a summary of the cumulative annual and historical performance/compliance analysis on key environmental and social parameters, e.g. total areas successfully re/planted for the year and since project implementation; total local jobs generated; total population covered by IEC; total benefits given and total beneficiaries; total or % exceedances to standards; total violations, etc…

(iv) The First CMR shall be submitted mid-year after the start of project implementation, except for ECC commitments/conditions, which need to be submitted prior to project start-up. The Proponent shall notify EMB on the start-up date of project implementation.

(v) The Proponent may commission third party experts to undertake monitoring on its behalf. In such cases, respective notarized Sworn Accountability Statements similar to **Annexes 2-21 and 2-22** shall be submitted to the EMB with the monitoring results. DENR-recognized laboratories shall also be availed of in the analysis of field samples.

b) **Monitoring by Multi-partite Monitoring Team**: MMTs are organized to encourage public participation, to promote greater stakeholder vigilance and to provide appropriate check and balance mechanisms in the monitoring of project implementation. The MMT is

recommendatory to EMB. MMTs have the primary responsibility of validation of Proponent's environmental performance, with the following specific functions:

i) Validate project compliance with the conditions stipulated in the ECC and the EMP;

ii) Validate Proponent's conduct of self-monitoring;

iii) Receive complaints, gather relevant information to facilitate determination of validity of complaints or concerns about the project and timely transmit to the Proponent and EMB recommended measures to address the complaint;

iv) Prepare, integrate and disseminate simplified validation reports to community stakeholders;

v) Make regular and timely submission of MMT Reports based on the EMB-prescribed format.

Annex 3-2 presents the generic Compliance Monitoring and Validation Report (CMVR), which shall serve as the MMT Report Form. The CMVR has to be customized by every MMT based on the project to be monitored. Considering that an EMB personnel is a member of the MMT, EMB can ensure that the quality and content of the MMT outputs may be such that these will be usable to the EQD/PCD in its evaluation of permit application and/or renewal. Thus, there may be no need for the latter to undertake separate validation of the Proponent's compliance report.

The CMVR shall be submitted semi-annually to the concerned EMB Regional Office, with the Proponent's CMR/SMR as attachment. Moreover, the second CMVR shall preferably present a qualitative desk-validation of the trend analysis report and cumulative environmental performance of the Proponent.

Only projects required a PEIS and Group I (ECPs) are required to form project-specific Multi-partite Monitoring Team (MMT). For Group II-EIS (NECPs in ECA), the EMB Regional Offices have the option to require the formation of MMTs. However, for EIS-based projects with no resident communities within the direct impact areas AND are outside any LGU jurisdiction, the MMT requirement shall not be applicable. For these types of projects, concerns on environmental impacts/risks shown to potentially affect the nearest islands may be referred by the DENR-EMB to the appropriate government agency with mandate and permitting authority over the management of such concerns (e.g. Philippine Coast Guard for projects entirely in national waters). Further, for projects with ECCs issued based on a PEPRMP and EPRMP, an ISO certification on environmental management system or equivalent EMS issued by BPS-accredited firms may be submitted in lieu of forming an MMT, on the condition that the projects have no significant opposition and have no current /pending violations.

c) **EMB**: The EMB shall be primarily responsible for the over-all *evaluation/audit* of the Proponent's monitoring and the MMT validation.

(i) For each project issued an ECC, primary responsibility is lodged with the EMB Regional Offices who shall implement the Project Environmental Monitoring and Audit Prioritization Scheme (PEMAPS), an internal EMB strategy for selecting and prioritizing projects to be subject to compliance monitoring, based on evaluation by EMB and the Proponent's responses to the Environmental Risk Categorization Questionnaire attached as **Annex 2-7d** in this Manual. The PEMAPS considers four (4) key parameters: 1) potential of the process/technology to cause impacts; 2) existence and profile of the pathway of impacts; 3) existence and profile of receptors; and 4) project environmental performance, particularly on received complaints and confirmed violations during the period of PEMAPS review.

(ii) EMB shall form composite teams composed of EIAMD and PCD personnel to jointly evaluate the effectiveness of environmental management measures being implemented by the Proponent. The team need not necessarily undertake field

monitoring or sampling. Regardless of the PEMAPS environmental risk categorization of the project and its PEMAPS rating, a desk evaluation of the Proponent's SMR, preferably already validated by the MMT (for projects with MMT), shall be initially done to serve as the primary basis to determine need for field monitoring/sampling, particularly in relation to permit application or renewal. Any sampling activity shall be undertaken based on a coordinated schedule of the composite team, and the MMT (only if there is an existing MMT).

(iii) To lessen redundancy in monitoring/sampling, EMB shall prioritize the inclusion of EQD/PCD personnel in the activities of the MMT sectoral team or committee where the key environmental stressors or impacts of the project fall within the mandate of the sectoral environmental laws such as RA 6969 (on toxic substances/hazardous wastes), RA 8749 (air quality) and RA 9275 (on water quality).

(iv) EMB does not in any way delegate its authority or devolve its monitoring function to the MMT. The MMT report shall be the one of the bases of DENR-EMB actions without prejudice to their (DENR-EMB) undertaking a validation of the events covered or leading to the issuance of the MMT Report. The EMB representative in the MMT shall only sign as witness in the MMT report so as not to pre-empt DENR-EMB deliberations and decisions on the MMT recommendations.

(v) For projects with MMT, documentation by the EMB of its evaluation findings shall be through use the EMB Compliance Evaluation Report (CER) form in **Annex 3-3**, with the MMT's CMVR and the Proponent's CMR/SMR as attachments. The CER shall be prepared semi-annually, with the second CER including a summary evaluation of the trend analysis and cumulative environmental performance of the proponent, as validated by the MMT. The EMB Central Office shall provide policy guidance and, if necessary, technical assistance to the units concerned. The EMB CO shall also conduct periodic monitoring and validation performance audit.

(vi) For projects without MMT, validation function shall likewise be the responsibility of the EMB RO. The same CER form (**Annex 3-3**) shall be used as template, but incorporating relevant tables in the CMVR form (**Annex 3-2**) to be filled-out by the EMB RO itself as basis for the summary evaluation. The Proponent's CMR/SMR shall be attached to the CER.

(vii) Table 2-1 summarizes the monitoring, validation and evaluation/ audit schemes showing the roles and responsibilities of the key entities mentioned above.

20) Operationalization of the MMT

a) **Core membership of the MMT:** The MMT shall be composed of representatives of the proponent and of stakeholder groups, including representatives from concerned LGUs, locally accredited NGOs/POs, the community, concerned EMB Regional Office, relevant government agencies, and other sectors that have been identified during the EIA Study as potentially affected by the various phases of the project.

b) **Formation of the MMT**: After the ECC is issued; the proponent initiates the formation of its MMT by holding a meeting with the concerned EMB Office. The proponent presents a list of potential MMT members based on stakeholder identification using the pro forma in **Annex 2-3** as validated in the EIA Study. The proponent then prepares a draft project-based Memorandum of Agreement (MOA) for the creation of the MMT and establishment of the Environmental Monitoring Fund (EMF) and Environmental Guarantee Fund (EGF) based on the pro-forma presented in ***Annex 3-4.*** Initial estimates of the EMF and EGF shall be based on the guidelines presented in this Revised Procedural Manual and grounded on the EIA/ERA findings. After initial validation of the EIAMD of the acceptability of the proposals based on existing guidelines, a meeting is then called among the prospective MMT members during which the proponent and EMB provide a

briefing on the ECC, EMP and the draft MOA. MOA conditions shall be discussed, subjected to agreement among the MMT members and finalized during the meeting, then routed to the signatories. After the MOA signing, LGUs, GAs and other organizations identified as having representation in the MMT shall officially designate specific personnel who meet the criteria specified in the MOA as representative of these entities through a written office order / endorsement.

Table 2-1. Monitoring, Validation and Evaluation/Audit Schemes

Monitoring Aspects		Frequency / Timing		
		Proponent Self-Monitoring	MMT Validation of Proponent's Performance	EMB Evaluation/ Audit
A. Compliance Reporting	ECC	Semi-annual in CMR	Semi-annual in CMVR[2]	Semi-annual in CER[3]
	EMP[1]	Semi-annual in CMR	Semi-annual in CMVR[2]	Semi-annual in CER[3]
	Environmental Standards (under specific environmental laws)	Detailed report in Quarterly SMR; Summary of compliance in semi-annual CMR	Semi-annual in CMVR[2]	Semi-annual in CER[3]
B. Field Validation		-	Semi-annual	Semi-annual, or whenever there are complaints, exceedance of standards, suspicious data[4]
C. Effectiveness of Environmental Management Measures	Sampling and Measurement	Monthly/ Continuous as committed in the Environmental Monitoring Plan (EMoP) within the EMP	Only in cases of complaints/ exceedance of standards/ Suspicious data[4]	As the need arises in coordination with the MMT [4]
	Trend Analysis / Cumulative Performance Report [5]	2nd semi-annual CMR; 4th Quarter SMR	2nd Semi-annual CMVR	2nd semi-annual CER

[1]The EMP (Environmental Management Plan) is composed of the Impacts Management Plan (IMP), the Social Development Plan (SDP), Information Education and Communication (IEC) Plan,

[2]CMVR has the Proponent's CMR/SMR as an attachment

[3]CER is prepared by the EMB Case Handler/staff and shall attach the Proponent's CMR/SMR and MMT's CMVR

[4]The composite EMB Team (if project has no MMT) conducts validation, or if the Proponent has an existing MMT, the EMB personnel undertake validation as a member of the MMT. Should a composite team be needed to address a mix of issues within the respective mandate of the EMB divisions/units, the EMB composite team shall join the particular MMT validation activity so that there is only one integrated group validating the issues.

[5]Trend Analysis is undertaken on key significant environmental parameters in relation to standards while Cumulative Performance Report is done on applicable key significant impacts and measures.

c) **MMT Manual of Operations**: ***Annex 3-4*** additionally prescribes further the outline/content of the MMT's Manual of Operations (MOO), which shall guide the MMT in the planning of its activities, operationalization of its functions and review of its own performance. A generic MOO shall be posted at the EMB Webpage for customization.

d) **Integration or Clustering of MMTs**:

i) All DENR-EMB RO are enjoined to cluster, merge or integrate MMTs based on sectoral (e.g. project types) or spatial considerations (e.g. at the area, municipal, or provincial level) as may be appropriate.

ii) The streamlining of MMT shall be guided by the following guidelines:

- For projects located in a contiguous area (e.g., industrial zone or parks), only one (1) MMT should be created. Each project Proponent or locator may be allowed one (1) representative provided that the agreed upon limit on the number of Proponent's representative is not exceeded.
- Existing MMTs for projects other than those required an EIS in the ECC application stage, shall be merged or integrated at the municipal or provincial level, or by sector, whichever is practical.
- The contributions of Proponents to the EMF fund shall be decided on a consensus basis. The size of the project and the types of its discharges, among others, may be used as criteria to determine the share of a specific Proponent. In the event of failure to agree on a sharing scheme, the MMT Executive Committee or its Officers shall prescribe the shares or contribution of each Proponent.

iii) The guidelines on the composition of MMT may be refined or revised accordingly to correspond to the particular conditions and characteristics of the area where the *integrated* MMT will have jurisdiction.

e) **Life and Termination of MMTs**:

i) MMTs of projects whose significant environmental impacts do not persist after the construction phase or which impacts could be addressed through the mandates of other government agencies (e.g., DOH for health, LGU for building/structural safety, MGB for geological aspects), shall be time bound or have a specific term which is not of the same length as the project life (for example, MMT will only be organized for the construction phase).

ii) The operations of MMT shall be terminated upon transmittal of recommendation to other government agencies at the project stage where significant environmental impacts no longer exist. In the case of roads and bridges projects, MMT functions shall be terminated after construction and once project Operation and Maintenance (O and M) is turned over to the responsible management authority/organization.

iii) MMT functions shall be terminated for projects upon completion and upon compliance with the abandonment plan.

21) Environmental Monitoring Fund (EMF)

The EMF is a fund that a proponent establishes in support of the activities of the MMT. Annex 3-5 presents the EMF administration and management guidelines based on the framework agreed upon and specified in the MMT MOA.

22) Environmental Guarantee Fund (EGF)

An EGF is required to be established for all co-located or single projects that have been determined by DENR to pose a significant public risk or where the project requires rehabilitation or restoration. *Annex 3-6* presents prescribed EGF guidelines.

23) Monitoring of Projects issued CNCs and those previously issued ECCs but reclassified as non-covered under Annex 2-1b

Projects issued CNCs are not subject to monitoring under the EIS System. Similarly, projects issued ECCs under the old IRRs of P.D. 1586 but are now non-covered shall be relieved of their ECC commitments upon written confirmation by the EMB provided the Proponents do not have pending accountabilities.

Environmental monitoring of these projects shall be under the purview of any or all of the following entities:

a) EMB-Pollution Control Division (PCD)/ Environmental Quality Division (EQD) in cases when the projects are covered by other environmental permitting requirements of the DENR-EMB such as permits for air/water pollution sources and facilities and/or permits for toxic substances/hazardous waste generation, storage, transport and disposal.
b) Lead Government Agency, which has direct jurisdiction over the project, e.g. DOE environmental unit for non-covered energy projects; MGB environmental unit for non-covered mineral mining projects; DPWH environmental unit for non-covered roads and bridges, etc…
c) Other Government Agencies (GAs) who may have mandates over specific environmental concerns over the project, e.g. Philippine Coast Guard's National Operations Center for Oil Pollution (NOCOP) monitors oil spill /waste oil management plan implementation for offshore energy projects;
d) Local Government Units (LGUs) who have jurisdiction over the project area, especially in cases when there are no required DENR regional permits or other GA approvals cover the project.

24) Technical References on PEISS Monitoring

The EMB-issued handbooks under the WB-DENR Project "Strengthening Environmental Performance Monitoring and Evaluation System of the PEISS" in 2005 (i.e. Handbook on Technical Procedures, Handbook on Administrative Procedures and Handbook on Multi-sectoral Monitoring) may be used as the basic references in the conduct of an enhanced self-monitoring, multi-sectoral validation and EMB evaluation/audit of the project's environmental performance against the ECC and its Environmental Management Plan.

2.4 Administrative Investigation

25) Handling of Complaints or Adverse Monitoring Findings

Figure 2-6 presents the administrative procedure for addressing complaints or findings on alleged violations of Proponents to the ECC, EMP or other requirements of PD 1586.

26) Procedure to Appeal a Notice of Violation

Figure 2-7 details the procedures for filing a Motion for Reconsideration within 15 days of receipt of the Case Decision Document. If the case is founded on a commonly encountered nature of violation, the appeal may be pursued in the same office as the issuing authority of the CDD. The Proponent/complainant may elevate complex cases to the next level of authority, as shown in Figure 2-7.

Figure 2-6. Procedural Flow of Administrative Investigations

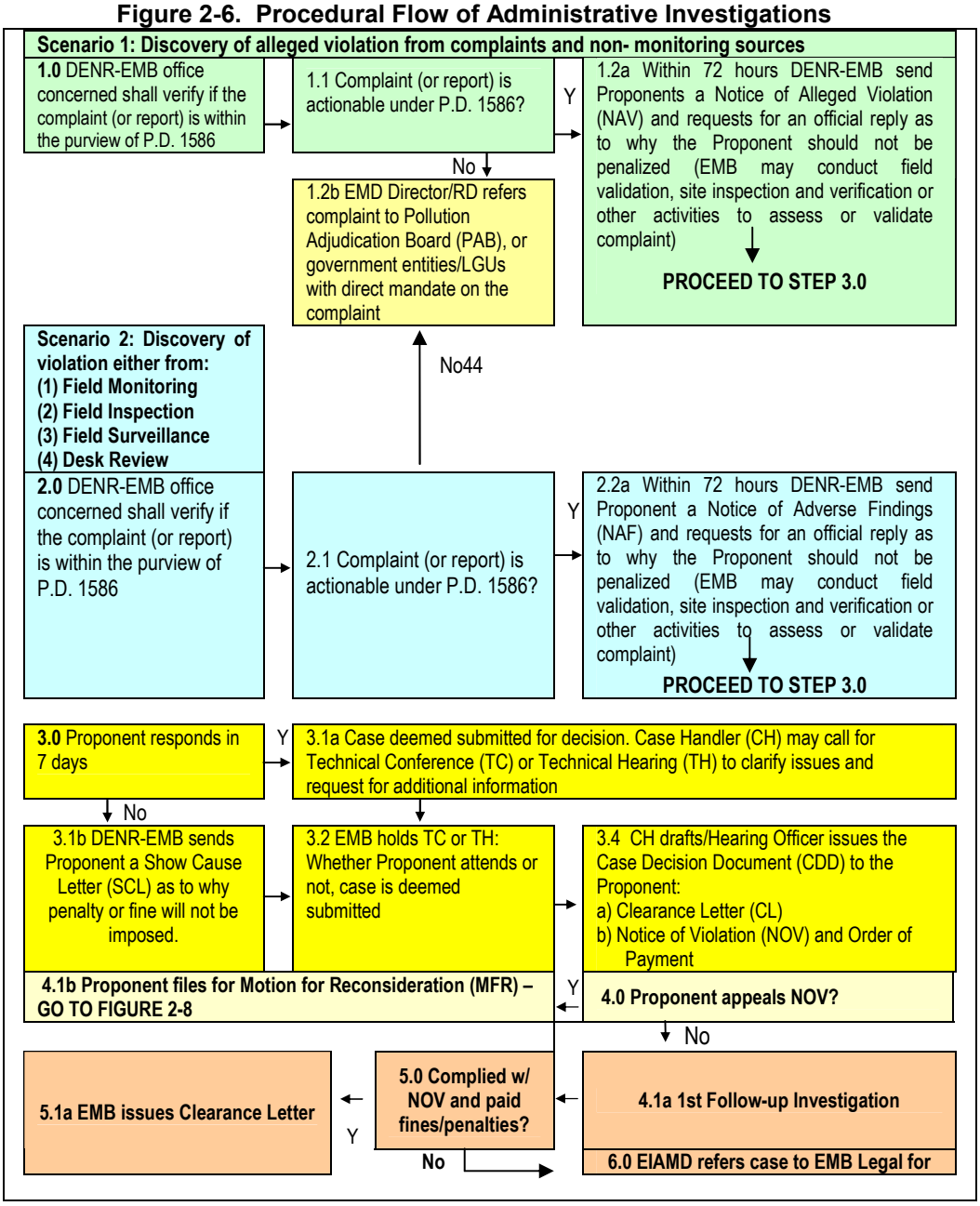
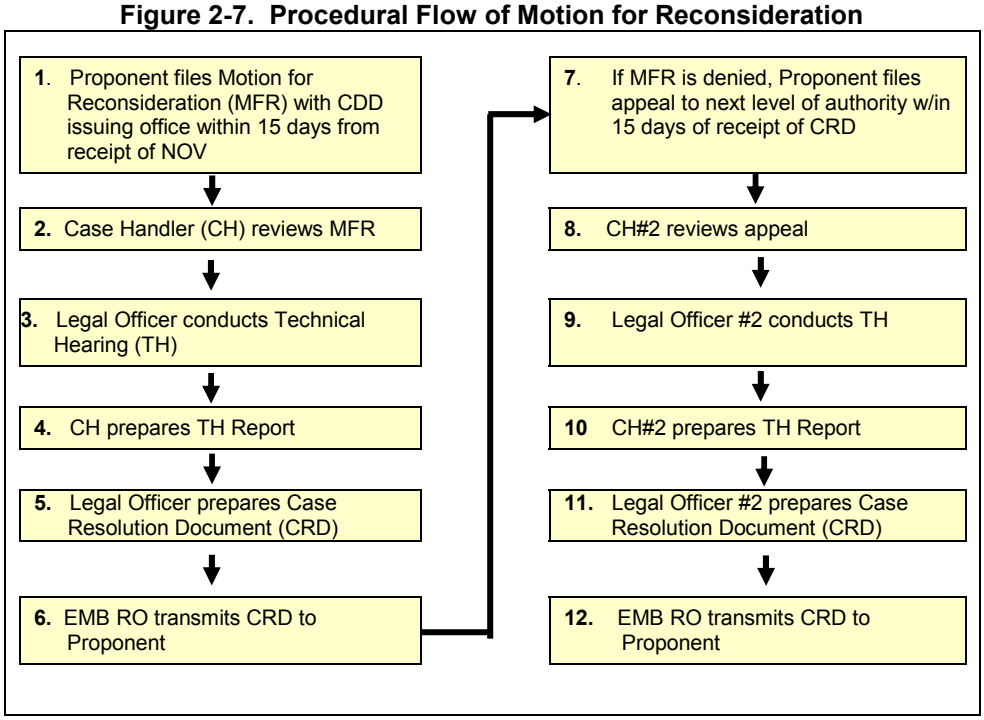


Figure 2-7. Procedural Flow of Motion for Reconsideration



2.5 Fines, Penalties and Sanctions

27) Legal Basis of Fines and Penalties

The fines, penalties and sanctions of the Philippine EIS System is based on Section 9.0 provision of P.D. 1586, as follows: "*Penalty for Violation. Any person, corporation or partnership found violating Section 4 of this Decree, or the terms and conditions in the issuance of the Environmental Compliance Certificate, or of the standards, rules and regulations issued by the National Environmental Protection Council pursuant to this Decree shall be punished the suspension or cancellation of his/its certificate and/or a fine in an amount not to exceed fifty thousand pesos (P50,000.00) for every violation thereof, at the discretion of the National Environmental Protection Council*."

> Section 4 of P.D. 1586 states that "*No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate issued by the President or his duly authorized representative."*

28) Suspension of ECCs

ECCs may be suspended for violation of Proponents to comply with ECC conditions. It is noted that ECC suspension does not necessarily mean the Proponent is absolved of its responsibility in implementing its approved Environmental Management Plan (EMP). PD 1586 does not preclude the fact that

DENR may require the Proponent to institute environmental safeguards/measures to prevent further threat or actual damage to the environment.

29) Authority to Impose Fines and Penalties

Imposition of fines and penalties based on the succeeding guidelines is vested on the Directors of the EMB Central Office or Regional Office upon persons or entities found violating provisions of P.D. 1586 and its Implementing Rules and Regulations.

30) Cease and Desist Order

The EMB Director or the EMB-RD may issue a Cease and Desist Order (CDO) based on violations under the Philippine EIS System which cannot be attributed to specific environmental laws (e.g. RA 8749, RA 9275, RA 6969, etc) and/or which present grave or irreparable damage to the environment. Such CDO shall be effective immediately. An appeal or any motion seeking to lift the CDO shall not stay its effectivity. However, the DENR shall act on such appeal or motion within ten (10) working days from filing.

31) Publication of Firms

The EMB may publish the identities of firms that are in violation of P.D. 1586 and its Implementing Rules and Regulations despite repeated Notices of Violation.

32) Scope of Violations

Violations of provisions of PD 1586 and DAO 2003-30 are classified as follows:

a) **Projects with or without ECCs** which pose grave and/or irreparable danger to environment, life and property wherein causes are not regulated by any specific environmental law*;*

b) **Projects are established and/or operating without an ECC***:* A project that has commenced its implementation is deemed "operating without an ECC", whether or not it is in actual operation. The phrase "operating without ECC" refers to all projects that were implemented without ECC but should have secured one as provided for by the PD 1586 IRR effective at the time. Operating with an ECC secured from agencies or entities other than DENR is also considered "operating without an ECC". Covered projects operating without an ECC shall not be issued EMB regional environmental permits by EMB-PCD/EQD until such projects have complied with the PEISS in securing an ECC.

c) **Violations of conditions of ECCs with old format referring to submission of documents, conduct of studies and other conditions within the mandate of other agencies** (e.g. Relocation Plan under HLURB/NHA; Traffic Management Plan under LGU; Occupational Health and Safety Plan under DOLE; Epidemiological Studies under DOH, etc): Violations shall be limited to procedural or administrative non-compliance (e.g. Refer to Minor Offense #1 below on delay or non-submission). The acceptability of these documents based on substantive evaluation cannot be a ground for violation under PD 1586. Mandated agencies shall have primacy of jurisdiction on assessing compliance with these requirements.

d) **Projects violating ECC conditions and EMP Commitments and other procedural requirements of the Philippine EIS System**: Violations in relation to ECC conditions are classified as minor and major offenses, differentiated by schedule of fines based on seriousness and gravity of the offense:

   i) **MINOR Offenses** (violations of administrative conditions in the ECC and the EIS System procedures, rules and regulations that will not have direct significant impact on the

environment but can impede or delay compliance against other ECC conditions and/or EMP commitments which the Proponent is required to comply or can prevent/deter EMB from performing monitoring or audit functions on the Proponent's environmental performance), such as: 1) non-submission or delay in submission of reports/requirements; 2) transfer of ownership of the project/ECC without prior approval from ECC-issuing authority; 3) delay or failure to initiate formation or implementation of ECC conditions which do not have significant impacts on the environment, such as formation of EU, MMT, EMF, EGF, enhancement measures and other similar/equivalent requirements prior to the required deadline in the ECC; 4) non-compliance with other administrative conditions in the ECC; 5) non-compliance with administrative and technical procedural guidelines in the DAO 2003-30 and its Revised Procedural Manual; and 6) Other offenses deemed "minor" at the discretion of the EMB CO/RO Director.

ii) **MAJOR Offenses** (violations of substantive conditions in the ECC and the EIS System procedures, rules and regulations that will have significant impact on the environment and which the Proponent is required to comply), such as: 1) non-implementation of substantive conditions in the ECC on the EMP and EMoP and other related substantive commitments in the EIA Report, including modifications during EIA Report Review, 2) exceedance of project limits or area; 3) significant addition of project component or product without prior DENR-EMB approval; 4) major change in project process or technology resulting in unmitigated significant impacts not addressed by approved EMP; 5) Other offenses deemed "major" at the discretion of the EMB CO/RO Director.

e) **Misrepresentation in the EIA Report or any other EIA documents:** All misrepresentations, whether material or minor constitute violations on the theory that full disclosure in the EIA Report is the key to the effective use of the EIS System as a planning and management tool.

33) Assessment and Computation of Fines

a) Failure to pay a fine imposed by the Secretary, EMB Director or the RD constitutes an offense separate from the original offense that brought about the imposition of the original fine and may warrant the imposition of another fine, and/or the issuance of a CDO.

b) **For projects operating without an ECC:** The sum of P50,000.00 is set as reduced at the discretion of the Secretary, the EMB Director, or the RD, considering the circumstances of each case, i.e. impact of the violation on the environment. The project may be subjected to penalty following the mechanics of reduction as shown in **Table 2-2.**

Table 2-2. Schedule of Penalty Reduction in case of "Operating without ECC"

CRITERIA	PERCENT REDUCTION IN PENALTY	EQUIVALENT AMOUNT IN PESO TO BE DEDUCTED
1. Timing of ECC Application		
Proponent Applied for ECC before issuance of NOV	25	12,500
2. Percentage Project Completion		
Project is 25% complete	10	5,000
Project is > 25% but < 50% complete	5	2,500
Project is >50% complete	0	0
3. Project Cost		
Project ≤ PhP 5.0 M	20	10,000
Project is >PhP 5.0M	10	5,000

CRITERIA	PERCENT REDUCTION IN PENALTY	EQUIVALENT AMOUNT IN PESO TO BE DEDUCTED
4. Project Impact on the Environment		
Project does not cause adverse environmental impacts	25	12,500
Note: A maximum of 80% reduction in penalty can only be imposed provided that the project Proponent meets all of the above criteria.		

c) **In case of violation of ECC conditions, EMP, or EIS rules and regulations***:* The sum of P50,000.00 is again set as the maximum amount of fine per violation. Violation of one condition in the ECC is an offense separate and distinct from the violation of another condition. It is possible that a respondent be subjected to a fine of more than P50,000.00 if more than one ECC condition is violated. However, the amount of fine per violation may be accordingly reduced, following the schedule of fines presented in **Table 2-3.**

Table 2-3. Schedule of Penalty Reduction in case of Violations of ECC Conditions

CRITERIA	PENALTY			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Minor Offenses	PhP 10,000.00	PhP 25,000.00	PhP 50,000.00	PhP 50,000 plus ECC suspension with option of DENR-EMB to cease operations if deemed necessary but with corresponding requirement for continued EMP implementation
Major Offenses	PhP 25,000.00	PhP 50,000.00	PhP 50,000 plus ECC suspension with option of DENR-EMB to cease operations if deemed necessary but with corresponding requirement for continued EMP implementation	

d) **Misrepresentation in the EIA Reports or any other documents submitted by the Proponent:** This violation shall be subjected to due process and may result to a fine in a fixed maximum amount of PhP50,000.00 for every proven misrepresentation. The Proponent and the Preparer responsible for the misrepresentation shall be solitarily liable for the payment of the fine, without prejudice to other EMB actions towards the Proponent or Preparer who repeatedly commit the same offense.

3.0 MISCELLANEOUS PROVISIONS

34) Effectivity

The Revised Procedural Manual (RPM) is immediately effective after sign-off by the EMB Director. Full implementation shall be by January 2008. In the transition, EMB shall adopt a selective implementation approach or voluntary performance by Proponents/Preparers against the revised procedures to allow entities concerned to undergo orientation/training on the manual. Proponents who have initiated Scoping or who are in the EIA Study/Report Preparation stage may adopt the new Manual procedures/guidelines with prior concurrence of the EMB.

35) Repealing Clause

All memoranda, memorandum circulars, MOAs based on DAO 96-37 or earlier IRRs of PD 1586, and other issuances where provisions are inconsistent with this Manual are amended accordingly.

36) Continual Improvement

The EMB shall continually improve the EIA process for greater efficiency as a planning tool in the project cycle. Improvements will also aim to generate better quality EIA Reports and faster review timelines through more meaningful EIA processes. Improvement proposals shall be accepted by EMB through a form provided below.

DAO 2003-30 PROCEDURAL MANUAL IMPROVEMENT PROPOSAL

INSTRUCTIONS: Please complete Blocks 1 to 4.

NOTE: This form cannot be used to request copies of documents, request waivers and amendments to issued ECCs, and to clarify requirements on current ECC applications. This form is solely for comments and suggestions on improving specific sections of this Manual.

1. COMMENT/RECOMMENDED CHANGE: *(Identify Section and Item Number and include proposed rewrite, if possible. Attach extra sheets as needed.)*

2. REASON FOR RECOMMENDATION *(Attach extra sheets as needed.)*

3. COMMENTER

a. NAME (Signature over Printed Name)	b. ORGANIZATION/POSITION	
c. ADDRESS	d. TELEPHONE/E-MAIL	**4. DATE SUBMITTED**

PLEASE SUBMIT THIS FORM TO:

EIA Division, DENR- Environmental Management Bureau
DENR Compound, Visayas Avenue, Diliman, Quezon City 1116
Tel. No.: (632) 927-1517 or 18
Fax No.: (632) 927-1518
E-mail: emb@emb.gov.ph
Contact Persons: Espie Sajul/ Elsie Cezar /Pura Vita Pedrosa

GLOSSARY

a. **Carrying Capacity** – a measure of capacity of the environment to absorb impacts within recovery thresholds such that there is no significant deterioration or depletion of resources to a point where sustainable ecosystem function is impaired.

b. **Certificate of Non-Coverage** – a certification issued by the EMB certifying that, based on the submitted project description, the project is not covered by the EIS System and is not required to secure an ECC.

c. **Co-located projects / undertakings** – projects, or series of similar projects or a project subdivided to several phases and/or stages by the same Proponent, located in contiguous areas.

d. **Cumulative Impacts** – additive impacts from various sources

e. **EMB Director** – the Director of the DENR-EMB at the Central Office

f. **EMB RD / EMB RO Director** – the Director of the DENR-EMB at the Regional Office

g. **Environment** – Surrounding air, water (both ground and surface), land, flora, fauna, humans and their interrelations.

h. **Environmental Compliance Certificate** (ECC) - a certificate of Environmental Compliance Commitment to which the Proponent conforms with, after DENR-EMB explains the ECC conditions, by signing the sworn undertaking of full responsibility over implementation of specified measures which are necessary to comply with existing environmental regulations or to operate within best environmental practices that are not currently covered by existing laws. It is a document issued by the DENR/EMB after a positive review of an ECC application, certifying that the Proponent has complied with all the requirements of the EIS System and has committed to implement its approved Environmental Management Plan. The ECC also provides guidance to other agencies and to LGUs on EIA findings and recommendations, which need to be considered in their respective decision-making process.

i. **Environmentally Critical Area** (ECA) – an environmentally sensitive area declared through Proclamation 2146 wherein significant environmental impacts are expected if certain types/thresholds of proposed projects are located, developed or implemented in it. Updating of technical descriptions of ECAs is vested on the DENR-EMB through Section 2-D of AO 42 (2002).

j. **Environmentally Critical Project** (ECP) - projects belonging to project types declared through Proclamation No. 2146 and Proclamation No. 803 which may pose significant negative environmental impact at certain thresholds of operation regardless of location. Updating of technical descriptions of ECPs is vested on the DENR-EMB through Section 2-D of AO 42 (2002), in coordination with the DTI as provided for in Section 3-A of AO 42.

k. **Environmental Guarantee Fund** (EGF) – fund to be set up by a project Proponent which shall be readily accessible and disbursable for the immediate clean-up or rehabilitation of areas affected by damages in the environment and the resulting deterioration of environmental quality as a direct consequence of a project's construction, operation or abandonment. It shall likewise be used to compensate parties and communities affected by the negative impacts of the project, and to fund community-based environment related projects including, but not limited to, information and education and emergency preparedness programs.

l. **Environmental Impact Assessment** (EIA) – process that involves evaluating and predicting the likely impacts of a project (including cumulative impacts) on the environment during construction, commissioning, operation and abandonment. It also includes designing appropriate preventive, mitigating and enhancement measures addressing these consequences to protect the environment and the community's welfare.

m. **Environmental Impact Assessment Consultant** - a professional or group of professionals commissioned by the Proponent to prepare the EIS/IEE and other related documents. In some cases, the person or group referred to may be the Proponent's technical staff.

n. **Environmental Impact Assessment Review Committee** (EIARC) - a body of independent technical experts and professionals of known probity from various fields organized by the EMB to evaluate the EIS and other related documents and to make appropriate recommendations regarding the issuance or non-issuance of an ECC.

o. **Environmental Impact Statement** (EIS) - document, prepared and submitted by the project Proponent and/or EIA Consultant that serves as an application for an ECC. It is a comprehensive study of the significant impacts of a project on the environment. It includes an Environmental Management Plan/Program that the Proponent will fund and implement to protect the environment.

p. **Environmental Management Plan/Program** (EMP) - section in the EIS that details the prevention, mitigation, compensation, contingency and monitoring measures to enhance positive impacts and minimize negative impacts and risks of a proposed project or undertaking. For operating projects, the EMP can also be derived from an EMS.

q. **Environmental Management Systems** (EMS) - refers to the EMB PEPP EMS as provided for under DAO 2003-14, which is a part of the overall management system of a project or organization that includes environmental policy, organizational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining an improved overall environmental performance.

r. **Environmental Monitoring Fund** (EMF) –fund that a Proponent shall set up after an ECC is issued for its project or undertaking, to be used to support the activities of the multi-partite monitoring team. It shall be immediately accessible and easily disbursable.

s. **Environmental Performance** – capability of Proponents to mitigate environmental impacts of projects or programs.

t. **Environmental Performance Report and Management Plan** (EPRMP) - documentation of the actual cumulative environmental impacts and effectiveness of current measures for single projects that are already operating but without ECCs.

u. **Environmental Risk Assessment** (ERA) – assessment, through the use of universally accepted and scientific methods, of risks associated with a project. It focuses on determining the probability of occurrence of accidents and their magnitude (e.g. failure of containment or exposure to hazardous materials or situations.)

v. **Initial Environmental Examination** (IEE) Report - document similar to an EIS, but with reduced details and depth of assessment and discussion.

w. **Initial Environmental Examination** (IEE) Checklist Report - simplified checklist version of an IEE Report, prescribed by the DENR, to be filled up by a Proponent to identify and assess a project's environmental impacts and the mitigation/enhancement measures to address such impacts**.**

x. **Multipartite Monitoring Team** (MMT) - community-based multi-sectoral team organized for the purpose of monitoring the Proponent's compliance with ECC conditions, EMP and applicable laws, rules and regulations.

y. **Programmatic Environmental Impact Statement** (PEIS) - documentation of comprehensive studies on environmental baseline conditions of a contiguous area. It also includes an assessment of the carrying capacity of the area to absorb impacts from co-located projects such as those in industrial estates or economic zones (ecozones).

z. **Programmatic Environmental Performance Report and Management Plan** (PEPRMP) - documentation of actual cumulative environmental impacts of co-located projects with proposals for expansion. The PEPRMP should also describe the effectiveness of current environmental mitigation measures and plans for performance improvement.

aa. **Project Description** (PD) - document, which may also be a chapter in an EIS, that describes the nature, configuration, use of raw materials and natural resources, production system, waste or pollution generation and control and the activities of a proposed project. It includes a description of the use of human resources as well as activity timelines, during the pre-construction, construction, operation and abandonment phases.

bb. **Project or Undertaking** - any activity which may have varying levels of significance of impact on the environment, e.g. from high to moderate to nil significance, implying different intensities of preventive or mitigating interventions.

cc. **Proponent** – any natural or juridical person intending to implement a project or undertaking.

dd. **Public Participation** – open, transparent, gender-sensitive, and community-based public involvement in the EIA process, aimed at ensuring the social acceptability of a project or undertaking, involving the broadest range of stakeholders, commencing at the earliest possible stage of project design and development and continuing until post-assessment monitoring.

ee. **Procedural Review** – phase in the ECC application review process to check for the completeness the required documents, conducted by EIAM Division at the EMB Central Office or Regional Office.

ff. **Process Industry** – an industry whose project operation stage involves chemical, mechanical or other processes.

gg. **Residual Impacts** – remaining impacts after implementation of preventive and mitigating measures

hh. **Scoping** - the stage in the EIS System where information and project impact assessment requirements are more definitely established and focused to provide the Proponent and the stakeholders the final scope of work and terms of reference for the EIS.

ii. **Secretary** - the Secretary of the DENR.

jj. **Significant Impacts** – impacts which damage the environment to the point that the environmental resource loses its capacity to sustain life or to continue functioning within baseline levels and efficiency; impacts which need action through prevention, (e.g. change in project siting or design) or mitigation (reduce, repair, rehabilitate) or other interventions to protect the environment from being harmed at levels that reduce its functionality for its users or dependent biota.

kk. **Social Acceptability** – acceptability of a project by affected communities based on timely and informed participation in the EIA process particularly with regard to environmental impacts that are of concern to them. Social acceptability within the EIA process administered by the DENR-EMB is limited to its environmental aspects while its other aspects including resolution of conflicts and other social acceptability issues is recognized by the DENR-EMB as falling entirely within the Local Government Unit's jurisdiction and responsibility. The DENR-EMB review process will provide guidance to the LGUs on environmental aspects to consider in its resolution of SA issues, e.g. EMB can advice on nature, extent and magnitude of direct and indirect impacts and impact areas to assuage the people's fears and concerns on environmental pollution, health and safety.

ll. **Stakeholders** – entities who may be directly and significantly affected by the project or undertaking, including the Proponent, government agencies who have mandates over the project, local government units who have jurisdiction over the project, local communities who may be affected by project impacts, locally-based or locally-active NGOs/POs within the impact areas and other public sectors who may be potentially affected by the project as defined by the findings of the environmental impact assessment of the project.

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ANNEXES

EIA COVERAGE & REQUIREMENTS SCREENING CHECKLIST (ECRSC)

Purposes of the Screening Checklist:

1. Self-Screening Form by the Proponent (unofficial, for guidance purposes)
2. Screening Validation Form by the EMB (official; signed copy may be transmitted to banks, economic/industrial zone administrators, other users who request EMB validation or any entity EMB may want to inform)
3. Site Inspection Report Form by the EMB for ECC/CNC applications
4. Site Inspection Report Form by the EMB for suspected or reported projects operating without ECC

Instructions: *Write legibly and put information or check mark (✓) in box, where appropriate.*

A. SCREENING FOR EIA COVERAGE AND REQUIREMENTS

1.	**Purpose of Screening**	☐ Proponent Self Screening for ☐ ECC ☐ CNC ☐ ECC Amendment ☐ EMB Screening for Validation ☐ Inquiry ☐ Site Inspection Report for: ☐ ECC/CNC/Amendment ☐ Proj w/out ECC
2.	**Project Name**	
3.	**Project Location**	Note: If project is in national waters or outside any LGU jurisdiction, pls state nearest LGU & distance. Sitio/s | Barangay/s | Municipality/ies | Province/s | Region
4.	**Proponent Name**	
5.	**Proponent Address**	
6.	**Contact Person Name**	
7.	**Proponent Means of Contact**	Landline No : Mobile No : Fax No. : Email :
8.	**Project Type or Undertaking**	*Refer to Table **1** for new single projects or for types of project components of co-located projects, and Annex 2-1c for ECC amendment/modification proposal (if not listed, use DTI official nomenclature and classification number)*
9.	**Project Status**	☐ New ☐ Existing, for Modification (w/or w/out Expansion ☐ Operating without an ECC ☐ Previously not covered
10.	**Main Project 's Components for both Multi-component Single Project Applications and for Co-Located Project Applications**	*Refer to Annex 2-1b for new projects and Annex 2-1c for ECC amendment/modification proposal (if not listed, use DTI official nomenclature and classification number);*
11.	**Project Size (main project component and sub-components)**	**Project Size* of Components** 1. Main Component: | 3. Sub-component #2 | 5. Sub-component #4 2. Sub-Component #1: | 4. Sub-component #3 | Etc… **e.g. Capacity (MW, m³, heads), production capacity (MT/year) and space allocation (km, ha,) See Annex 2-1b for examples.*
12.	**Project Group based on Type of Threshold ONLY**	**Single Project** ☐ **Group I** (ECP) ☐ **Group II *** (NECP in ECA) **Co-located Project (Group IV)** ☐ **Unclassified Project (Group V)** ☐ * *All new Projects are initially assumed located in ECA. Thus, there is no Grp III in the first level screening.*
13.	**EIA Report Type**	☐ EIS ☐ PEIS ☐ IEER ☐ PDR ☐ EPRMP ☐ PEPRMP ☐ IEEC ☐ Letter Request *For EIA Report Types: Refer to Annex 2-1b for new projects, Annex 2-1c for modification, and **Table 3** for further guidance* - *If a component has an EIA Report requirement at a higher level than the main project*

	component being applied for (e.g. EIS for a support component, IEE for main project, the component's report type should be adopted as the application document for the entire project) *NOTE: FOR PROJECTS UNDER Group I (all with EIS requirement) and Group II with PDR-threshold level), there is no need to undertake ECA screening. Step 13 is the final screening step. For projects under Group II with EIS or IEE threshold, proponent is advised to go to Step #14 if it wants the option to confirm the actual ECA status of the project for the purpose of determining non-coverage. If project location is confirmed non-ECA, project shall not be required any report type or ECC. However, if the Proponent wants the option to secure a CNC, it must submit a PDR.*
14. **Environmental Criticality of Location (ONLY FOR GROUP II PROJECT W/ EIS & IEE-BASED THRESHOLDS & WANT TO KNOW NON-COVERAGE OPTION)**	Fill out Table 2b first as basis for filling out the ECA Summary Table 2a, then check appropriate box below: ☐ ECA* ☐ NECA** ☐ Uncertain*** **Any one confirmed ECA among the 12 ECA categories renders the project location an ECA.* ***All of the relevant ECA categories have to be confirmed by Proponent thru the mandated agencies as "not an ECA" before the project is considered a NECA. See footnote of Table 2b on "relevance" determination.* ****If no response or data from agencies, the "uncertain" rating renders the project location as ECA.* *For ECA Categories:* **Specific Category** | **Legal Basis or Official Name of Specific ECA Category**
15. **Final Project Group & EIA Report Type based on ECA Screening**	**Single Project** ☐ **Group II** (NECP in ECA) ☐ **Group III** (NECP in NECA)
16. **EIA Report Type**	☐ EIS ☐ PEIS ☐ IEER ☐ PDR ☐ EPRMP ☐ PEPRMP ☐ IEEC ☐ Letter Request *For EIA Report Types: Refer to Annex 2-1b for new projects, Annex 2-1c for modification, and **Table 3** for further guidance* *- If a component has an EIA Report requirement at a higher level than the main project being applied for (e.g. EIS for a support component, IEE for main project, the component's report type should be adopted as the application document for the entire project)*
17. **Processing/ Endorsing Authority**	☐ EMB CO Director ☐ EIAMD Chief Refer to **Table 3**
18. **Application Deciding Authority**	☐ EMB RO Director ☐ EMB CO Director ☐ DENR Secretary
19. **Filing Fee**	PhP_____

B. RAPID SCREENING FOR ENVIRONMENTAL ISSUES

(Note: Optional for Proponent for Pre-Scoping Preparations; Required for EMB if project is required a Site Inspection Report prior to Substantive Review of procedurally-accepted applications)

Site-specific (ECA/Non-ECA) Potential Key Environmental Issues

Envi'l Component*	Potential Issues
Land	
Water	
Air	
People	

Use **Table 2b as basis for identification of environmental and social issues likely associated with the project's location in specific ECA category/ies. Otherwise, issues may be identified thru site inspection for a rapid screening/ observation of the project environment.*

SIGN-OFF PAGE FOR PROPONENT (For any purpose the Proponent may intend the self-screening to be used)

Prepared by Proponent: Signature over Printed Name	Date of Signing (MM/DD/YYYY)
Received by EMB: Signature over Printed Name	Date of Receipt (MM/DD/YYYY)
Remarks by EMB:	

SIGN-OFF PAGE FOR EMB (For purposes # 2,3,4)

Prepared by EMB Region Office __: Signature over Printed Name	Date of Signing (MM/DD/YYYY)
Remarks by EMB Regional Office:	
Remarks by EMB Central Office:	

Table 1. Project Types (in bold letters) and sub-types (*Put check in appropriate box)*

GROUP I (ECPs in both ECAs and NECAs)	GROUP II (NECPs in ECAs)	GROUP III (NECPs in NECAs)
☐ **A. Golf Course Projects**	☐ **A. Heavy Industries**	☐ **A. All Group II Project Types/Sub-Types in NECA**
☐ A1. Golf course projects/complex	☐ A1. Iron and Steel Mills	
☐ **B. Heavy Industries**	☐ A2. Non-Ferrous Metal Industries	
☐ B1. Iron and Steel Mills	☐ A3. Petroleum and Petrochemical Industries	
B2.. Non-Ferrous Metal Industries	☐ A4. Smelting Plants	
☐ B3. Petroleum and Petrochemical Industries	☐ **B. Resource Extractive Industries**	
☐ B4. Smelting Plants	☐ B1. Fishery Projects – Dikes for / and Fishpond Development Projects	
☐ **C. Resource Extractive Industries**	☐ B2. Forestry Projects	
☐ C1. Fishery Projects – Dikes for / and Fishpond Development Projects	☐ B3. Minor Mining and Quarrying Projects	
☐ C2. Forestry Projects	☐ **C. Infrastructure Industries**	
☐ C3. Major Mining and Quarrying Projects	☐ C1. Minor Dams	
☐ **D. Infrastructure Projects**	☐ C2. Minor Power Plants	
☐ D1. Major Dams	☐ C3. Minor Reclamation Projects	
☐ D2. Major Reclamation Projects	☐ C4. Minor Roads & Bridges	
☐ D3. Major Roads & Bridges	☐ C5. Other Power Plant (not listed in Proclamation No. 2146)	
☐ D4. Major Power Plants	☐ **D. Agriculture Industry**	
	☐ D1. Agricultural Plantation (e.g. orchards, including rubber plantation)	
	☐ D2. Agricultural Processing Facilities	
	☐ D3. Cut-flower Industry/Projects	
	☐ D4. Livestock Production	
	☐ **E. Buildings, Storage Facilities and Other Structures**	
	☐ E1. Cemetery	
	☐ E2. Commercial, [Business centers with residential units (mixed use), malls, supermarkets, public markets] • Fast food/Restaurant Projects • Commercial Establishments (i.e. Showrooms)	
	☐ E3. Commercial, [office spaces only] • Institutional and other related facilities: religious, government, and educational	
	☐ E4. Facilities for Barangay Micro-Business Enterprises (BMBE) Projects	
	☐ E5. Family dwellings	
	☐ E6. Funeral parlors, crematório, columbarium	
	☐ E7. Institutional and other related facilities: medical facilities	
	☐ E8. Institutional and other structures with laboratory facilities	
	☐ E9. Motels, Hotels, Condominium/ Apartelles (residential)	
	☐ E10. LPG storage and refilling	
	☐ E11. Refilling station projects / gasoline station projects	
	☐ E12. Storage of petroleum, petrochemical or related products	
	☐ E13. Storage facilities, non-toxic/hazardous materials, substances or products	
	☐ E14. Storage facilities, toxic or hazardous materials, substances or products	
	☐ E15. Subdivision and housing projects, resettlement projects, economic and socialized housing project, open market housing and other similar (horizontal) land development projects	
	☐ E16. Telecommunication Projects	
	☐ **F. Chemical Industries**	

GROUP I (ECPs in both ECAs and NECAs)	GROUP II (NECPs in ECAs)	GROUP III (NECPs in NECAs)
	☐ F1. Manufacturing, processing and/or use of substances included in the Priority Chemical List	
	☐ F2. Manufacture of explosives, propellants and industrial gases	
	☐ F3. Manufacture of agri-chemicals and other industrial chemicals not in the PCL	
	☐ F4. Pharmaceutical industries and manufacture of soap and detergents, health and beauty products, and other consumer products.	
	☐ F5. Surface coating industries (paints, pigments, varnishes, lacquers, anti-capacity fouling coating, printing inks)	
	☐ **G. Cottage Industries**	
	☐ **H. Demonstration and Pilot Projects**	
	☐ **I. Environmental Enhancement and Environmental Mitigation Projects**	
	☐ I1. Artificial Reef	
	☐ I2. Pollution control devices or facilities required under the ECC condition/s of the *"main"* project/s covered under Groups I or II.	
	☐ I3. Pollution control devices or similar facilities intended to prevent emissions and/or discharges beyond allowable limits (e.g. for compliance with Clean Air Act or Clean Water Code).	
	☐ I4. Preventive or proactive measures against potential natural hazards (such as shore protection, river embankment, river stabilization, seawall, etc.)	
	☐ I5. Reforestation projects	
	☐ **J. Food and Related Industries**	
	☐ J1. Animal products processing (fish/meat processing, canning, slaughterhouses, etc.)	
	☐ J2. Coconut processing plants (including production of coconut based products)	
	☐ J3. Distillation and Fermentation Plants (e.g. bio-ethanol project)	
	☐ J4. Food preservation (e.g., drying, freezing) and other methods aside from canning	
	☐ J5. Fruit and vegetable processing	
	☐ J6. Leather and related industries	
	☐ J7. Other types of food (and other food by-products, additives, etc.) processing industries	
	☐ J8. Processing of dairy products	
	☐ J9. Sugar Mills	
	☐ **K. Manufacture of Other Products, e.g. Packaging Materials**	
	☐ K1. Glass-based products	
	☐ K2. Metal-based products	
	☐ K3. Paper and plastic-based products	
	☐ **L. Pipeline Projects**	
	☐ L1. Fuel pipelines	
	☐ L2. Other pipelines	
	☐ **M. Service Industries** that do not emit pollutants except for domestic wastes and occupying a space equal to or less than limits specified in Groups I or II for infrastructure or other applicable project components needed in the service industry.	
	☐ **N. Textile, Wood, Rubber Industries**	
	☐ N1. Textile, Wood, Rubber Industries	
	☐ N2. Wood and Metal Furniture Assembly	

GROUP I (ECPs in both ECAs and NECAs)	GROUP II (NECPs in ECAs)	GROUP III (NECPs in NECAs)
	☐ **O. Tourism Industry**	
	☐ O1. Resorts and other tourism/leisure projects	
	☐ **P. Transport Terminal Facilities**	
	☐ P1. Airports	
	☐ P2. Land transport terminal (for buses, jeepneys and other modes of transportation)	
	☐ P3. Sea port, causeways, and harbors	
	☐ **Q. Treasure Hunting Projects in NIPAS**	
	☐ **R. Waste Management Projects**	
	☐ R1. Compost/fertilizer making	
	☐ R2. Domestic wastewater treatment facility	
	☐ R3. Hazardous waste treatment, recycling, and/or disposal facilities (for recycling of lead, see details in Group I - Heavy Industries)	
	☐ R4. Industrial and hospital waste (non-hazardous) materials treatment facilities	
	☐ R5. Landfill for industrial and other wastes	
	☐ R6. Materials Recovery Facilities	
	☐ R7. Receiving facilities, paper, plastic, and other materials recycling	
	☐ R8. Sanitary landfill for domestic wastes only	
	☐ **S. Water Supply, Irrigation or Flood Control Projects**	
	☐ S1. Impounding System or Flood Control Project	
	☐ S2. Irrigation System (Distribution System Only)	
	☐ S3. Water Supply Systems (Complete System)	
	☐ S4. Water Supply System (Distribution Only)	
	☐ **T. Wildlife Farming or any related projects as defined by PAWB**	

☐ **GROUP IV (Co-located Projects)**

☐ **GROUP V (Unclassified Projects)**

Refer to Annex 2-1b for specific EIA Report Types for new projects or to Annex 2-1c for specific report requirements for modification proposals.

Table 2a. List of Environmentally Critical Areas *(Put check on appropriate box)*

NOTE: Refer to Table 2b for technical description of ECA and basis for filling out this table

☐ **A. Areas declared by law as**
- ☐ A1. national parks
- ☐ A2. watershed reserves
- ☐ A3. wildlife preserves
- ☐ A4. sanctuaries

☐ **B. Areas set aside as aesthetic potential tourist spots**

☐ **C. Areas which constitute habitat for any endangered or threatened species of Philippine wildlife (flora and fauna)**

☐ **D. Areas of unique historic, archeological, geological, or scientific interests**

☐ **E. Areas which are traditionally occupied by cultural communities or tribes**

☐ **F. Areas frequently visited and or hard-hit by natural calamities**
- ☐ F1. geologic hazards
- ☐ F2. floods
- ☐ F3. typhoons
- ☐ F4. volcanic activities

☐ **G. Areas with critical slope**

☐ **H. Areas classified as prime agricultural lands**

☐ **I. Recharged areas of aquifers**

☐ **J. Water bodies**

☐ **K. Mangrove Areas**

☐ **L. Coral Reefs**

Table 2b. ECA Related Issues Screening Checklist for ENVIRONMENTALLY CRITICAL AREAS (ECAs) [1]

Technical Description of Twelve (12) ECA Categories	The project falls within ECA description			Basis a) State specific official declaration of ECA b) List specific ECA at the project (e.g. slope)	Agency from where to get technical information (if not available from EMB) [2]
	Yes	No	Uncertain		
A. Areas declared by law as national parks, watershed reserves, wildlife preserves, and sanctuaries [3]					**DENR-PAWB/ CENRO/PENRO**
The laws referred to by this provision are Pres. Decree No. 705, as amended, otherwise called as the "Revised Forestry Code", Republic Act No. 7586 or the National Integrated Protected Areas System (NIPAS) Act, and other issuances including other proclamations, executive orders, local ordinances and international commitments and declarations.					
vcA "national park is defined under Section 4(c) of the NIPAS Act as a "forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or nay form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such area."					
A "wildlife sanctuary" is defined under Section 4(m) of the NIPAS Act as "an area, which assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities or physical features of the environment where these may require specific human manipulations for their perpetuation."					
All other protected areas covered by NIPAS shall likewise be included in this category.					
B. Areas set aside as aesthetic, potential tourist spots					**DOT**

[1] Any one (1) confirmed ECA among the 12 ECA categories renders the project location an ECA. However, before a project location is considered in a Non-ECA (NECA), all of the likely relevant /applicable ECA categories (e.g. coral reef as an ECA category is not relevant for a project situated up in the mountains) have to be confirmed by Proponent thru the mandated agencies as "not an ECA". Short-listing of relevant ECA categories shall be determined thru consultation with EMB. If there is no response or data from agencies on the request for confirmation, the "uncertain" rating renders the project location as ECA, per EMB protocols. The burden of proof lies with the Proponent in proving that the project is located in a NECA. DENR can only issue certification for ECA categories within its jurisdiction, as follows: water bodies by DENR-EMB; NIPAS areas, wildlife habitat and mangrove areas by DENR-PAWB and geologic hazards and areas in critical slope by DENR-MGB.

[2] Proponents claiming the project location is not located in an ECA must secure an official confirmation or conforme from the agency. The agency's confirmation should contain a statement that the project is located or not located within the applicable ECA technical criterion, or "unable to assess" due to lack or absence of information. In the case where there is no data from the agency, the proponent can gather information and submit it to the agency for evaluation and confirmation. The DENR shall not issue any certification beyond its jurisdiction, unless authorized by the respective agency with mandate on the ECA. In case no certification is obtained from the mandated agency, the location will be arbitrarily considered an ECA, following the Precautionary Principle. The word "certification" is applied only for the purpose of screening a project's coverage under the PEISS, and shall not in any way be considered a requirement for ECC/CNC application.

Technical Description of Twelve (12) ECA Categories	The project falls within ECA description			Basis a) State specific official declaration of ECA b) List specific ECA at the project (e.g. slope)	Agency from where to get technical information (if not available from EMB) [2]
	Yes	No	Uncertain		
Aesthetic potential tourist spots declared and reserved by the Department of Tourism (DOT) or other appropriate authorities for tourism development.					
C. Areas which constitute the habitat for any endangered or threatened species of indigenous Philippine wildlife (flora and fauna) [3]					**DENR-PAWB / CENRO / PENRO** (whichever is appropriate)
This refers to areas considered as wilderness areas and areas identified by the Protected and Wildlife Bureau (PAWB) to be natural habitats of endangered or threatened, rare and indeterminate species of flora and fauna.					
1. Indeterminate species shall refer to plant or animal species which are apparently endangered but where` data currently available are insufficient for a reliable assessment.					
2. Threatened species shall refer to any plant or animal species that is likely to become endangered species within the foreseeable future throughout all or just a significant portion of its range.					
3. Rare species shall refer to plant or animal species, which are not under immediate threat of extinction but occurs in small numbers.					
4. Endangered species shall refer to plant or animal species which are actively threatened with extinction and whose survival are unlikely without protective measures.					
D. Areas of unique historic, archeological, geological, or scientific interests					**NM/NHI/NCCA** (Whichever is appropriate)
This refers to areas which are more than 100 years old and declared by the National Historical Institute, National Museum or National Commission for Culture and the Arts, through national or local laws or ordinances as areas of cultural, historical and scientific significance to the nation, e.g. declared national historical landmarks, geological monuments, and paleontological and anthropological reservations.					
E. Areas which are traditionally occupied by cultural communities or tribes					**NCIP**
This refers to all ancestral lands of National Cultural Communities identified in Sec. 1 of P.D. No. 410 and settlements designed, implemented and maintained by the PANAMIN for national minorities (non-Muslim hill tribes referred to in P.D. No. 719) as may be amended by Republic Act No. 8371 the Indigenous Peoples Rights Act of 1997 (IPRA) and its IRR.					

Technical Description of Twelve (12) ECA Categories	The project falls within ECA description			Basis a) State specific official declaration of ECA b) List specific ECA at the project (e.g. slope)	Agency from where to get technical information (if not available from EMB) [2]
	Yes	No	Uncertain		
This also refers to all areas that are occupied or officially claimed as ancestral lands or ancestral domains by indigenous communities as determined by the National Commission on Indigenous Peoples (NCIP). Profs are the official applications or issuance of Certificate of Ancestral Domain Claim (CADC) or Certificate of Ancestral Domain Title (CADT) by NCIP.					
F. Areas frequently visited and or hard-hit by natural calamities					
The area shall be so characterized if any of the following conditions exist:					
1. Geologic hazard areas: This refers to all areas identified by the Mines Geosciences Bureau as geologic hazard areas.					**DENR-MGB**
2. Flood-prone areas: This shall refer to low-lying areas usually adjacent to large active water bodies experiencing inundation of at least 2 meters, twice (2x) a year for the last five (5) years prior to the year of reckoning. For example, a determination made in 2007 will consider the available records from 2002 to 2006.					**LGU or NDCC**
3. Areas frequently visited or hard-hit by typhoons: This shall refer to all areas where typhoon signal no. 4 was hoisted for at least twice (2x) a year during the last five (5) years prior to the year of reckoning. For example, a determination made in 2007 will consider the weather records from 2002 to 2006.					**DOST-PAGASA**
4. Areas prone to volcanic activities/earthquakes: This refers to all areas identified as such by Philippine Institute of Volcanology and Seismology (PHIVOLCS), e.g. areas within permanent exclusion zones of active volcanoes or areas within the required minimum buffer zone of fault zones as determined by PHILVOCS [4].					**DOST-PHIVOLCS**
G. Areas with critical slope: This shall refer to all lands with slope of 50% or more classified as geohazard by MGB.					**DENR-MGB**
H. Areas classified as prime agricultural lands: Prime agricultural lands shall refer to lands that can be used for various or specific agricultural activities and can provide optimum sustainable yield with a minimum of inputs and developments costs as determined by the Department of Agriculture (DA).					**DA**

Technical Description of Twelve (12) ECA Categories	The project falls within ECA description			Basis a) State specific official declaration of ECA b) List specific ECA at the project (e.g. slope)	Agency from where to get technical information (if not available from EMB) [2]
	Yes	No	Uncertain		
I. Recharge areas of aquifers					**NWRB**
Recharge areas of aquifers shall refer to sources of water replenishment where rainwater or seepage actually enters the aquifers.					
Areas under this classification shall be limited to all local or non-national watersheds and geothermal reservations.					
J. Water bodies [3]: Water bodies shall refer to waters that are tapped for domestic purposes or those which support wildlife and fishery activities within declared protected areas, including the buffer zones					**DENR-PAWB / CENRO / PENRO** (whichever is appropriate)
K. Mangrove Areas: characterized by one or any combination of the following conditions:					
1. with primary pristine and dense young growth					**DENR-PAWB**
2. adjoining mouth or major river systems					**DENR-PAWB**
3. near or adjacent to traditional productive fry or fishing grounds .					**LGU**
4. which act as natural buffers against shore erosion, strong winds and storm floods					**DENR-PAWB**
5. on which people are dependent for their livelihood, pursuant to and taking into consideration Republic Act No. 7161 which prohibits the cutting of mangrove species					**DENR-PAWB/LGU** (whichever is appropriate)
L. Coral Reefs: characterized by one or any combination of the following conditions:					
1. With 50% and above live coralline cover					**DA-BFAR**
2. Spawning and nursery grounds for fish					**DA-BFAR**
3. Which act as a natural breakwater of coastlines					**DPWH/Concerned LGU** (whichever is appropriate)

[3] The CENRO or PENRO can only issue ECA certification for project locations within NIPAS and within the DENR (i.e. areas within wildlife habitats and in water bodies) mandate, and shall not issue ECA certification for the rest of the ECA categories, unless there is an official and explicit authorization from the DENR-EMB Director or from the DENR Secretary that the CENRO/ PENRO is authorized based on a bilateral agreement with other concerned government agencies with mandate on the ECA category.

[4] Supreme Court Decision on Case of DENR Region XI (Petitioner) vs. City of Davao (Respondent), (G.R. # 148622, September 12,2002): "area outside the required minimum of five (5) meters from the fault zone" has been certified by PHILVOCS as not critical, and such certification has been considered by the SC as proof on non-ECA status of the area

Table 3. Table on Project Groups, EIA Report Types, Decision Documents, Processing/Deciding Authorities and Processing Duration

PROJECT GROUPS/SUB-GROUPS		APPLIED TO	DOCUMENTS REQUIRED FOR ECC/CNC APPLICATION	DECISION DOCUMENT	PROCESSING RESPONSIBILITY [1] (Endorsing Official)	DECIDING AUTHORITY	MAX TIME TO GRANT OR DENY ECC APPLICATION (Working Days)
I: Environmentally Critical Projects (ECPs) in either Environmentally Critical Area (ECA) or Non-Environmentally Critical Area (NECA)	**I - A**: New	Single Projects	Environmental Impact Statement (EIS)	ECC	CO: EIAMD Chief / EMB Director	EMB Director / DENR Secretary	120 days
	I - B: Existing Projects for Modification or Re-start up (subject to conditions in Annex 2-1c)	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	CO: EIAMD Chief / EMB Director	EMB Director / DENR Secretary	90 days
	I - C: Operating without ECC	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	CO: EIAMD Chief / EMB Director	EMB Director / DENR Secretary	90 days
II: Non-Environmentally Critical Projects (NECPs) in Environmentally Critical Area (ECA)	**II - A**: New	Single Projects	Environmental Impact Statement (EIS)	ECC	RO: EIAMD Chief	EMB RO Director	60 days
			Initial Environmental Examination Report (IEER)	ECC	RO: EIAMD Chief	EMB RO Director	60 days
			Initial Environmental Examination Checklist (IEEC)	ECC	RO: EIAMD Chief	EMB RO Director	30 days
			Project Description Report (PDR)	ECC	RO: EIAMD Chief	EMB RO Director	15 days
	II - B: Existing Projects for Modification or Re-start up (subject to conditions in Annex 2-1c)	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	RO: EIAMD Chief	EMB RO Director	30 days
	II - C: Operating without ECC	Single Projects	Environmental Performance Report and Management Plan (EPRMP) *	ECC	RO: EIAMD Chief	EMB RO Director	30 days
III: Non-Environmentally Critical Projects (NECPs) in Non-Environmentally Critical Area (NECA)	**III – A1:** New (Enhancement & Mitigation Projects)	Single Projects	Project Description Report (PDR) (REQUIRED)	CNC	CO: EIAMD Chief	EMB Director	15 days
					RO: EIAMD Chief	EMB RO Director	
	III – A2: New (All Other Group II Projects Types/Sub-types in NECA)	Single Projects	Project Description Report (PDR) (AT OPTION OF PROPONENT)	CNC	CO: EIAMD Chief	EMB Director	15 days
					RO: EIAMD Chief	EMB RO Director	
IV: Co-located Projects	**IV - A:** New	Co-located Projects composed of Group I Projects	Programmatic Environmental Impact Statement (PEIS)	ECC	CO: EMB Director	CO: DENR Secretary	180 days

PROJECT GROUPS/SUB-GROUPS		APPLIED TO	DOCUMENTS REQUIRED FOR ECC/CNC APPLICATION	DECISION DOCUMENT	PROCESSING RESPONSIBILITY [1] (Endorsing Official)	DECIDING AUTHORITY	MAX TIME TO GRANT OR DENY ECC APPLICATION (Working Days)
		Co-located Projects composed of Group II Projects	Programmatic Environmental Impact Statement (PEIS)	ECC	RO: EIAMD Chief	EMB RO Director	60 days
	IV - B: Existing Projects for Modification or Re-start up of Co-located Projects	Co-located Projects composed of Group I Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	CO: EMB Director	CO: DENR Secretary	120 days
		Co-located Projects composed of Group II Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	RO: EIAMD Chief	EMB RO Director	60 days
	IV - C: Operating without ECC	Co-located Projects composed of Group I Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	CO: EMB Director	CO: DENR Secretary	120 days
		Co-located Projects composed of Group II Projects	Programmatic Environmental Performance Report and Management Plan (PEPRMP)	ECC (new) / ECC Amendment	RO: EIAMD Chief	EMB RO Director	60 days
V: Unclassified Projects	**V - A:** New		Project Description Report (PDR) (REQUIRED)	CNC or Recommendation on Final Grouping & EIA Report Type	CO: EIAMD Chief /EMB Director	CO: EMB Director / DENR Secretary	15 days
					RO: EIAMD Chief	EMB RO Director	
*** IF THE MODIFICATION DOES NOT REQUIRE A PEPRMP or EPRMP BASED ON ANNEX 2-1C, THE FOLLOWING APPLY:**							
Request for Minor ECC Amendment		Single Projects with Applicable Modifications listed in Annex 2-1c	Letter Request	ECC Amendment	CO: EIAMD Review & Evaluation Section Chief	CO: EIAMD Chief	7 days
					RO: EIAMD Review & Evaluation Section Chief	RO: EIAMD Chief	
Request for Major ECC Amendment		Single Projects with Applicable Modifications listed in Annex 2-1c	Letter Request and/or Updated Project Description or selected portions of the EIA Report (e.g. Baseline or impact assessment or EMP on the areas of amendment only)	ECC Amendment	CO: EIAMD Chief	EMB Director/ DENR Secretary	30 days
					RO: EIAMD Chief	EMB RO Director	

Determination of Jurisdiction over Projects

In case the project's area is located in an area, which falls under the jurisdiction of two (2) or more DENR-EMB ROs, the offices concerned shall determine the participation of the different offices involved in evaluating the EIA and decide on the issue or non-issuance of the ECC. The DENR-EMB RO, under whose jurisdiction majority of the project area is located, will be the lead office in evaluating the EIA submissions.

The chosen lead office shall also have the responsibility for compliance monitoring and other subsequent activities under the EIS System. The other DENR-EMB RO/s concerned shall assist and participate in the review of the EIA submissions. The DENR-EMB ROs concerned shall agree upon the mode of collaboration.

In cases where the DENR-EMB ROs concerned cannot determine the lead office, the case shall be elevated to the EMB Director for resolution. The decision of the EMB Director shall be final. Furthermore, in cases where the issue of jurisdiction in difficult to determine (e.g., the project is located in territorial water which is not or is not clearly within the jurisdiction of any DENR RO), the EMB Director may assign the nearest DENR-EMB RO as the lead office.

The following illustrative cases provide basic guidance on how the DENR ROs shall decide the issue of jurisdiction:

Parameters: Region A covers provinces X and Y; Region B covers provinces L and M		
Case	**Situation**	**Jurisdiction**
1	project is located in province X impact area covers provinces X and Y	Region A
2	project is located in province X (30 ha.) and province L (5 ha.) impact area covers province X (50 ha.), Y (20 ha.) and L (50 ha.)	Region A - lead office Region B – participate in the review
3	project is located in province X (30 ha.) and province L (30 ha.) impact area covers province X (5 ha.), Y (20 ha.) and L (50 ha.)	Region A and B agree on who shall be the lead office, the other region shall participate in the review

Project Grouping Matrix for Determination of EIA Report Types for New Single & Co-Located Projects [1]

GROUP I: ENVIRONMENTALLY CRITICAL PROJECTS (ECPs) [2] in both Environmentally Critical Areas (ECAs) and Non-ECAs, as declared in and Presidential Proclamation No. 803 (1996) for Golf Courses, and Presidential Proclamation No. 2146 (1981) for Heavy and Resource Extractive Industries & Infrastructure Projects				
Project Type			Project Size Parameter	EIA Report Type Required
				Environmental Impact Statement (EIS)
	A.	**GOLF COURSE PROJECTS**		
1.	A.1.	Golf course projects/complex	number of holes	regardless of number of holes
	B.	**HEAVY INDUSTRIES**		
2.	B.1.	**Iron and Steel Mills** [4]	annual production rate	≥ 30,000 MT
3.	B.2.	**Non-Ferrous Metal Industries** [5]	annual production rate	≥ 30,000 MT
	B.3.	**Petroleum and Petrochemical Industries** [6]		
4.	B.3.a.	Petrochemical industry projects	annual production rate	≥ 30,000 MT
5.	B.3.b.	Recycling of oil and other petroleum-based chemicals	daily recycling rate	≥ 10 MT
6.	B.3.c.	Refineries	annual production rate	≥ 30,000 barrels
7.	B.4.	**Smelting Plants** [7]	annual smelting rate of raw material	≥ 15,000 MT
	C.	**RESOURCE EXTRACTIVE INDUSTRIES**		
	C.1.	**FISHERY PROJECTS - DIKES FOR/AND FISHPOND DEVELOPMENT PROJECTS** [8]		
8.	C.1.a.	Fishery/Aquaculture Projects (inland-based, e.g., lakes, rivers, etc.)	total water spread area to be utilized	≥ 25 hectares
9.	C.1.b.	Fishery/Aquaculture Projects in water bodies (coastal areas)	total water spread area to be utilized	≥ 100 hectares
	C.2.	**FORESTRY PROJECTS**		
	C.2.a.	Logging Projects		
10.	C.2.a.1	Community Based Forest Resources Utilization (CBFRU) [9]	volume of trees to be cut	≥ 10,000 m^3
11.	C.2.a.2	Integrated Forest Management Agreement (IFMA) projects [9]	volume of trees to be cut	≥ 10,000 m^3
	C.	**RESOURCE EXTRACTIVE INDUSTRIES (continued)**		

GROUP I: ENVIRONMENTALLY CRITICAL PROJECTS (ECPs)[2] in both Environmentally Critical Areas (ECAs) and Non-ECAs, as declared in and Presidential Proclamation No. 803 (1996) for Golf Courses, and Presidential Proclamation No. 2146 (1981) for Heavy and Resource Extractive Industries & Infrastructure Projects				
Project Type			**Project Size Parameter**	**EIA Report Type Required**
				Environmental Impact Statement (EIS)
12.	C.2.a.3	Timber License Agreement (TLA)	volume of trees to be cut	≥ 10,000 m^3
13.	C.2.b.	Grazing Projects[9,10]	grazing capacity	> 1 head/hectare
14.	C.2.c.	Introduction of Exotic Fauna in Public and Private Forests		Regardless of number or area
15.	C.2.d.	Major Wood Processing Projects	equivalent annual production rate	> 8,000 m^3
16.	C.2.e.	Pulp and Paper Industries	annual production capacity	≥ 50,000 MT
	C.3.	**MAJOR MINING AND QUARRYING PROJECTS**		
17.	C.3.a.	Coal mining	annual extraction rate	> 70,000 MT
	C.3.b.	Extraction of metallic ores (on shore)		
18.	C.3.b.1	• Open pit method with mechanical operations, blasting or combinations thereof	annual extraction rate OR area to be mined	≥ 100,000 MT OR ≥ 25 hectares
19.	C.3.b.2	• Other methods	annual extraction rate OR area to be mined	≥ 150,000 MT OR ≥ 25 hectares
20.	C.3.c.	Extraction of non-metallic ores with or without explosive • Limestone /shale/silica/clay/placer and other non-metal ores • Aggregates (sand, stone, gravel) • Dredging activities resulting to commercial use or ore recovery	annual extraction rate OR quarry area	≥ 75,000 MT OR ≥ 20 hectares
	C.3.d.	Extraction of Oil and Gas (Land-based)[11]		
21.	C.3.d.1	• Commercial extraction of oil	daily commercial extraction rate	≥ 4,000 barrels (or equivalent)
22.	C.3.d.2	• Commercial extraction of gas	daily commercial extraction rate	≥ 250,000 m^3
23.	C.3.e.	Metallic Mineral or ore processing (e.g., copper, lead, nickel, cobalt, zinc, sulfur, silver, magnesium and manganese, gold)	annual processing (inputs)	≥ 70,000 MT
24.	C.3.f.	Non-metallic mineral processing plants like cement, other cement products, clinker, limestone	annual production rate	≥ 50,000 MT
25.	C.3.g.	Non-metallic mineral processing projects like ceramic industries, manufacture of glass and glass products, manufacture and processing of calcium	annual production rate	≥ 70,000 MT
26.	C.3.h.	Off-shore mining (including commercial extraction of oil and gas, deuterium)[11]		Regardless of commercial capacity or area
	D.	**INFRASTRUCTURE PROJECTS**		

GROUP I: ENVIRONMENTALLY CRITICAL PROJECTS (ECPs)[2] in both Environmentally Critical Areas (ECAs) and Non-ECAs, as declared in and Presidential Proclamation No. 803 (1996) for Golf Courses, and Presidential Proclamation No. 2146 (1981) for Heavy and Resource Extractive Industries & Infrastructure Projects				
Project Type			**Project Size Parameter**	**EIA Report Type Required**
				Environmental Impact Statement (EIS)
27.	D.1.	**MAJOR DAMS**	Reservoir flooded area OR water storage capacity	≥ 25 hectares OR ≥ 20 million m^3
28.	D.2.	**MAJOR RECLAMATION PROJECTS**	area reclaimed	≥ 50 hectares
	D.3.	**MAJOR ROADS & BRIDGES**		
29.	D.3.a.	Bridges and viaducts, new construction	length	≥ 10.0 km
30.	D.3.b.	On-grade railway system, new		Regardless of length and width
31.	D.3.c.	Roads, new construction, widening (including RO-RO facilities)	length with no critical slope OR length with critical slope	≥ 20.0 km OR ≥ 10.0 km
32.	D.3.d.	Tunnels and sub-grade roads and railways	length	≥ 1.0 km
	D.4.	**MAJOR POWER PLANTS (Proc No. 2146 declared types: fossil-fueled, nuclear fueled, hydroelectric or geothermal)**		
33.	D.4.a.	Fuel Cell	total power production capacity	≥ 100 MW
34.	D.4.b.	Gas-fired thermal power plants	total power production capacity	≥ 50 MW
35.	D.4.c.	Geothermal facilities	total power production capacity	≥ 50 MW
36.	D.4.d.	Hydropower facilities	total power production capacity	≥ 30 MW
37.	D.4.e.	Other thermal power plants (e.g., diesel, bunker, coal, etc.)	total power production capacity	≥ 30 MW

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)					
First Set of Group II Projects under similar Project Types as declared in Presidential Proclamation No. 2146					
Project Type			Project Size Parameter	EIA Report Type for Corresponding Project Size/Threshold	
				Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)	Project Description Report[12]
	A.	**HEAVY INDUSTRIES**			
38.	A.1.	**Iron and Steel Mills** [4]	annual production rate	> 200 MT but < 30,000 MT	≤ 200 MT annually AND ≤ 1.0 MT daily
39.	A.2.	**Non-Ferrous Metal Industries** [5]	annual production rate	> 200 MT but < 30,000 MT	≤ 200 MT annually AND ≤ 1.0 MT daily
	A.3.	**Petroleum and Petrochemical Industries** [6]			
40.	A.3.a.	Petrochemical industry projects	annual production rate	> 200 MT but < 30,000 MT	≤ 200 MT annually AND ≤ 1.0 MT daily
41.	A.3.b.	Recycling of oil and other petroleum-based chemicals	daily recycling rate	> 1.0 MT but < 10 MT	≤ 1.0 MT daily AND ≤ 200.0 MT annually
42.	A.3.c.	Refineries	annual production rate	> 200 barrels but < 30,000 barrels	≤200 barrels annually AND ≤ 1.0 barrels daily
43.	A.4.	**Smelting Plants** [7]	annual smelting rate of raw material	> 200 MT but < 15,000 MT	≤ 200 MT annually AND ≤1.0 MT daily
	B.	**RESOURCE EXTRACTIVE INDUSTRIES**			
	B.1.	**FISHERY PROJECTS – DIKES FOR/AND FISHPOND DEVELOPMENT PROJECTS** [8]			
44.	B.1.a.	Fishery/Aquaculture Projects (inland-based, e.g., lakes, rivers, etc.)	total water spread area to be utilized	≥ 1 hectares but < 25 hectares ©	< 1 hectare
45.	B.1.b.	Fishery/Aquaculture Projects in water bodies (coastal areas)	total water spread area to be utilized	≥ 1 hectare but < 100 hectares	< 1 hectare
	B.2.	**FORESTRY PROJECTS**			
	B.2.a.	Logging Projects			
46.	B.2.a.1	Community Based Forest Resources Utilization (CBFRU)[9]	volume of trees to be cut	< 10,000 m^3	
47.	B.2.a.2	Integrated Forest Management Agreement (IFMA) projects [9]	volume of trees to be cut	< 10,000 m^3	
48.	B.2.a.3	Private land timber utilization (PLTU) [9]	volume of trees to be cut	≥ 100 m^3 ©	< 100 m^3
49.	B.2.a.4	Timber License Agreement (TLA)	volume of trees to be cut	< 10,000 m^3	

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)					
First Set of Group II Projects under similar Project Types as declared in Presidential Proclamation No. 2146					
Project Type			Project Size Parameter	EIA Report Type for Corresponding Project Size/Threshold	
				Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)	Project Description Report[12]
	B.	**RESOURCE EXTRACTIVE INDUSTRIES (continued)**			
50.	B.2.b.	Grazing Projects [9,10]	Grazing capacity		1 head/hectare
51.	B.2.c.	Introduction of Exotic Flora in Public and Private Forests		Regardless of number or area	
52.	B.2.d.	Minor Wood Processing Projects	equivalent annual AND production rate	≥ 1,000 to 8,000 m^3	< 1,000 cubic meters
53.	B.2.d.1	Pulp and Paper Industries	annual production capacity	< 50,000 MT	
	B.3.	**MINOR MINING & QUARRYING PROJECTS**			
54.	B.3.a.	Batching Plant (with or without crushing)		All batching plants ©	
55.	B.3.b.	Coal mining	annual extraction rate	Up to 70,000 MT ©	
	B.3.c.	Extraction of metallic ores (on shore)			
56.	B.3.c.1	• Open pit method with mechanical operations, blasting or combinations thereof	annual extraction rate AND area to be mined	< 100,000 MT AND < 25 hectares	
57.	B.3.c.2	• Other methods	annual extraction rate AND area to be mined	> 200 MT but < 150,000 MT AND < 25 hectares	≤ 200.0 MT per year AND ≤ 1.0 MT daily extraction
58.	B.3.d.	Extraction of non-metallic ores with or without explosive • Limestone /shale/silica/clay/placer and other non-metal ores • Aggregates (sand, stone, gravel) • Dredging activities resulting to commercial use or ore recovery	annual extraction rate AND quarry area	< 75,000 MT AND < 20 hectares ©	
	B.3.e.	Extraction of Oil and Gas (Land-based) [11]			
59.	B.3.e.1	• Commercial extraction of oil	daily commercial extraction rate	< 4,000 barrels (or equivalent)	
60.	B.3.e.2	• Commercial extraction of gas	daily commercial extraction rate	< 250,000 m^3	
61.	B.3.f.	Marble slab processing plant		All marble slab processing plants ©	
62.	B.3.g.	Metallic Mineral or ore processing (e.g., copper, lead, nickel, cobalt, zinc, , silver, magnesium and manganese, gold, placer with metal content)			
63.	B.3.g.1	• With physical or mechanical processing	annual processing (inputs)	> 200.0 MT annually but < 70,000 MT	≤ 200.0 MT annually AND ≤1.0 MT daily

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)					
First Set of Group II Projects under similar Project Types as declared in Presidential Proclamation No. 2146					
Project Type			Project Size Parameter	EIA Report Type for Corresponding Project Size/Threshold	
				Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)	Project Description Report[12]
64.	B.3.g.2	• With chemical processing	annual processing (inputs)	< 70,000 MT	
65.	B.3.h.	Non-commercial Geothermal Exploration Projects		Regardless of area or number of wells	
	B.	**RESOURCE EXTRACTIVE INDUSTRIES (continued)**			
66.	B.3.i.	Non-commercial mineral and fossil mining projects: core drilling/sampling, exploration (drilling and testing); feasibility studies; geo-scientific, physical surveys; gravity survey; piloting; reconnaissance; research and development activities; seismic survey, and similar activities with no significant earth moving activities etc..			regardless of capacity or area
67.	B.3.j.	Non-metallic mineral processing plants like cement, other cement products, clinker, limestone, sulfur	annual production rate	> 200 MT but < 50,000 MT	≤ 200.0 MT annually AND ≤1.0 MT daily
68.	B.3.k.	Non-metallic mineral processing projects like ceramic industries, manufacture of glass and glass products, manufacture and processing of calcium	annual production rate	> 200 MT but < 70,000 MT	≤ 200.0 MT annually AND ≤1.0 MT daily
	C.	**INFRASTRUCTURE PROJECTS**			
69.	C.1.	**MINOR DAMS**	Reservoir flooded area AND water storage capacity	< 25 hectares AND < 20 million m^3	
	C.2.	**MINOR POWER PLANTS (Proc No. 2146 declared types: fossil-fueled, nuclear fueled, hydroelectric or geothermal)**			
70.	C.2.a.	Small power plants	total power production capacity		≤ 1 MW unless specified below
71.	C.2.b.	Fuel Cell	total power production capacity	≥ 5 MW but < 100 MW	< 5 MW
72.	C.2.c.	Gas-fired thermal power plants	total power production capacity	≥ 10.0 MW but < 50.0 MW	< 10.0 MW
73.	C.2.d.	Geothermal facilities	total power production capacity	> 1.0 MW but <50.0 MW	≤ 1 MW
74.	C.2.e.	Hydropower facilities	total power production capacity	≥ 5 MW but < 30 MW	< 5 MW, Run-of-river system
75.	C.2.f.	Other thermal power plants (e.g., diesel, bunker, coal, etc.)	total power production capacity	≥ 5.0 MW but < 30.0 MW	< 5.0 MW

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)					
First Set of Group II Projects under similar Project Types as declared in Presidential Proclamation No. 2146					
Project Type			Project Size Parameter	EIA Report Type for Corresponding Project Size/Threshold	
				Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)	Project Description Report[12]
76.	C.3.	**MINOR RECLAMATION PROJECTS**	area reclaimed	< 50 hectares	
	C.4.	**MINOR ROADS & BRIDGES**			
77.	C.4.a.	Bridges and viaducts, new construction	length	≥ 80 m but < 10.0 km ©	Regardless of length for foot bridges; <80 m for other bridges
	C.	**INFRASTRUCTURE PROJECTS (continued)**			
78.	C.4.b.	Roads, new construction, widening (including RO-RO facilities)	length with no critical slope, OR length with critical slope	≥ 2 km but < 20.0 km, OR ≥ 2 km but < 10.0 km ©	< 2 km
79.	C.4.c.	Elevated roads, flyover/cloverleaf/ interchanges		Regardless of length and width	
80.	C.4.d.	Tunnels and sub-grade roads and railways	length	< 1.0 km	
81.	C.4.e.	Pedestrian passages		All underpass projects	All overpass projects

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
First Set of Group II Projects under similar Project Types as declared in Presidential Proclamation No. 2146						
Project Type			Project Size Parameter	EIA Report Type for Corresponding Project Size/Threshold		
				Environmental Impact Statement (EIS)	Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)	Project Description Report[10]
	C.5.	**OTHER POWER PLANTS & POWER FACILITIES (not listed in Proclamation No. 2146)**				
80.	C.5.a.	Small power plants	total power production capacity			≤ 1 MW unless specified below
81.	C.5.b.	Power barge	total power production capacity		> 1 MW but < 10 MW ©	≤ 1 MW
82.	C.5.c.	Power transmission lines	power carrying capacity		≥ 138 KV ©	
83.	C.5.d.	Renewable energy projects such as ocean, solar, wind, tidal power except waste-to-energy and biogas projects)	total power production capacity	≥ 100 MW	≥ 5 MW but < 100 MW	< 5 MW
84.	C.5.e.	Substations/switchyard	power output		> 220 kV ©	≤ 220kV

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
85.	C.5.f.	Waste-to-energy projects including biogas projects	total power production capacity	≥ 50.0 MW	> 1 MW but < 50 MW	≤ 1 MW
86.	C.5.g.	Wind farms/Wind projects	total power production capacity		≥ 5 MW but < 100 MW ©	< 5 MW
Second Set of Group II Projects as defined by DENR-EMB (not included in declared Project Types as Proclamation No. 2146)						
Project Type			**Project Size Parameter**	**EIA Report Type for Corresponding Project Size/Threshold**		
				Environmental Impact Statement (EIS)	**Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)**	**Project Description Report[10]**
	D.	**AGRICULTURE INDUSTRY**				
	D.1.	Agricultural plantation (e.g. orchards, including rubber plantation)	area to be developed	≥ 1,000 hectares	≥ 100 hectares but < 1,000 hectares	< 100 hectares
87.	D.2.	Agricultural processing facilities	annual production rate	≥ 50,000 MT	≥ 5,000 MT but < 50,000 MT	< 5,000 MT
88.	D.3.	Cut-flower Industry/Projects				regardless of capacity or area
	D.4.	Livestock Production				
89.	D.4.a.	Pigs/Goats/Cattle/Carabaos	stock population	≥ 5,000 heads	≥ 100 heads but < 5,000 heads ©	< 100 heads
91.	D.4.b.	Poultry/birds 13	stock population	≥ 100,000 heads	≥ 10,000 heads but < 100,000 heads ©	< 10,000 heads
92.	D.4.c.	Rice mill	milling rate		> 1 ton/hr ©	≤ 1 ton/hr
	E.	**Buildings, Storage Facilities and Other Structures**				
93.	E.1.	Cemetery	area to be developed		≥ 5.0 hectares	< 5.0 hectares
94.	E.2.	Commercial, [Business centers with residential units (mixed use), malls, supermarkets, public markets] • Fast food/Restaurant Projects • Commercial Establishments (i.e. Showrooms)	total/gross floor area including parking and other areas	≥ 2.5 hectare	≥ 1 hectare but <2.5 hectares	< 1 hectare; All other Commercial establishments that sell only non-perishable goods and/or showrooms for motor vehicles and similar products without canteen or food stalls; Kiosk-type or mobile fastfoods
95.	E.3.	Commercial, [office spaces only] Institutional and other related facilities: religious, government, and educational	total/gross floor area including parking and other areas		≥ 1 hectare	< 1 hectare
96.	E.4.	Facilities for Barangay Micro-Business Enterprises (BMBE) Projects[14]				regardless of capacity or area
97.	E.5.	Family dwellings	total/gross floor area including parking and other areas			Regardless of area

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
98.	E.6.	Funeral parlors, crematorium, columbarium	total/gross floor area including parking and other areas		≥ 1 hectare	<1 hectare
Second Set of Group II Projects as defined by DENR-EMB (not included in declared Project Types as Proclamation No. 2146)						
Project Type			**Project Size Parameter**	**EIA Report Type for Corresponding Project Size/Threshold**		
				Environmental Impact Statement (EIS)	**Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)**	**Project Description Report[10]**
	E.	**Buildings, Storage Facilities and Other Structures (continued)**				
99.	E.7.	Institutional and other related facilities: medical facilities			Primary, Secondary, Tertiary hospitals or Medical Facilities ©	Clinics (out-patient, health centers, dental clinics) including rural health units
100.	E.8.	Institutional and other structures with laboratory facilities			Regardless of size or area	
101.	E.9.	Motels, Hotels, Condominium/ Apartelles (residential)	total/gross floor area including parking and other areas		≥ 1 hectare	<1 hectare
102.	E.10.	LPG storage and refilling	storage capacity		Regardless of capacity ©	
103.	E.11.	Refilling station projects/gasoline station projects	storage capacity		≥ 20 kL ©	< 20 kL
104.	E.12.	Storage of petroleum, petrochemical or related products	storage capacity	≥ 5,000 kL	< 5,000 kL but ≥ 20 kL	< 20 kL
105.	E.13.	Storage facilities, non-toxic/hazardous materials, substances or products	total/gross floor area including parking and other area		≥ 1 hectare	< 1 hectare
106.	E.14.	Storage facilities, toxic or hazardous materials, substances or products	storage capacity	≥ 1,000 MT	≥ 0.1 MT but < 1,000 MT	< 0.1 MT
107.	E.15.	Subdivision and housing projects, resettlement projects, economic and socialized housing project, open market housing and other similar (horizontal) land development projects	total land area, including all common and other areas		Regardless of area ©	
108.	E.16.	Telecommunication Projects[15]				Regardless of type
	F.	**Chemical Industries (For associated building requirements, refer to Group II E.13/E.14)**				
109.	F.1.	Manufacturing, processing and/or use of substances included in the Priority Chemical List	quantity of toxic chemicals to be used per month	≥ 1.0 MT	> 0.001 MT but < 1.0 MT	≤ 0.001 MT

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
110.	F.2.	Manufacture of explosives, propellants and industrial gases	daily production rate	≥ 5 MT	> 0.001 MT but < 5 MT	≤ 0.001 MT
111.	F.3.	Manufacture of agri-chemicals and other industrial chemicals not in the PCL	annual production rate	≥ 30,000 MT	> 200 MT but < 30,000 MT	≤ 200 MT annually AND ≤1 MT daily
Second Set of Group II Projects as defined by DENR-EMB (not included in declared Project Types as Proclamation No. 2146)						
Project Type			**Project Size Parameter**	**EIA Report Type for Corresponding Project Size/Threshold**		
				Environmental Impact Statement (EIS)	**Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)**	**Project Description Report[10]**
	F.	**Chemical Industries (continued)**				
112.	F.4.	Pharmaceutical industries and manufacture of soap and detergents, health and beauty products, and other consumer products.	annual production rate	≥ 50,000 MT	> 200 MT but < 50,000 MT	≤ 200 MT annually AND ≤1 MT daily
113.	F.5.	Surface coating industries (paints, pigments, varnishes, lacquers, anti-capacity fouling coating, printing inks)	annual production rate	≥ 30,000 MT	> 200 MT but < 30,000 MT	≤ 200.0 MT annually AND ≤ 1.0 MT daily
114.	**G.**	**Cottage Industries[16]**				regardless of capacity or area
115.	**H.**	**Demonstration and Pilot Projects**				regardless of capacity or area
	I.	**Environmental Enhancement and Environmental Mitigation Projects [12] (PD Report required)**				
116.	I.1.	Artificial Reef				regardless of capacity or area
117.	I.2.	Pollution control devices or facilities required under the ECC condition/s of the *"main"* project/s covered under Groups I or II.				regardless of capacity or area
118.	I.3.	Pollution control devices or similar facilities intended to prevent emissions and/or discharges beyond allowable limits (e.g. for compliance with Clean Air Act or Clean Water Code).				no Groups I and II components wherein thresholds are required an EIS, IEER or IEEC
119.	I.4.	Preventive or proactive measures against potential natural hazards (such as shore protection, river embankment/river bank stabilization, seawall, etc.)				no Groups I and II components wherein thresholds are required an EIS, IEER or IEEC

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
120.	I.5.	Reforestation projects				capacity or area based on the recommendation/s and endorsement of FMB and/or PAWB on a case-to-case basis
	J.	**Food and Related Industries[17] (For associated building requirements, refer to Group II E.13/E.14)**				
121.	J.1.	Animal products processing (fish/meat processing, canning, slaughterhouses, etc)	daily production rate	≥ 10,000 kg	≥ 500 kg but < 10,000 kg	< 500 kg
Second Set of Group II Projects as defined by DENR-EMB (not included in declared Project Types as Proclamation No. 2146)						
Project Type			**Project Size Parameter**	**EIA Report Type for Corresponding Project Size/Threshold**		
				Environmental Impact Statement (EIS)	**Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)**	**Project Description Report[19]**
	J.	**Food and Related Industries[17] (continued)**				
122.	J.2.	Coconut processing plants (including production of coconut based products)	monthly production rate	≥ 25,000 MT	< 25,000 MT	
123.	J.3.	Distillation and Fermentation Plants (e.g. bio-ethanol project)	annual production rate	≥ 50,000 MT	< 50,000 MT	
124.	J.4.	Food preservation (e.g., drying, freezing) and other methods aside from canning				Regardless of capacity
125.	J.5.	Fruit and vegetable processing	daily production rate	≥ 500 Kg	< 500 Kg	
126.	J.6.	Leather and related industries	daily processing rate of raw hides		≥ 1 MT	< 1.0 MT
127.	J.7.	Other types of food (and other food by-products, additives, etc.) processing industries	annual production rate of finished product	≥ 50,000 MT	< 50,000 MT	
128.	J.8.	Processing of dairy products	monthly production rate	≥ 100,000 L (liquid) OR ≥ 100,000 Kg (solid)	<100,000 L (liquid) OR < 100,000 Kg (solid)	
129.	J.9.	Sugar Mills	annual production rate	≥ 50,000 MT	< 50,000 MT	
	K.	**Manufacture of Other Products, e.g. Packaging Materials [18] (For associated building requirements, refer to Group II E.13/E.14)**				
130.	K.1.	Glass-based products	annual production rate		≥ 30,000 MT	< 30,000 MT
131.	K.2.	Metal-based products (Including Semi-Conductor/Electronic Industries)	annual production rate		≥ 15,000 MT	< 15,000 MT
132.	K.3.	Paper and plastic-based products	annual production rate		≥ 15,000 MT	< 15,000 MT

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
	L.	**Pipeline Projects**				
133.	L.1.	Fuel pipelines	length	≥ 25 km	< 25 km	
134.	L.2.	Other pipelines	length	≥ 50 km	< 50 km	
135.	**M.**	**Service Industries** that do not emit pollutants except for domestic wastes and occupying a space equal to or less than limits specified in Groups I or II for infrastructure or other applicable project components needed in the service industry. [19]				regardless of capacity or area
Second Set of Group II Projects as defined by DENR-EMB (not included in declared Project Types as Proclamation No. 2146)						
Project Type			**Project Size Parameter**	**EIA Report Type for Corresponding Project Size/Threshold**		
				Environmental Impact Statement (EIS)	**Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)**	**Project Description Report[10]**
	N.	**Textile, Wood, Rubber Industries** (For associated building requirements, refer to Group II E.13/E.14)				
136.	N.1.	Textile, Wood, Rubber Industries [20]	annual production rate	> 50,000 MT	< 50,000 MT	Garment Manufacturing[21] w/o Dyeing and only involves spinning, cutting and sewing
137.	N.2.	Wood and Metal Furniture Assembly [22]				regardless of capacity or area
	O.	**Tourism Industry**				
138.	O.1.	Resorts and other tourism/leisure projects	area to be developed	≥ 25 hectares	> 0.1 hectare but < 25 hectares ©	≤ 0.1 hectare
	P.	**Transport Terminal Facilities**				
139.	P.1.	Airports	functional size	Larger than a private strip		Private airstrips
140.	P.2.	Land transport terminal (for buses, jeepneys and other modes of transportation)	total land area		1 hectare to > 2 hectares ©	< 1 hectare without service facilities
141.	P.3.	Sea port, causeways, and harbors	area to be developed	≥ 15.0 hectares with reclamation OR ≥ 25.0 hectares (w/o reclamation)	< 15.0 hectares reclamation OR < 25.0 hectares (w/o reclamation)	< 1.0 hectares (w/o reclamation)
142.	**Q.**	**Treasure Hunting Projects** (located in NIPAS areas)			regardless of capacity or area	
	R.	**Waste Management Projects**				
143.	R.1.	Compost/fertilizer making	daily production rate		≥ 15 MT ©	< 15 MT

GROUP II - Non-ECPs in Environmentally Critical Areas (ECAs)						
144.	R.2.	Domestic wastewater treatment facility	quantity of waste to be treated annually	≥ 5,000 m^3	< 5,000 m^3	< 30 m^3
145.	R.3.	Hazardous waste treatment, recycling, and/or disposal facilities (for recycling of lead, see details in Group I - Heavy Industries)	quantity of waste to be treated annually	≥ 10.0 MT	< 10.0 MT	
146.	R.4.	Industrial and hospital waste (non-hazardous) materials treatment facilities	quantity of waste to be treated annually	≥ 50 m^3	< 50 m^3	
147.	R.5.	Landfill for industrial and other wastes	number of users	Multi-users	Single-user	
148.	R.6.	Materials Recovery Facilities	kind of activity		with composting facilities (see category of composting above) ©	material segregation only
Second Set of Group II Projects as defined by DENR-EMB (not included in declared Project Types as Proclamation No. 2146)						
Project Type			**Project Size Parameter**	**EIA Report Type for Corresponding Project Size/Threshold**		
				Environmental Impact Statement (EIS)	**Initial Environment Examination[3] (IEE Report: IEER or IEE Checklist: IEEC)**	**Project Description Report[10]**
	R.	**Waste Management Projects**				
149.	R.7.	Receiving facilities, paper, plastic, and other materials recycling	quantity of waste to be treated annually	≥ 300,000 MT	< 300,000 MT OR involving the use of chemicals ©	involve manual or mechanical sorting only
150.	R.8.	Sanitary landfill for domestic wastes only	daily waste input	> 1,000 MT	≤ 1,000 MT ©	
	S.	**Water Supply, Irrigation or Flood Control Projects**				
151.	S.1.	Impounding System or Flood Control Project	reservoir flooded area	≥ 25 hectares	< 25 hectares OR impounded water ≤ 20 million m^3 ©	
152.	S.2.	Irrigation System (Distribution System Only)	service area	≥ 1,000 hectares	≥300 hectares but < 1,000 hectares ©	< 300 hectares
153.	S.3.	Water Supply Systems (Complete System)	number of production wells	> 6 wells and other systems (e.g. infiltration gallery, etc.)	≤ 6 wells	
154.	S.4.	Water Supply System (Distribution Only)	distribution supply level		Level III – with household connection and water treatment	Level II – communal faucet and Level I – deep wells
155.	**T.**	**Wildlife Farming or any related projects[23] as defined by PAWB**			regardless of area	butterfly farming

GROUP III - Non-Environmentally Critical Projects in Non-Environmentally Critical Areas (NECPs in NECAs) - non-covered projects		
	A.	**All Group II Project Types in NECA:** PDR required for Enhancement and Mitigation Projects as basis for confirmation of benign nature of proposed activity, and CNC required. All other projects shall be at the option of the Proponent to prepare a PDR as basis for a CNC, should the Proponent opt to secure one.

GROUP IV - CO-LOCATED PROJECTS [1]		
156.	**A.**	Co-located projects (mix of single projects in a contiguous area optionally applied as one project under one area/zone administrator) shall be automatically required a Programmatic EIS regardless of capacity, area and number of locators/components.

GROUP V – UNCLASSIFIED PROJECTS		
All Unclassified Projects shall submit a Project Description as an interim documentary requirement. Unclassified Projects may be covered or non-covered by the EIS System subject to DENR-EMB Review of a Project Description. The outcome of review shall be a recommendation on the final EIA Report Type to be submitted as basis for issuing a CNC or ECC.		
		Project Type required to submit a Project Description Report (PDR)
157.	A.	Projects using new processes/technologies with uncertain impacts
158.	B.	All other projects not listed in **Groups I, II, III and IV**

ENDNOTES TO ANNEX 2-1B

1 **Single Projects** may be an individual project listed in this Annex 2-1b, or a multi-component project applied as a single project under one (1) ownership or proponent, i.e. combination of related individual projects needed to support the main project being applied for, e.g. a nickel mining project with components comprised of road network, bridge, port/causeway, buildings, power plant. Maximum threshold among project components will apply.

Single Projects may also include individual projects of locators within an economic or industrial zone or park, opting to apply for individual ECCs. However, if the administrator of the zone, park or any integrated development within a defined contiguous area adopts the option to apply for one (1) ECC for the entire program of development within such contiguous area, the group of projects shall be collectively called **"Co-located Projects"** which shall then be required a **Programmatic EIS**.

2 Per **NECP Office Circular No. 3 of 1983,** and updated by EMB with DTI concurrence on 06 July 2004 as authorized by Sections 2-D and 3-A of AO 42 issued on 02 November 2002 by the President of the Philippines.

3 **The IEE documentary requirement** may either be an IEE Report (outline presented in Annex 2-15) or an IEE Checklist. DENR-EMB requires the usage of the 28 checklists available at the EMB offices or downloadable from the EMB website. These are marked with © superscript in the IEE columns for Project Groups I and II.

4 **Iron and steel mills** refer to the organized and coordinated arrangement of manufacturing processes designed to prepare or smelt or process iron ores, steel scraps and/or primary iron and steel mill products into marketable products except when process involves reheating or resizing only.

5 **Non-ferrous metal industries** refer to the organized and coordinated arrangement of manufacturing processes designed to prepare smelt or process non-ferrous metals into marketable products. This shall include projects characterized by any of the following specification: a) classified as large industrial plants under the implementation rules of LOI No 950 and b) will process toxic non-ferrous metals such as cadmium, chromium and lead.

6 **Petroleum/Petrochemical Industries** shall refer to the organized and coordinated arrangement of manufacturing processes designed to physically and/or chemically transform petroleum and its derivatives into marketable products. Projects listed in this grouping with thresholds $\geq$ 5,000 MT shall be covered by Level 1 or Level 2 ERA requirement, as appropriate. Refer to ERA guidelines in Annex 2-7e.

7 **Smelting plant projects** shall refer to the organized and coordinated arrangement of manufacturing processes designed to smelt metals or alloys and cast the same into some special form.

8 **Dikes for/and Fishpond Development Projects** shall refer to natural or artificial water impoundment involving dike construction and harvesting the same as marketable size and quantities.

9 Processing shall be done at the EMB Regional Office, however approval will be at the EMB Central Office, per DAO 99-53 and DAO 2004-29.

10 **Grazing Projects** shall refer to the management of forest range resources for forage productivity needed to support livestock production. Exceedance of the natural grazing capacity of 1 head /hectare is considered critical as specified in MNR AO No. 50 (1982).

11 The reckoning of "**commercial extraction**" of onshore and offshore oil & gas projects shall be after DOE's approval of the Service Contractor's Declaration of Commerciality.

12 **Project Description Report (PDR)** for Group I projects is at the option of the Proponent to apply as the basis for its request for the issuance of a Certificate of Non-Coverage (CNC). For Group II and III projects, the same option of the Proponent applies except for enhancement and mitigation projects wherein the PDR is a requirement for EMB to confirm the benign nature of the proposed activity, as basis for the issuance of a CNC. It is the ministerial duty of the DENR-EMB to issue a CNC for projects confirmed to be non-covered.

13 **Poultry/birds** covers all avian species regardless whether these are ostrich, quails, ducks or fighting cocks, while the term head of pigs refer to individual heads of pigs not the sow level.

14 **Facilities for Barangay Micro-Business Enterprises (BMBE) Projects** as defined by R.A. 9178 including similarly-scaled projects with less than PhP 3.0 million capitalization involving only assembly of components, molding, sculpturing, cutting, sewing, knitting, weaving, briquetting and carpentry works.

15 **Telecommunication Projects** - Including **a)** broadcasting towers, monopole/guyed towers, three and four-legged self-supporting towers and other similar structures; **b)** Indoor Antennae; c) Based Transceiver Station (refers to equipment housing only and does not involve installation of a tower, based transceiver station antenna without equipment room or tower, and based transceiver station mounted on any existing structures; **d)** On top of a building (Mounted on a Building) wall mounted and floor mounted; **e)** Pole and Parapet Mounted Antennae; **f)** Monopole Tower. Structural integrity of telecommunication and broadcasting towers, including similar structures, is deemed to be under the jurisdiction of the LGUs (in line with the building code requirements). And, radiation concerns are deemed to be under the jurisdiction of DOH.

16 **Cottage Industries** - manufacture of stuffed toys, handicraft, souvenir items, decorative accessories, paper boxes, rope, twines, throw pillow, etc., that do not generate toxic or hazardous materials and/or strong/highly, pollutive wastes: abaca trays, bags, belts; baseboards, baskets; beads, bird cage; blinds; boat shelves; bone products; candle; ceramics; chandeliers, Christmas ornaments; cloth hat; cords, decorative accessories; decorative angels decorative flowers or ornamental; decorative statues; doll house, fashion accessories; flower pots; food bowl; fossil stones; fruit bowls; garden accents; gift wares; hanging nets; hand painted terracotta; handcrafted carabao horns; handicrafts; house wares; jewelry case, key holder; laces; lamp base; lighting fixtures; lightning accessories, other ; mini airplanes; mirror frames; molding frames; native fiber décor; nativity cards; paper boxes, paper mache; pencil case, porcelain and fiberglass items; religious decors; ribbons, rope, salad server; shell furniture; shirt printing; shoes; souvenir items; stainless steel kitchen equipment; stretcher; throw pillow; topiaries; torched floor lamps; toys and stuffed toys; twines; vases, wall decors; wallet; wheel chairs, wine caddies, wire decors; wooden antiques; wooden hand painted cabinets; wooden mini boats.

17 **Food and Related Industries –** shall refer to the organized and coordinated arrangement of manufacturing processes designed to produce food, food by-products and beverages from various raw materials sources into marketable goods. The following projects or undertaking falls under this category*:* sugar mills, distillation and fermentation plants, fruit and vegetable processing, processing of dairy products, Animal products processing (fish/meat processing, canning, slaughterhouses, etc.), food preservation (e.g., drying, freezing) and other methods aside from canning, Leather tanning and related industries, Gelatin, adhesives and other food by-products processing plants, coconut processing plants, and other types of food processing industries.

18 **Manufacture of Other Products, e.g. Packaging Materials** shall refer to the organized and coordinated arrangement of manufacturing processes designed to produce paper, plastics, glass and metal-based packaging materials and other marketable products from various raw material sources using molding, heating and other mechanical processes only.

19 **Service industry** is defined as the sector of economy that supplies the needs of consumers but produces no tangible goods. Examples include information technology services, vehicle emission testing centers, consultancy services, broker-forwarding business, sea and air freight services, importation or purchase of equipment, containerized shipping services, trucking, banks, lending institutions, telecommunications and broadcasting towers, trading (of securities, stocks, etc.) business and similar activities.

20 **Textile, Wood and Rubber Industries –**shall refer to the organized and coordinated arrangement of manufacturing processes designed to produce marketable products and secondary raw materials from fibers, woods, rubber, paper and similar materials.

21 **Garment Manufacturing** includes production of apron; blouses; bottle cover; cardigan for ladies and children; carpets and rugs; children garments; coin purse; crochet slipper and shoes; dresses; embroidered kitchen linens and table tops; face towel; hand woven embroidered piña barong; hats; knit tops; knitted sweaters; knitting pullover; leather gloves; mats; napkin rings; napkin; oven mittens; panel curtains; pants; pillowcase; placemats; pot holder; shirts; skirts and overall; sweatshirts; table cloth; table linens; table runner; telephone cover; trousers.

22 **Wood and Metal Furniture Assembly** (antique reproduction, buri furniture; dinning sets; iron chairs and tables; iron frames; rattan furniture; sala set; tables and chairs; and similar projects).

23 **Wildlife Farming** - Establishments or facilities for wildlife farming, protection, conservation, commercial purposes.

ANNEX 2-1c

DECISION CHART FOR DETERMINATION OF REQUIREMENTS FOR PROJECT MODIFICATION

Proposed Modifications[1] to the Current Project		Analysis of Proposed Modifications	Resulting Decision Document / Type of EIA Report Required			
			Operational projects, or those which have stopped for ≤ 5 years and plan to re-start			For Projects which stopped for > 5 years and plan to re-start with modifications
			For Groups I and II EIS-based Projects with an ECC applying for modification	For Groups I and II IEE-based Projects with an ECC applying for modification	For Group III Non-covered Projects w/ or w/out CNC applying for modification	
1.	Expansion of land/project area w/in catchment or environment described in the original EIA Report	Since the modification will be in an area already described and evaluated in the original EIA Report, incremental impacts from additional land development will have been addressed in the approved EMP	**ECC Amendment** /Letter Request with brief description of activities in the additional area	**ECC Amendment** /Letter Request with brief description of activities in the additional area	not applicable	**ECC Amendment** Updated PDS (Annex 2-6), Environmental Status, Impact Assessment & EMP [2]
2.	Expansion of land/project area OUTSIDE catchment or environment described in the original EIA Report	It is assumed the modification proposal may have significant potential impacts due to absence of prior assessment as to how the project may affect the proposed expansion area	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)	not applicable	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)
3.	Increase in capacity or auxiliary component of the original project which **will <u>either</u>** not entail exceedance of PDR (non-covered project) thresholds **or** EMP & ERA can still address impacts & risks arising from modification	Non-exceedance of PDR (non-covered project) threshold is assumed that impacts are not significant; Modification scenario and decision process are applicable to both non-implemented and operating projects issued ECCs	**ECC Amendment** /Letter Request with brief description of additional capacity or component	**ECC Amendment** /Letter Request with brief description of additional capacity or component	not applicable	**ECC Amendment** Updating PDS (Annex 2-6) & Environmental Status [3]

Proposed Modifications[1] to the Current Project		Analysis of Proposed Modifications	Resulting Decision Document / Type of EIA Report Required			
			Operational projects, or those which have stopped for ≤ 5 years and plan to re-start			For Projects which stopped for > 5 years and plan to re-start with modifications
			For Groups I and II EIS-based Projects with an ECC applying for modification	For Groups I and II IEE-based Projects with an ECC applying for modification	For Group III Non-covered Projects w/ or w/out CNC applying for modification	
4.	Increase in capacity or auxiliary component of the original project which will either exceed PDR (non-covered project) thresholds, or EMP & ERA cannot address impacts and risks arising from modification	Exceedance of PDR (non-covered) threshold is assumed that impacts may be potentially significant, particularly if modification will result to a next higher level of threshold range Modification scenario and decision process are applicable to both non-implemented and operating projects with or without issued ECCs	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)	not applicable	**ECC Amendment** /EPRMP
5.	Change/s in process flow or technology	EMP and ERA can still address impacts & risks arising from modification	**ECC Amendment** /Letter Request with brief process description	**ECC Amendment** /Letter Request with brief process description	not applicable	**ECC Amendment** Updating PDS (Annex 2-6) & Environmental Status [3]
		EMP and ERA cannot address impacts & risks arising from modification	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)	**ECC Amendment** /Environmental Performance Report and Management Plan (EPRMP)	not applicable	**ECC Amendment** /EPRMP

Proposed Modifications[1] to the Current Project		Analysis of Proposed Modifications	Resulting Decision Document / Type of EIA Report Required			
			Operational projects, or those which have stopped for ≤ 5 years and plan to re-start			For Projects which stopped for > 5 years and plan to re-start with modifications
			For Groups I and II EIS-based Projects with an ECC applying for modification	For Groups I and II IEE-based Projects with an ECC applying for modification	For Group III Non-covered Projects w/ or w/out CNC applying for modification	
6.	Additional component or products which will enhance the environment (e.g. due to compliance to new stringent requirements) or lessen impacts on the environment (e.g. thru utilization of waste into new products)	Activity is directly lessening or mitigating the project's impacts on the environment. However, to ensure there is no component in the modification which fall under covered project types, EMB will require disclosure of the description of the components and process with which the new product will be developed.	**ECC Amendment** /Letter Request with consolidated Project Description Report of new project component and integrated EMP	**ECC Amendment** /Letter Request with consolidated Project Description Report of project component and integrated EMP	not applicable	**ECC Amendment** /EPRMP
7.	Downgrade project size or area or other units of measure of threshold limits	No incremental adverse impacts; may result to lower project threshold or may result to non-coverage	**From ECC Amendment to Relief of ECC Commitments (Conversion to CNC):** /Letter-Request only	**From ECC Amendment to Relief of ECC Commitments (Conversion to CNC):** /Letter-Request	not applicable	**From ECC Amendment to Relief of ECC Commitments (Conversion to CNC):** /Letter-Request only
8.	Conversion to new project type (e.g. bunker-fired plant to gas-fired)	Considered new application but with lesser data requirements since most facilities are established; environmental performance in the past will serve as baseline; However, for operating projects, there may be need to request for Relief from ECC Commitment prior to applying for new project type to ensure	**New ECC** / EIS	**New ECC** /IEEC, IEER	**From CNC to CNC or CNC to ECC** /PDR, IEEC, IEER, EIS	**New ECC** /New EIA Report

Proposed Modifications[1] to the Current Project		Analysis of Proposed Modifications	Resulting Decision Document / Type of EIA Report Required			
			Operational projects, or those which have stopped for ≤ 5 years and plan to re-start			For Projects which stopped for > 5 years and plan to re-start with modifications
			For Groups I and II EIS-based Projects with an ECC applying for modification	For Groups I and II IEE-based Projects with an ECC applying for modification	For Group III Non-covered Projects w/ or w/out CNC applying for modification	
		no				
		balance of environmental accountabilities from the current project				
9.	Integration of ECCs for similar or contiguous projects (Note: Integration of ECCs is at the option of the Proponent to request/apply)	No physical change in project size/area; no change in process/technology but improved management of continuous projects by having an integrated planning document in the form of an integrated ECC (ECC conditions will be harmonized across projects ; conditions relating to requirements within other agencies' mandates will be deleted)	**ECC Amendment** /Letter Request with consolidated Project Description Report and integrated EMP	**ECC Amendment** /Letter Request with consolidated Project Description Report of project component and integrated EMP	not applicable	**ECC Amendment** PEPRMP (if applied as co-located project) or EPRMP (if multi-component single project)
10.	Revision/Reformatting of ECC Conditions	No physical change on the project but ECC conditions relating to requirements within other agencies' mandates will be deleted	**ECC Amendment** /Letter Request only	**ECC Amendment** /Letter Request only	not applicable	**ECC Amendment** /Letter-Request with Updated PDR & Environmental Status

[1] For project issued an ECC, "expansion " in terms of capacity or components is referred against the limits set in the ECC and not on current operations. No need to apply/amend ECC if increase in current operations is within the ECC limits. Modification scenarios may be applied to both single and co-located projects. Projects that are operational or implemented prior to 1982 without having stopped for >5 years and without modification/expansion falling within thresholds of covered projects under Group I and II are not covered by any documentary requirement of the Philippine EIS System.

[2] Proponent will be required a Project Briefing; EMB Review to be assisted by one (1) EIA Review Committee to assess the likely impacts of increasing the area (with transfer of facilities/incremental impacts in new area) and changes in the environment from at least 5 years before [3] Proponent will be required a Project Briefing; and review to be undertaken by EMB only

GUIDELINES ON DELINEATION OF DIRECT AND INDIRECT IMPACT AREAS

1) Section 1 of DAO 03-30 states that "The EIS System is concerned primarily with assessing the direct and indirect impacts of a project on the biophysical and human environment and ensuring that these impacts are addressed by appropriate environmental protection and enhancement measures."

2) Direct and indirect impact areas serve as the main reference for the determination of stakeholders who may be potentially affected by the project.

3) The convention of direct and indirect impact areas for the Philippine EIA Process shall be as follows:

   a) Direct impact area (DIA) is initially delimited during the Pre-EIA Study Stage as the area where ALL project facilities are proposed to be constructed/situated and where all operations are proposed to be undertaken, e.g. in a mining project proposal, this can include the entire block proposed to be mined and all areas outside the block where auxiliary facilities may be sited such as a power plant, access roads, the administrative building site, any coastal stockyard, pier/causeway. For most projects, the DIA is equivalent to the total area applied for an ECC.

   b) Indirect Impact Area (IIA) during the pre-EIA Study can only be assumed or qualitatively estimated but may be guided by secondary data and information from key interviews of reliable local authorities, e.g. Based on a NAMRIA topographic map, an IIA can be the stretch of the river/s OUTSIDE the project area but draining the project site which can potentially transport Total Suspended Solids and other discharges from the project towards downstream communities.

   c) Once the EIA Study is done, the impact areas are more technically defined. The impact areas may now be derived based on the environmental assessment, e.g. thru dispersion/transport modeling results. The DIA may include mixing or buffer zone areas delimited by the point or isopleths where ambient standards/guidelines are met, e.g. In a geothermal project, the DIA may cover the project site plus the stretch of the river up to the point where the level of boron (critical parameter for irrigation waters) meets the water quality criteria of 0.75 ppm; The DIA may also include the land area around the geothermal power plant site which may be exposed to Ground Level Concentrations (GLCs) of more than the 0.07 ppm hydrogen sulfide ambient air quality standard. Further, the interphase/overlap of the biophysical DIA with socio-cultural environment shall define the socio-cultural DIA after the EIA is completed.

   d) The Indirect Impact Area (IIA) is clearly delineated only after the EIA Study is done, and is more accurately established during post-ECC monitoring. For the biophysical environment, the IIA may be the area from the outer boundary of the mixing or buffer zone to the point or area where the baseline environmental quality is calculated or monitored to be met. The socio-cultural IIA shall be based on the area of influence of the biophysical IIA.

   e) If baseline environmental values are higher than any of the DENR-EMB standards, criteria or ambient guideline values, the project's DIA and IIA may still be reckoned from the modeling results, with subsequent validation of the mixing/buffer zones, cumulative levels of critical parameters during post-ECC monitoring, and with subsequent adjustment of the EMP. The assumption is that all projects with significant air and water discharges are supposed to be regulated at the effluent or emission discharge points.

4) The determination of the direct and indirect impact areas may vary according to the type of project and the location. On the other hand, the regional impact zone (RIZ) pertains more to the general area where the impact of the project would be felt, such as the entire municipality, province or region.

GUIDELINES ON STAKEHOLDER IDENTIFICATION DURING VARIOUS EIA STAGES

1) Consistent with the basic policy and operating principle of the PEISS wherein the EIA Process is based on a timely, well-informed public participation of potentially-affected communities, identified stakeholders in both direct and indirect impact areas need to be informed of, and consulted on, the project proposal at the earliest EIA stage as possible. Public participation of the stakeholders, particularly in the direct impact areas, is to be sustained during the EIA Study and in the conduct of multi-sectoral monitoring of EIS-based projects during the project implementation.

2) At the pre-EIA Study stage, persons/households/communities within the smallest unit of local government (e.g. sitio/s or barangay/s) where project facilities are to be sited (comprising the DIRECT Impact Area – ***Refer to Annex 2-2***) shall be considered the direct/primary stakeholders of the project. They shall be covered at the minimum by the project's social preparations/IEC and shall comprise the reference/coverage of socio-economic/perception surveys. On the other hand, persons/households/communities immediate to the DIA stakeholders and those within the next level of local government unit where the project is to be sited (e.g. other sitios, barangays, municipality) may be initially considered the stakeholders of the Indirect Impact Area (IIA), e.g. communities along the stretch of the rivers outside the project boundary but draining the site and can transport effluent downstream. The LGU officials in the DIA as well as designated leaders of sectoral/community organizations are the priority invitees to participate in the project's conduct of Public Scoping to surface issues which will contribute to the Terms of Reference of the EIA Study.

3) Once the EIA Study is done, stakeholders in the DIA and IIA are more accurately identified since the process can be based on the findings of the environmental assessment, e.g. thru dispersion/transport modeling studies. Communities/LGUs outside the project area but along the modeled water quality mixing zones (river stretches or coastal areas where there are levels of environmental parameters higher than the water quality criteria) or within the projected air quality buffer zones (areas with Ground Level Concentration (GLCs) of emissions higher than the ambient standard) are considered additional DIA stakeholders to those identified during the pre-EIA Study stage. Communities/LGUs downstream/beyond the boundaries of the mixing or buffer zones up to the points where the baseline environmental values are met may be considered the IIA stakeholders.

4) Other legitimate stakeholders of a project may be as follows:

   a) Households deriving their primary livelihood from both DIA and IIA

   b) Organizations/Sectors who are locally-active (e.g. with community-based activities) within the DIA and IIA

   c) Agencies who have mandates or exercise authority over the project (e.g. those who issue permits or are mandated to regulate/monitor the project for compliance to government regulations)

   d) Other entities who may be identified as having legitimate interest in the project as validated by the EIA Study findings

Identified stakeholder LGUs/communities in the DIA and those agencies/organizations who have direct mandates or activities on the DIA are the preferred invitees to participate in the post-Scoping EIA processes such as during the conduct of the EIA Study, public consultations/hearing and post-ECC monitoring. It is further preferred that stakeholders who have attended the Scoping session should be prioritized in the representation in subsequent EIA activities for continuity of stakeholder participation

PRO-FORMA STAKEHOLDER IDENTIFICATION MATRIX

Potential Impact Areas[1]			Basis for selection of sector as a stakeholder of the project	Sectors/Sub-sectors Identified by Proponent to be Likely Stakeholders of the Project	Specific Organizations/Entities Likely to be Invited to IEC/Site Scoping as Representing the Sectoral Stakeholders
A.		Direct Impact Area (e.g. barangays within the project area)			
	1	Barangay #1	Ex of criteria: a) LGU is a "must" invitee due to its direct political jurisdiction over the area b) Agency has mandate over the project or its components	Ex. Barangay LGU, Ex. List of local Govt Agencies	Ex. List of likely invited positions from barangay; from GAs
	2	Barangay #2	c) Entities will be physically displaced by project construction & operations d) Sectors' livelihood source may be threatened by the project	Ex. List specific sub-sector from worker sector (laborers, farmers, fishermen, etc); Ex. List specific sub-sector from business/industry sector	Ex. list of likely invited reps from selected workers organizations (labor rep, farmer, fisherman, etc), Rep of business organization,
	3	Barangay #3	e) Project poses threat to environmental resources and health	Ex. List specific sub-sector from the NGO/ PO sector; Women sector, Youth, IP, Academe, etc…	NGO rep, rep of women's org, youth rep, IP rep
B.		LGUs with political jurisdiction over the project area (other than the barangays listed in A)			
	1	Municipalities/Cities where the listed barangays in Item A belong	Ex of Criteria for Item B: a) LGU with political jurisdiction over the project	e.g. Municipal Office	Mayor'/Rep
	2	Province/s where the municipalities listed in Item B1 belong	b) NGOs with community-based activities at the project site	e.g. Provincial Office, locally-active NGOs	Governor's rep, NGO Reps
C		Other evident pre-identified areas of potential impact (may be candidates for Indirect Impact Areas , subject to EIA Findings)			

[1] Attach NAMRIA topographic map showing project area/s and direct/indirect impact areas, with highlighted location (and/or boundaries, if available) of respective DIA and IIA sitios, barangay, municipality, and province.

Summary List of Pre-Scoping IEC Activities and Issues

LGUs Covered by IEC	Actual IEC Schedule / Dates	Issues Raised /Suggestions Provided	Proponent's Response
Sitios, Barangays, Municipalities within the Impact Areas			

Purpose of the LGU IEC

1) Priority in IEC shall be given to the LGUs within the Direct Impact Areas (DIAs) followed by LGUs in the estimated Indirect Impact Areas (IIAs). Refer to **Annex 2-2** for definition and examples of DIA and IIA.

2) LGUs are required to be covered by IEC at the Pre-Scoping stage as a requirement for preliminary identification of sectoral stakeholders who shall be invited to attend the Public Scoping Proper (for projects which shall undergo Public Scoping).

3) LGU IEC is also intended to surface preliminary key environmental issues by sectoral stakeholders from the perspective of the LGUs covered by the IEC. The information will help Proponent appropriately prepare for the Public Scoping. For projects which will not undergo Public Scoping, the key issues will be a critical input to the Technical Scoping with the EIA Review Team.

_____
(Date)

To (EMB DIRECTOR)
_____
_____
_____

SUBJECT: REQUEST FOR SCOPING FOR _____ PROJECT

Dear Director _____:

(Company) would like to request for the conduct of the Scoping activity for the _____ Project, preferably on[1] _____ to _____ at _____.

We hereby submit the following documents required by EMB as basis of the Proponent's preparedness for the Scoping activity:

1	Pro-forma Project Description for Scoping (PDS)	√
2	Accomplished EIA Coverage & Requirements Screening Checklist (ECRSC)	√
3	Description and NAMRIA Map of Project's Tentatively Identified Impact Areas	√
4	Preliminary List of Stakeholders and Partial List of Invitees to the Public Scoping[2]	√
5	Summary Matrix of Accomplished IEC/Social Preparation Activities with List of Issues & Proponent's Response	√
6	Accomplished Scoping Checklist for the Project	√

We hope our submission merits your timely and favorable action on our request.

Very truly yours,

_____
(Company Head/Representative)

_____

[1] *Proponent may present a tentative schedule of 3-4 day trip, say, within about 1-2 weeks after the submission of the letter-request. EMB will need time to review the documents submitted, form a Review Committee and coordinate with the Proponent for logistical arrangements for its Review Team.*

[2] *Public Scoping not applicable to PEPRMP, EPRMP and projects entirely located in offshore/national waters outside the jurisdiction of any LGU and without any residing communities.*

PROJECT DESCRIPTION FOR SCOPING (PDS) [1]

(Maximum of about 10 pages)

1. BASIC PROJECT INFORMATION (1 page)

1.1. **Project Information** – Tabulate following: Name of Project, Location (LGU and Contract/Permit/Agreement No. with DOE, MGB or other agencies), Nature of Project, Size/Scale

1.2. **Proponent Profile** – Tabulate Proponent name, address, authorized signatory/representative to apply for ECC, contact details

2. PROJECT DESCRIPTION (~ 7 pages)

2.1. **Project Location and Area** (at the minimum, shown in an official NAMRIA topographic or nautical map (whichever type is applicable and of appropriate scale); Show title, legend, scale, project location and political boundaries (from sitio/barangay to region); delineation of areas of primary and secondary impact areas-Refer to Annex 2-2 (NOTE: The NAMRIA map will make possible the location of the project in scale geographically and politically. It is important for Review Team to have accurate bearings/orientation of the project and vicinity right at the start of the EIA process)

2.2. **Project Rationale** – state need for project based on local/regional and national development goals

2.3. **Project Components List** - identify proposed project components (facilities/infrastructures, other single projects supporting the main project) ; specify which are already in existence

2.4. **Project Phases, Key Environmental Aspects, Wastes, Issues, Built-in Measures** – tabulate the main project phases with a brief statement on description of the main development processes/technologies being considered; the key environmental aspects or activities; the nature and estimate of major emissions, effluent, hazardous waste, solid waste, other wastes) likely to be generated per phase; other key environmental and social issues; and identify built-in management measures and facilities planned or committed to be built into the project design (NOTE for the Operational Phase: Specifically present if processes and substances to be used are listed and fall within the limits covered by Environmental Risk Assessment as enumerated in Section C of Annex 2-7a of the Revised Procedural Manual - as basis for coverage on ERA requirement)

2.5. **Project Cost and Duration**

3. ANNEXES (~ 2 pages)

10.1. 1 page: Collage of photos or plates of proposed project site, and if possible - impact areas and affected areas and communities (N, S, E, W of the project; key sectoral features - land, water, air, people)

10.2. 1 page: NAMRIA Topographic/Nautical Maps showing geopolitical location of the project site and topographic features of the project environs

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[1] The PDS is important due to its following specific purposes: a) It shall be used by the EMB Case Handler in the selection of the appropriate field of expertise and number of experts to form the EIA Review Committee or Technical Committee; b) The PDS shall also be a basis for EMB's evaluation of the list of sectoral stakeholders to be invited for Scoping, and c) The PDS may also provide EMB adequate background on likely key issues to enable it to provide in return proper advice to the Proponent on critical preparations for Public and Technical Scoping.

EIS SCOPING AND PROCEDURAL SCREENING CHECKLIST

Project Name		Project Location	Barangay Municipality/City Province Region
Proponent Name		Proponent Address	
Proponent Contact Person		Proponent Means of Contact	Landline No : Fax No. : Mobile No : Email :
EIA Consultant		Consultant Address	
EIA Consultant Contact Person		Consultant Means of Contact	Landline No : Fax No. : Mobile No : Email :
EMB/DENR Scoping Representatives		Place of Scoping	
		Date of Scoping	

NOTES:

1) **The EIA Report shall have about 250 pages**, for management purposes, inclusive of all summaries, main report and all attachments. The suggested lay-out specifications are as follows: Font 10 Arial, single space; justified margin; no indentations; 1" margin all around, A4 bond size, back to back printing; optional continued numbering of paragraphs per Chapter (i.e. 1.0 - paragraph number 1,2,3, etc; 2.0 – paragraph number 1,2,3,etc…)
2) **The page breakdown per section provided below is only for GUIDANCE purposes.** The Proponent is strongly encouraged to submit only the minimum information necessary to establish the key impacts of the project and to manage such impacts., e.g. only the summary/analysis of secondary information obtained by the Proponent in the course of the EIA study need to be submitted. However, the EMB or the EIA Review Committee shall exercise its discretion to ask for the detailed information when it evaluates the need for such during the EIA Review meetings.
3) Label the EIA Report as a **DRAFT.** The **FINAL** report is to be resubmitted after the EIA review is completed and before the ECC is issued.
4) The Proponent and Review Team may clarify, make changes or adjustments to the Specific Requirements and provide SPECIAL INSTRUCTIONS" for Scoping purposes.
5) The Proponent shall have pre-filled out this Checklist prior to submission of the Letter-Request for Scoping. For projects during the transitory period whose proponents have not filled out the checklist, the Proponent shall be first asked by the EIARC Chair to identify which items in the Technical Scoping part of this checklist it proposes to cover in terms of likely impacts and related baseline information per impact, before the EIARC discusses and confirms the final scope.

A. REQUIREMENTS ON EIA REPORT OUTLINE, FORMAT AND CONTENT

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
Project Fact Sheet	**~2-3 pages**: Information highlights from Executive Summary on Project Description; Project Specific EIA Process, Baseline Profile, Key Impacts, Key environmental management measures and monitoring plans; include 0.25 page of project regional site location on Philippine Map inset.					
Table of Contents	**~9-10 pages**: Include all sections of the EIS for procedural screening purposes; list of tables, figures, annexes					
Executive Summary	**Maximum ~15 pages**					
1.0 Brief Project Description	**~3 pages** (tabulated) : project location & area (with 0.25 – 0.50 page project regional location on Philippine map inset), rationale, components, project phases/stages, process/ technology (as applicable), products and production capacity or rate (as applicable), types & estimated generation rate of major waste streams, manpower, project cost, project duration and schedule					
2.0 Brief Summary of Project's EIA Process	**~2 pages**: (tabulated): name/expertise of preparer team, study period, study area (and attach I page map), EIA method, summary of public participation in scoping and conduct of EIA study					
3.0 Summary of Baseline Characterization	**~4 pages** (tabulated): Present integrated key findings/conclusions per ecosystem (Land, Water Air and People) in terms of criticality of environmental quality status. No need to detail findings per module.					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
4.0 Summary of Impact Assessment and Environmental Management Plan	**~3 pages**: 1) Impacts Mitigation Summary 1st column: Key project activities per phase (i.e. most critical environmental aspects which are the sources of key impacts); 2nd column: environmental component or module affected, nature and magnitude of most significant impacts; 3rd column: proposed options for prevention and mitigation of impacts 2) Present a statement each for SDP Framework, IEC Framework, ERP Policy, Abandonment Policy					
5.0 Summary of the Environmental Monitoring Plan	**~2 pages**: 1) Summary of EMoP Matrix of Proponent – focused only on 1-3 most important objectives and corresponding parameters to be monitored per phase of the project, limit level to be complied with, station description to be monitored and what frequency 2) Summary of MMT or public participation framework in post-ECC monitoring					
6.0 EMF and EGF Commitments	**~1 page:** Present EMF and EGF amount committed					
DRAFT MAIN EIS	**Maximum ~142 pages (Less attachments)**;					
1. BASIC PROJECT INFORMATION	**~3 pages** (tabulation of Project name, location,/address (from Sitio to Region); nature of project; threshold limits applied for; Proponent Name, address, contact numbers, brief profile; EIA Preparer Name, address, contact numbers. Attach project site map in NAMRIA topographic (or nautical, if applicable) map in 1:50,000 scale					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
2. DESCRIPTION OF THE PROJECT'S EIA PROCESS	**~25 pages** including all attachments as specified below					
2.1 EIA TOR	Tabulate the main issues raised by the EIARC (see below Summary of Most Significant Issues) and the community (refer to List of Issues During Public Scoping) and state where/how each was addressed in the EIA Study; attach the detailed Scoping checklists (Public and Technical) as an annex					
2.2 EIA Team	Tabulate data on EIA Team: list of team members, field of expertise, module assigned to both proponent and preparer team					
2.3 EIA Study Schedule	Inclusive periods of study/field surveys , state climate/season					
2.4 EIA Study Area	Present area from project site up to extent of coverage of study: Show study area in NAMRIA topographic (and nautical , if applicable) map of 1:50,000 scale					
2.5 EIA Methodology	Tabulate only generic EIA approach and data sources					
2.6 Public Participation	Tabulate chronologically the following: EIA stage, dates, sectors involved, issues raised, committed actions by the Proponent where relevant; and explain or shed light on succeeding public's response/ reactions/participation or explain prevailing perceptions/ actions by the public. On sectors and issue, differentiate the list into supportive and opposing sectors as well as issues considered valid and invalid.					
3. PROJECT DESCRIPTION	**~ 30 pages**					
3.1 Project Location &	• Presented in legible maps (use clearly scanned or original					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
Area	NAMRIA topographic (or nautical, if applicable) map of 1:50,000 or appropriate scale) showing both project site up to regional location with Philippine map as inset; Regional and provincial vicinity map (showing major landmarks, existing industries, settlements, etc) • Show title, legend, scale, project location and political boundaries (from sitio/barangay to region); delineation of areas of primary and secondary impact areas, Present geographic coordinates • Present applicable ECA categories and statement on technical description on environmental criticality of the site					
3.2 Project Rationale	• Present need for project based on national & local economic development and in terms of contribution to sustainable development agenda or current development thrusts of the Philippines ; • Briefly justify/describe existence of expected commercial quantities of resources to meet local/national development or sectoral objectives (e.g. describe geologic resource for metallic/non-metallic mining, petroleum /geothermal reservoir, etc); Attach detailed Economic Geology as Annex					
3.3 Project Alternatives	Present criteria used in determining preliminary options for facility siting; development design; process/technology selection; resource utilization					
3.4 Project Development Plan, Process/ Technology Options and	Attach tentative/options of Physical Plan/Site Development Map being considered at the FS stage (e.g., present annual program of development for a mine project); discuss processes/technologies being considered; tabulate project components and estimated dimensions/specifications (facilities/infrastructures, other single					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
Project Components	projects supporting the main project) and locate in map at a level of detail feasible at FS Stage					
3.5 Description of Project Phases, Aspects, Wastes, Other Issues, Built-in Measures	Tabulate project phases, activities/environmental aspects, associated wastes*, other key environmental and social issues; and built-in pollution control measures *Under the column on Waste Generation: subheadings are as follows: types of wastes, estimated waste generation rate, estimated volume for the duration of the project phase)					
3.6 Manpower Requirements	Present manpower requirements per project phase; specify expertise needed; nature & estimated number of jobs available for men; nature and number of jobs available for women; specify strategy and tentative scheme for sourcing locally from host and neighboring LGUs and those from outside					
3.7 Project Cost						
3.8 Project Duration and Schedule	Present estimate per project phase					
4. BASELINE ENVIRONMENTAL CONDITIONS, IMPACT ASSESSMENT AND MITIGATION	**~ 50 pages** (less Attachments); For each module, present a) Methodology of EIA Modular Study including tabulation of stations with coordinates and qualitative description, as well as NAMRIA topographic map of the study area in 1:50,000 or more detailed scale; b) Summary of primary and secondary data (present detailed info as annexes; c) highlights of findings and conclusions on the baseline profile as to sensitivity to project impacts. • On Baseline: MINIMUM DATA TO BE HIGHLIGHTED ARE THOSE ASKED IN THE PEMAPS QUESTIONNAIRE IN ANNEX					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	2-7d OF THE RPM. Subsequently, focus on 3-5 key findings on the baseline profiling per relevant module. No need to present or attach ALL primary data. Important to present highlights of analysis of baseline data: a) present summary analysis of physico-chem, bio and social data in terms of how the values compare with environmental standards, how the biostatistics compare with typical ecological values, how social data compare with national and local norms or Philippine statistics. b) present estimates and relative percentages of total area likely to be utilized, total volumes of soils to be excavated, # watersheds and total vegetation to be cut, # of rivers and extent of coastal/marine waters to be affected, total households to be displaced, etc… c) presence and statistical highlights of ecologically and economically most important species and ECAs which may be affected; state nature of impact of project and how this can be prevented or mitigated. d) presence of any physico-chem, biological & social indicators (pseudo-indicators) of project impacts for monitoring purposes • On Impacts: Focus on 1-3 most significant impacts/issues of the most critically affected modules under Land, Water, Air, People across each project phase. Include discussion of residual, unavoidable and cumulative impacts, where relevant and appropriate. • On Mitigation: present major interventions/actions for each					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	identified significant issue.					
4.1 THE LAND	• Discuss Land Use/classification and associated Terrestrial Biology (flora and fauna); • Discuss only relevant aspects of Geology which will explain the geohazards; (Note: For Metallic and Non-metallic Mining Projects, Geothermal Exploration and other similar projects, other aspects of Geology particularly which describe the geologic resource in relation to the project proposal must be described as part of Project Description to justify geologic resource use) • Discuss Geomorphology (i.e. land forms/topography/slope/ terrain) which explain the limitations or nature of the land use and distribution of population and nature of and vegetation/wildlife forms; • Discuss Pedology (main soil type and quality) which rationalize/explain and lend support to the land use, population and biota profile					
4.2 THE WATER	Discuss relevant modules: Hydrology and Hydrogeology, Oceanography, Water Quality, Freshwater and Marine Biology Note #1: Identify which surface and groundwater systems will be affected by the project; present water quality status with highlight on the most relevant parameters, critical uses and the users of these water bodies; present the most important species likely to be affected by the project; present conclusions of modeling (where relevant) of extent of physical and chemical dispersion/trajectory of most relevant parameter and resulting concentrations with increasing distance and					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	depth from the source as basis for deriving a mixing or buffer zone and delineating the DIA from the IIA; map out the economically and ecologically critical areas/resources and superimpose on the biophysical data; Note #2: Present key findings and conclusions of analysis of surface and groundwater quality; Identify key potential impacts of the project across project phases and propose corresponding measures					
4.3 THE AIR	• Meteorology (Note: For most projects, the relevant parameters are only the climate types. seasons, rainfall profile, wind roses and climatological extremes as the latter pose environmental hazards; the rest of the climatological data can be attached as an Annex); • Air Quality (& Noise, if relevant) : Present highlight of air quality status with highlight on the most relevant parameters; present conclusions of modeling (where required) on extent of physical and chemical dispersion/trajectory of most relevant parameter and resulting ground level concentrations with increasing distance from the source as basis for deriving a buffer zone and delineating the DIA from the IIA; superimpose on the economically and ecologically critical areas/resources and population/significant socio-cultural features • Note: Present key findings and conclusions of analysis of air quality; Identify key potential impacts of the project across project phases and propose corresponding measures					
4.4 THE PEOPLE	Present highlights of primary and secondary data on the DIA and IIA, including highlights of perception survey; Present key findings and					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	conclusions of analysis of the Socio-Cultural Environment; Identify key potential impacts of the project considering biophysical findings across project phases and propose corresponding measures					
5 ENVIRONMENTAL RISK ASSESSMENT (WHEN APPLICABLE)	**~2 page** Present only key findings and conclusions of the ERA. Refer to Section C of this Checklist and Annex 2-7e of the RPM to determine coverage and nature of ERA to be required.					
6 ENVIRONMENTAL MANAGEMENT PLAN	**~30 pages**					
6.1 Impacts Management Plan	Use Annex 2-17 of RPM – limit to most significant impacts per project phase and per environmental component arising from key environmental aspects					
6.2 Social Development Framework	Use Annex 2-18 of RPM					
6.3 IEC Framework	Use Annex 2-19 of RPM					
6.4 Emergency Response Policy and Generic Guidelines	The policy and generic guidelines are to be consistent with the relevant agencies' requirements that are to be complied with after the ECC is issued, e.g. MGB has a prescribed ERP content for mining projects.					
6.5 Abandonment /Decommissioning /Rehabilitation Policy and	Statement on Proponent's policies and generic procedures; Detailed Abandonment/Decommissioning Plan to be submitted post-ECC, within a timeframe specified in the ECC					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
Generic Guidelines						
6.6 Environmental Monitoring Plan						
6.6.1 Self-Monitoring Plan	Use Annex 2-20 of RPM (including costing) and applicable parts of Annex 3-1 on ECC Compliance Monitoring of the Proponent; Attach filled out PEMAPS Questionnaire (Annex 2-7d) – present a statement on the existence of a PATHWAY, criticality of the RECEPTOR, status of perception of ENVIRONMENTAL PERFORMANCE from supportive or opposing groups.					
6.6.2 Multi-sectoral Monitoring Framework	For projects with MMT requirement, tabulate the following: list of stakeholder community sectors or representatives who are proposed to be likely members of the MMT as validated by EIA process, basis of priority selection, proposed MMT role, and scope of MMT responsibilities/activities; strategy or approach in establishing and monitoring Environmental Quality Performance Levels (EQPLs) in coordination with the MMT's program of identifying pseudo/quasi-indicators of environmental damage. Refer to Annexes 3-2 and 3-4 of the RPM.					
6.6.3 Environmental Guarantee and Monitoring Fund Considerations	Present a proposed amount of EMF (based on a draft AWFP in Annex 3-4 and consistent with guidelines in Annex 3-5); Present a committed amount of EGF and the basis for the estimate, following the guidelines in Annex 3-6					
6.7 Institutional Plan for EMP Implementation	Discuss the Table of Organization of the Proponent where the reporting line and manpower complement/positions of the EU, MEPEO or equivalent units to higher management and relationships with					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	operating departments are shown					
7 BIBLIOGRAPHY/ REFERENCES	**~2 pages**					
8 ANNEXES	**~80 pages**					
8.1 Scoping Checklist	Use Annex 2-7a of the RPM (signed off document) with attached signed off Public Scoping List of Issues, as applicable (Annex 2-7c)					
8.2 Original Sworn Accountability Statement of Proponent	Use Annex 2-21 of RPM					
8.3 Original Sworn Accountability Statement of Key EIS Consultants	Use Annex 2-22 of RPM					
8.4 Proof of Public Participation	Attendance Sheets of IEC, Public Scoping, Public Consultation/Public Hearing; Proof of public participation in the EIA Study					
8.5 Baseline Study Support Information	• Detailed analysis of primary and secondary information per module; perception survey analysis with sample questionnaire; Lab analytical results for soil, ground and surface freshwater and marine waters, air quality, noise – all tables compared with relevant Philippine standards, Philippine typical baseline values, Philippine statistics or other equivalent reference standards. • The rest of the baseline data obtained by the Preparer shall be presented during the EIA Review Meetings in case the Review Team has items to validate against detailed baseline info. These can also be used by the Proponent in its self-monitoring and MMT					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	validation activities.					
8.6 Impact Assessment and EMP Support Information	ERA, PEMAPS Questionnaire, etc					

NOTE: The EIA review process will advise DOH if the project will pose a significant public health risk to the environment, e.g. public health may be affected if the wastes/discharges are direct contributors to the leading causes of mortality/morbidity in the DIA, regardless of environmental management measures. To assist EMB on its review, DOH shall coordinate with the DENR-EMB on the declaration of Health Sensitive Projects and Health Sensitive Areas. Until such time, DOH shall review EHIA independently of the EIA Process, consistent with the DENR-DOH MOA on EHIA. Further, workers' HIA component of the EHIA is recommended to be coordinated by DOH with DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.

DURING TECHNICAL SCOPING: OTHER INSTRUCTIONS BY THE EIARC/EMB ON THE FORMAT AND CONTENT OF THE EIA REPORT TO BE SUBMITTED			DURING PROCEDURAL SCREENING: OTHER OBSERVATIONS/COMMENTS/REMARKS BY THE EMB CASEHANDLER ON THE FORMAT AND CONTENT OF THE SUBMITTED EIA REPORT
1)		1)	
2)		2)	
3)		3)	

B. TECHNICAL SCOPING CHECKLIST [1]

NOTE: Attach list of issues raised by the attending community representatives during the Public Scoping (Annex 2-7c). Integrate the issues in the Technical Scoping Checklist below.

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
1.0	**THE LAND**					**THE LAND**						
1.1	**Land Use and Classification**					**Land Use and Classification**						
1.1.1.	Change/Inconsistency in land use					Description of existing land use/zoning/ classification						
1.1.2.	Encroachment in Protected Area under NIPAS					Land Use Map *(include location of any ECAs and special land features)*						
1.1.3.	Encroachment in other ECAs											
1.2	**Geology/Geomorphology**					**Geology/Geomorphology**						
1.2.1.	Change in surface landform /topography/terrain/slope					Slope and Elevation Map						

[1] This table has two major columns: Key environmental issues to be addressed, and the Description of Environment (primary or secondary data) based on one or more environmental issues identified. There is no one-to-one correspondence between the potential issue columns to the left and the baseline information to the right. These columns are provided to ensure the EIA Study focuses on the most relevant environmental issues. **LS = likely significant, LI = likely insignificant, NR = nor relevant**. LS requires in depth quantitative analysis depending on the availability of mathematical methods. LI requires qualitative analysis. NR column is provided since there are listed impacts that may not be after all existent due to the nature of the project and location. During the EIA study, some project aspects may be discovered as significant and may be the basis of Additional Information in the review.

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
1.2.2.	Change in sub-surface/ underground geomorphology (e.g. underground mining)					Regional/General Geological Map						
1.2.3.	Inducement of subsidence					Geological Cross-Sections						
1.2.4.	Inducement of landslides or other natural hazards					Sequence Stratigraphic Column of Rock Units						
1.2.5.						Geomorphological Map						
1.2.6.						g factor Contour Map for Rocks						
1.2.7.						Seismicity Map						
1.2.8.						Differential Settling Hazard Map						
1.2.9.						Bathymetric and Morphostructural Map						
1.2.10.						Results of Petrographic and Mineragraphic Analyses						
1.2.11.						Results of Geochemical Analyses of Rock Samples						
1.3	**Pedology**					**Pedology**						
1.3.1.	Soil Erosion					Summary of Soil Investigation Report on soil type and quality						
1.3.2.	Change in soil quality (e.g. in irrigation areas)					Laboratory Results of Soil Sample Analysis						
						Erodibility Potential						
1.4	**Terrestrial Biology**					**Terrestrial Biology**						
1.4.1.	Vegetation removal and loss of habitat					Flora and Fauna Species Inventory or Survey						
1.4.2.	Threat to existence of important					Summary of Endemicity						

	List of Key Environmental Issues	Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
	local species					/Conservation Status						
1.4.3.	Threat to abundance, frequency and distribution					Summary of Abundance, Frequency and Distribution						
1.4.4.	Hindrance to wildlife access					Site Observation/ Transect Walk Map						
2.0	**THE WATER**					**THE WATER**						
2.1	**Hydrology/Hydrogeology**					**Hydrology/Hydrogeology**						
2.1.1.	Change in drainage morphology					Topographic Map showing Drainage System						
2.1.2.	Change in stream, lake water depth					Regional Hydrogeologic Map						
2.1.3.	Reduction in stream volumetric flow					Streamflow Measurements/ Mean Monthly Flow Data						
2.1.4.	Inducement of flooding											
2.1.5.	Water resource competition					Flood Peaks, Volumes, frequency rating curves and Stormwater flow estimates						
2.1.6.	Reduction/Depletion of groundwater flow					Spring and Well Inventory and location map						
						Flow measurement location map						
2.2	**Oceanography**					**Oceanography**						
2.2.1.	Change in circulation pattern					Predicted Tides						
2.2.2.	Change in bathymetry					24-Hour Tidal Cycles						
2.2.3.						Surface Current System						
2.3	**Water Quality**					**Water Quality**						
2.3.1.	Groundwater pollution					Physico-Chemical Characteristics of Wells and Springs						

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
2.3.2.	Stream water pollution					Physico-Chemical Characteristics of Inland Surface Waters						
2.3.3.	Lake water pollution					Physico-Chemical Characteristics of Coastal Waters						
2.3.4.	Marine water pollution					Bacteriological Characteristics of Wells and Springs						
						Bacteriological Characteristics of Inland Surface Waters						
						Bacteriological Characteristics of Coastal Waters						
						Sampling Site Map						
2.4	**Freshwater Ecology**					**Freshwater Ecology**						
2.4.1.	Threat to abundance, frequency and distribution of species					Abundance of ecologically and economically important species						
2.4.2.	Loss of important species					Presence of Pollution indicator Species						
2.4.3.	Loss of habitat					Sampling Site Map						
2.5	**Marine Ecology**					**Marine Ecology**						
2.5.1.	Threat to abundance, frequency and distribution					Abundance of ecologically and economically important species						
2.5.2.	Loss of important species					Presence of Pollution indicator Species						
2.5.3.	Loss of habitat					Marine Resource Map						
2.5.4.						Abundance/Densities/Distribution of mangroves, coral reefs, fishes, sea grasses, algae, seaweeds,						

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
						plankton, etc						
2.5.5.						Sampling Site Map						
3.0	**THE AIR**					**THE AIR**						
3.1	**Meteorology/Climatology**					**Meteorology/Climatology**						
3.1.1.	Change in the local climate, e.g. local temperature					Monthly Average Rainfall of the Area						
3.1.2.	Contribution to global greenhouse gas					Climatological Normals/Extremes						
						Wind Rose Diagrams						
						Frequency of Tropical Cyclones						
3.2	**Air Quality (& Noise)**					**Air Quality (& Noise)**						
3.2.1.	Air pollution					Ambient concentrations of TSP, SO_x, NO_x, PM10, etc., 1-hour, 24-Hour Sampling						
3.2.2.	Increase in noise					Noise Levels						
						Sampling Station Map (air and noise)						
4.0	**THE PEOPLE**					**THE PEOPLE**						
4.1.1.	Displacement of settler					Demography						
4.1.2.	Change in land ownership					Settlement Map and Population Distribution Map						
4.1.3.	Displacement of property					Population Growth Rate						
4.1.4.	Right-of-way conflict					Number of Households and Household Size by Barangay						
						Summary of Demographic data per Barangay to be directly affected:						

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
						Land Area, Population, Population Density, Main Sources of Income, Gender and Age Composition, Literacy, Highest Educational Attainment, Employment Status						
4.1.5.	In-migration					Household Profile based on results of the Socio-Economic/Perception Survey						
4.1.6.	Presence of Indigenous People					Indigenous Peoples						
4.1.7.	Cultural Change					Health						
4.1.8.	Threat to public health					Morbidity and Mortality Rates (Infants and Adults) from Direct Impact Areas						
4.1.9.	Local benefits from the project					5-Year Trend in Morbidity and Mortality						
						Notifiable Diseases in the Area including Endemic Diseases						
						Local Health Resources (Government and Private)						
						Environmental Health and Sanitation Profile: water supply, human excreta mgt, waste mgt and disposal systems and food hygiene						
4.1.10.	Threat to delivery of basic services					Water Supply and Demand						
						Power Supply and Demand						
4.1.11.	Traffic congestion					Transportation/Traffic situation						
SUMMARY/HIGHLIGHTS OF TECHNICAL SCOPING									For Procedural			

List of Key Environmental Issues	Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
	LS	LI	NR			Y	N			Y	N

					Screening		
	Considering all project activities and phases, select the most critical Environmental Aspects (major sources of most significant impacts)	List of Associated Most Significant Environmental Issues/Stressors	Agreed EIA Approach in Impact Assessment and Mitigation on key environmental aspects and impacts/issues	Remarks	Page in EIA Document	Verified Acceptable by EMB CH?	
						Y	N
1							
2							
3							

C. ENVIRONMENTAL RISK ASSESSMENT

If the project has the following:	Required Study/Report	Y	N
1. Facilities for the production or processing of organic or inorganic chemicals using: alkylation, amination by ammonolysis, carbonylation, condensation, dehydrogenation, esterification, halogenation and manufacture of halogens, hydrogenation,hydrolysis, oxidation, polymerization, sulphonation, desulphurization, manufacture and transformation of sulphur-containing compounds, nitration and manufacture of nitrogen-containing compounds, manufacture of phosphorus-containing compounds, formulation of pesticides and of pharmaceutical products, distillation, extraction, solvation	Risk Screening Study		
2. Installations for distillation, refining or other processing of petroleum products.	Risk Screening Study		
3. Installations for the total or partial disposal of solid or liquid substances by incineration or chemical decomposition	Risk Screening Study		
4. Installations for the production or processing of energy gases, for example, LPG, LNG, SNG	Risk Screening Study		
5. Installations for the dry distillation of coal or lignite	Risk Screening Study		
6. Installations for the production of metals or non-metals by a wet process or by means of electrical energy	Risk Screening Study		
7. Installations for the production of metals or non-metals by a wet process or by means of electrical energy	Risk Screening Study		
8. Specific facilities or the use of certain processes listed in the **Risk Thresholds Table** below.	Risk Screening Study		
9. Facilities that would use, manufacture, process or store hazardous materials in excess of **Level 1** threshold inventory in **Risk Thresholds Table** below.	Hazard Analysis Study, and Emergency/ Contingency Plan based on the study and worst-case scenario.		

If the project has the following:	Required Study/Report	Y	N
10 Facilities that would use, manufacture, process or store hazardous materials in excess of **Level 2** threshold inventory in **Risk Thresholds Table** below.	Quantitative Risk Assessment (QRA) and Emergency/Contingency Plan based on the QRA		

Risk Thresholds Table

	CATEGORY	LEVEL 1 (tons)	LEVEL 2 (tons)		CATEGORY	LEVEL 1 (tons)	LEVEL 2 (tons)
1.	Explosives	10	50	7.	Toxic substances (medium)	10	50
2.	Flammable substances	5,000	50,000	8.	Toxic substances (high)	5	20
3.	Highly flammable substances	50	200	9.	Toxic substances (very high)	0.2	1
4.	Extremely flammable substances	10	50	10.	Toxic substances (extreme)	0.001	0.1
5.	Oxidizing substances	50	200	11.	Unclassified (Type A)	100	500
6.	Toxic substances (low)	50	200	12.	Unclassified (Type B)	50	200

NEED FOR PUBLIC HEARING/CONSULTATION /SITE VISIT OR SITE/VALIDATION DURING EIA REVIEW	BASIS FOR RECOMMENDATION/DECISION
1) Proponent's Request	
2) EIARC Evaluation	
3) EMB Evaluation	

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SCOPED BY: EIARC MEMBERS

NAME	EXPERTISE	SIGNATURE	NAME	EXPERTISE	SIGNATURE

EIA PERSONNEL REPRESENTATIVE DURING TECHNICAL SCOPING:		REPRESENTATIVE/S OF THE PROJECT PROPONENT:	
Signature over Printed name	Signature over Printed name	Signature over Printed name	Signature over Printed name
NOTED BY: EIAM Division Chief		**REPRESENTATIVE/S OF THE EIA PREPARER:**	
Signature over Printed name		Signature over Printed name	Signature over Printed name

PROCEDURAL SCREENING RECOMMENDATION BY EMB CASEHANDLER:			
1st Procedural Screening:	Return	☐	Accept Document for Filing of Application for
REMARKS:			
Printed Name of EMB Case handler:		Signature: _____	Date:
2nd Procedural Screening:	Return	☐	Accept Document for Filing of Application for
REMARKS:			
Printed Name of EMB Case handler:		Signature: _____	Date:

ANNEX 2-7b

SCOPING and PROCEDURAL SCREENING CHECKLIST FOR ENVIRONMENTAL PERFORMANCE REPORT AND MANAGEMENT PLAN (EPRMP)

Project Name		Project Location	Barangay Municipality/City Province Region
Proponent Name		Proponent Address	
Proponent Contact Person		Proponent Means of Contact	Landline No : Fax No. : Mobile No : Email :
EIA Consultant		Consultant Address	
EIA Consultant Contact Person		Consultant Means of Contact	Landline No : Fax No. : Mobile No : Email :
EMB/DENR Scoping Representatives		Place of Scoping	
		Date of Scoping	

NOTES:

1) **The EIA Report shall have about 150 pages**, for management purposes, inclusive of all summaries, main report and all attachments. The suggested lay-out specifications are as follows: Font 10 Arial, single space; justified margin; no indentations; 1" margin all around, A4 bond size, back to back printing; optional continued numbering of paragraphs per Chapter (i.e. 1.0 - paragraph number 1,2,3, etc; 2.0 – paragraph number 1,2,3,etc…)

2) **The page breakdown per section provided below is only for GUIDANCE purposes.** The Proponent is strongly encouraged to submit only the minimum information necessary to establish the key impacts of the project and to manage such impacts., e.g. only the summary/analysis of secondary information obtained by the Proponent in the course of the EIA study need to be submitted. However, the EMB or the EIA Review Committee shall exercise its discretion to ask for the detailed information when it evaluates the need for such.

3) Label the EIA Report as a **DRAFT.** The **FINAL** report is to be resubmitted after the EIA review is completed and before the ECC is issued.

4) The Proponent and Review Team may add to the "SPECIFIC REQUIREMENTS/SPECIAL INSTRUCTIONS" for Scoping purposes.

5) The Proponent shall have pre-filled out this Checklist prior to submission of the Letter-Request for Scoping. For projects during the transitory period whose proponents have not filled out the checklist, the Proponent shall be first asked by the EIARC Chair to identify which items in the Technical Scoping part of this checklist it proposes to cover in terms of likely impacts and related baseline information per impact, before the EIARC discusses and confirms the final scope.

A. GENERAL ("MUST") REQUIREMENTS ON EPRMP REPORT OUTLINE, FORMAT AND CONTENT

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
Project Fact Sheet	2-3 pages – Description of the originally-approved ECC project, current level of operations and the proposed modification/expansion; key impacts (current and new); key measures (current and new)					
Table of Contents	10 pages					
Executive Summary	15 pages					
1) Brief Project Description	Include project cost and the employment generated by the project					
2) Brief Summary of Project's EIA Process	Brief description of the data gathering, scope of the study, duration/period, team, methodology, and documentation					
3) Brief description of the existing project vis-à-vis the proposed expansion or changes						
4) Summary on the EIA Findings on the Key Significant Impacts of the Project and corresponding EMP highlights	(Tabulated/matrix): Summary and discussion of environmental performance, main mitigating measures, main components of the Management Plan. Etc. The impacts must consider the project's effects to the direct, primary and secondary impact areas					
5) Summary of the Environmental Monitoring Plan on the most significant impacts and key measures	(Tabulated): Summary of the Environmental Monitoring Plan. This should include cost of monitoring activities to ensure that proper funds are allocated for its implementation.					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
DRAFT MAIN EPRMP	100 pages					
1. BASIC PROJECT INFORMATION	(tabulation of Project name, location,/address (from Sitio to Region); nature of project; threshold limits applied for; Proponent Name, address, contact numbers; Preparer Name, address, contact numbers. Attach project site map in NAMRIA topographic (or nautical, if applicable) map in 1:50,000 scale					
2. DESCRIPTION OF THE PROJECT'S EIA PROCESS						
2.1. Terms of Reference of the EIA Study	Highlight the main issues raised by the EIARC and the community; attach the detailed Scoping checklists as an annex					
2.2. EIA Team (Proponent & Preparer Team members, module of involvement, expertise)	Tabulate the list of preparers, field of expertise, module assigned to both proponent and preparer team					
2.3. EIA Study Schedule	Inclusive periods of study/field surveys and relate to climate type as to relevance to project's potential impacts					
2.4. EIA Study Area (project area up to extent of coverage of study)	+ Show study area in NAMRIA topographic (and nautical , if applicable) map of 1:50,000 scale					
2.5. EIA Methodology (per module)	Tabulate only generic EIA approach and data sources					
2.6. Public Participation	Present only applicable requirements					
3. PROJECT DESCRIPTION	**Present both existing project and proposed project modification/expansion**					
3.1. Basic Project Background and Information	• Project name, type of project, coverage, address and cost • Proponent's name, address, contact person(s) and contact					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	numbers. If applicable, include name of consultant, their address, the contact person and the contact numbers. • Project components (include physical plan/site development map) • Present a detailed description of the changes in the original project and set-up. Discuss how these changes are to be achieved (mechanization, shifting from one mining method to another, additional equipment to cater to increase in capacity/production, increase in manpower, etc.)					
3.2. Project Rationale	This should be discussed in terms of economic and social parameters in relation to national economic development and sustainable development. Present need for the project modification/expansion					
3.3. Complete project location (barangay, municipality, province, etc) with geographic coordinates.	• This information should be presented in legible maps (regional and provincial, land use map, vicinity map) showing the title, legend, scale, project location and political boundaries. Maps should also show major landmarks, existing industries, settlements, etc. Delineate the map into primary and secondary impact areas. • Delineate the current project location and boundaries from the proposed projects. • Present applicable ECA categories and statement on technical description on environmental criticality of the site					
3.4. Project Site Considerations	Discuss proposed project site considerations; why the site was chosen, characteristics of a candidate site, etc. State the technology and siting alternatives considered and the selection criteria applied.					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
3.5. Description of Proposed Project Phases & Activities vis a vis the ECC-Approved Project, Waste Generation, Key Issues & Built-in Measures	Discuss the project phases and the specific activities to be undertaken, compared with the previously ECC-approved phases and activities. Highlight the differences/additions to the activities, facilities and process flows. Present simplified process flowcharts to show where the critical environmental aspects (source of environmental impacts) are located, what nature of stressor to the environment will be generated (e.g. air emissions, water discharge, solid/toxic waste, etc), what other environmental and social issues may be encountered, and any built-in facility or action for prevention or mitigation. Comparison of the environmental performance of the new and proposed pollution control devices (i.e. emission concentration, existing wastewater discharges compared with the expected emissions and discharges) Divide the discussion into the following: Pre-construction / Commissioning / Mobilization, Construction, Operation process description (including material and energy balance if appropriate), Abandonment/ Decommissioning/ Demobilization. Present the duration of each phase or total project lifetime, compared against the original approved project duration.					
3.6 Resource & Utility Requirements, Manpower, Cost	Discuss requirements (power, fuel, water, materials, other resources) as well as manpower requirements – for proposed project modification/expansion as compared against the ECC-approved limits					
3.7 Summary of Comparison of the new and old projects	Compare in terms of capacity, output, efficiency, benefits, environmental issues, waste, etc, and the advantages/disadvantages of each to the environment, and the corresponding impact/s mitigation program.					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
4. BASELINE ENVIRONMENTAL CONDITIONS FOR CRITICAL ENVIRONMENTAL PARAMETERS, IMPACT ASSESSMENT & MITIGATION	The results of the proponent's/EMB monitoring may be used as baseline, including the pre-operational data obtained as basis for the issuance of the original ECC. Present in matrix and graphical form per critical parameter to show the trend in the environmental conditions or to show the effect of the current operations on the environment. Present maps of baseline/existing sampling sites, and proposed or additional sampling /survey sites for each critical module.					
4.1. The Land	Discuss relevant modules, e.g. Land Use, Soils, Vegetation, Wildlife, Geomorphology This section should have a general description of the area where the project is located. It should also show the changes in vegetation such as the species richness, diversity, etc., that occurs in the area from the time of the project implementation and discuss the reasons that brought about such changes.					
4.2. The Water	Discuss relevant modules, e.g. Hydrology, Oceanography, Water Quality, Freshwater/Marine Biology Conduct an inventory of existing sources of water like springs, wells, rivers, and the proposed source. This section should have a general description of the aquatic fresh/marine environment in terms of species diversity or richness that occurs in the area from the time of the project implementation and discuss the reason for such change.					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
4.3. The Air	Discuss relevant modules: Meteorology, Air Quality/Noise Present windrose diagrams, air dispersion modeling diagrams/isopleth, net evaporation rates, climatological normals and extremes, and sampling station map. In absence of other data sources, the climatological and meteorological data from nearest PAGASA station shall be used, regardless of distance from project site.					
4.4. The People	This section shall discuss actual and applicable impacts on the social environment based on actual or incremental effects (both positive and negative) for the preceding year from the time of project implementation. • Settlement map and population distribution to be affected by the project • Socio-economic indicators such as the increase or decrease of cultural activities, increase or decrease of the income of the municipality, etc. •					
5.0 ENVIRONMENTAL PERFORMANCE BASED ON THE ORIGINAL ECC-COVERED ENVIRONMENTAL MANAGEMENT PLAN						
5.1. Impact(s) Management Plan (IMP)	Describe performance against the originally-approved environmental management programs. Highlight the improvements made and the benefits experienced.					
5.2. Environmental Monitoring Plan (EMoP) and other Monitoring Modes	Describe performance against the originally approved EMoP, MMT requirements/commitments, third party audits (if any). Highlight the improvements made and the benefits experienced.					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
5.3. Information, Education and Communication (IEC) and Social Development Program (SDP)	Describe performance against the originally-approved IEC and SDP. Highlight the improvements made and the benefits experienced. Include complaints management, communication and reporting or feedback mechanisms, for complaints.					
5.4. Environmental Risk Management and Emergency Response Programs (ERP)	Describe performance against any risk-related event or accident and how such was managed to minimize environmental impacts/damages. Highlight the improvements made on the ERP and the benefits experienced.					
5.5. Abandonment/Rehabilitation Programs	Describe any improvements made.					
5.6. Institutional Set-up	Describe status of the environmental institutional set-up, how recommendations were handled or received by upper company management.					
5.7. Achievements/Awards and Outstanding Accomplishments on the Environment	Present any achievement, awards or any outstanding accomplishments outside of what has already been described in earlier sections.					
6.0 ENVIRONMENTAL RISK ASSESSMENT	Discuss only the highlights. When applicable – this section shall also discuss the safety records of the preceding two years.					
7.0 ENVIRONMENTAL RISK CATEGORIZATION	Use Annex 2-7d of the RPM. The PEMAPS questionnaire will provide basis on the project's environmental risk category and input into the prioritization scheme of the EMB for monitoring the project.					
8.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP) FOR CURRENT PROJECT & PROPOSED MODIFICATION/ EXPANSION	Include Items 5.1 to 5.6 in presenting a revised EMP (comprised of the IMP, EMoP, IEC, SDP/CAP, ERP, Abandonment policies/procedures)* to account for the incremental impacts, cumulative impacts, residual impacts, unavoidable impacts and all other major risks posed by the proposed modification/expansion. *Present key changes/additions in the current Abandonment Procedures/Plans, including remediation/restoration programs,					

GENERAL CONTENTS/ REQUIREMENTS	SPECIFIC CONTENTS/REQUIREMENTS	FOR SCOPING USE	FOR PROCEDURAL SCREENING USE			
		CLARIFICATIONS/ CHANGES/SPECIAL INSTRUCTIONS BY EIARC/EMB	Page/s in the EIA Report	Validated Acceptable by EMB Case Handler?		REMARKS
				YES	NO	
	Present company policy and generic procedures that will apply to the project modification/expansion. Revised detailed Abandonment/Rehabilitation Plan shall be required at least a year prior to project abandonment. Present estimates of EMF and EGF & basis					
9.0 BIBLIOGRAPHY						
10.0 ANNEXES	20 pages					
10.1 Commitments or Agreements	Proposed Additional EGF and EMF to account for the expansion of the project. Include the basis for computation.					
10.2 Accountability Statements of Preparers & Proponent	Use Annexes 2-21 and 2-22 of the Revised Procedural Manual					
10.3 Photographs or plates of the project site, impact areas an affected areas and communities	Focus on showing the proposed modifications/expansion against the current operations and against the environment the proposed activity may be adversely affecting.					
10.4 Environmental Data	Include appropriate laboratory results.					

NOTE: The EIA Findings on the project's environmental impacts and management measures will advise DOH if the project will pose a public health risk to the environment. For this purpose, DOH shall provide DENR-EMB with a declaration of Health Sensitive Projects and Health Sensitive Areas. Until such time, DOH shall review EHIA independently of the EIA Process. Further, it is recommended that workers' HIA component of the EHIA be coordinated by DOH with DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.

B. TECHNICAL SCOPING CHECKLIST [1]

* Modules with asterisk under "Description of Environment" column are assumed addressed in original EIS. Otherwise, if data in original EIS is deemed insufficient or outdated due to significant changes in project environment, EIARC may determine which additional data to secure relevant to the identified likely impacts.

	List of Key Environmental Issues	Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
1.0	**THE LAND**					**THE LAND**						
1.1	**Land Use and Classification**					**Land Use and Classification**						
1.1.1.	Change/Inconsistency in land use					Description of existing land use/zoning/ classification						
1.1.2.	Encroachment in Protected Area under NIPAS					Land Use Map *(include location of any ECAs and special land features)*						
1.1.3.	Encroachment in other ECAs											
1.2	**Geology/Geomorphology**					**Geology/Geomorphology***						
1.2.1.	Change in surface landform /topography/terrain/slope					Slope and Elevation Map						

[1] This table has two major columns: Key environmental issues to be address, and the description of environment (primary or secondary data) based on one or more environmental issues identified. There is no one-to-one correspondence between the potential issue columns to the left and the baseline information to the right. These columns are provided to ensure the EIA Study focuses on the most relevant environmental issues. **LS = likely significant, LI = likely insignificant, NR = nor relevant**. LS requires in depth quantitative analysis depending on the availability of mathematical methods. LI requires qualitative analysis. NR column is provided since there are listed impacts that may not be after all existent due to the nature of the project and location. During the EIA study, some project aspects may be discovered as significant and may be the basis of Additional Information in the review.

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
1.2.2.	Change in sub-surface/ underground geomorphology (e.g. underground mining)											
1.2.3.	Inducement of subsidence											
1.2.4.	Inducement of landslides or other natural hazards											
1.3	**Pedology**					**Pedology***						
1.3.1.	Soil Erosion											
1.3.2.	Change in soil quality (e.g. in irrigation areas)											
1.4	**Terrestrial Biology**					**Terrestrial Biology**						
1.4.1.	Vegetation removal and loss of habitat					Flora and Fauna Species Inventory or Survey						
1.4.2.	Threat to existence of important local species					Summary of Endemicity /Conservation Status						
1.4.3.	Threat to abundance, frequency and distribution					Summary of Abundance, Frequency and Distribution						
1.4.4.	Hindrance to wildlife access					Site Observation/ Transect Walk Map						
2.0	**THE WATER**					**THE WATER**						
2.1	**Hydrology/Hydrogeology**					**Hydrology/Hydrogeology***						
2.1.1.	Change in drainage morphology											
2.1.2.	Change in stream, lake water depth											
2.1.3.	Reduction in stream volumetric flow											
2.1.4.	Inducement of flooding											

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
2.1.5.	Water resource competition											
2.1.6.	Reduction/Depletion of groundwater flow											
2.2	**Oceanography**											
2.2.1.	Change in circulation pattern											
2.2.2.	Change in bathymetry											
2.3	**Water Quality**					**Water Quality**						
2.3.1.	Groundwater pollution					Physico-Chemical Characteristics of Wells and Springs						
2.3.2.	Stream water pollution					Physico-Chemical Characteristics of Inland Surface Waters						
2.3.3.	Lake water pollution					Physico-Chemical Characteristics of Coastal Waters						
2.3.4.	Marine water pollution					Bacteriological Characteristics of Wells and Springs						
						Bacteriological Characteristics of Inland Surface Waters						
						Bacteriological Characteristics of Coastal Waters						
						Sampling Site Map						
2.4	**Freshwater Ecology**					**Freshwater Ecology**						
2.4.1.	Threat to abundance, frequency and distribution of species					Abundance of ecologically and economically important species						
2.4.2.	Loss of important species					Presence of Pollution indicator Species						

List of Key Environmental Issues		Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
		LS	LI	NR			Y	N			Y	N
2.4.3.	Loss of habitat					Sampling Site Map						
2.5	**Marine Ecology**					**Marine Ecology**						
2.5.1.	Threat to abundance, frequency and distribution					Abundance of ecologically and economically important species						
2.5.2.	Loss of important species					Presence of Pollution indicator Species						
2.5.3.	Loss of habitat					Marine Resource Map						
						Abundance/Densities/Distribution of mangroves, coral reefs, fishes, sea grasses, algae, seaweeds, plankton, etc						
						Sampling Site Map						
3.0	**THE AIR**					**THE AIR**						
3.1	**Meteorology/Climatology**					**Meteorology/Climatology***						
3.1.1.	Change in the local climate, e.g. local temperature											
3.1.2.	Contribution to global greenhouse gas											
3.2	**Air Quality (& Noise)**					**Air Quality (& Noise)**						
3.2.1.	Air pollution					Ambient concentrations of TSP, SO_x, NO_x, PM10, etc., 1-hour, 24-Hour Sampling						
3.2.2.	Increase in noise					Noise Levels						
						Sampling Station Map (air and noise)						
4.0	**THE PEOPLE**					**THE PEOPLE**						
4.1.1.	Displacement of settler					Demography						
4.1.2.	Change in land ownership					Settlement Map and Population						

List of Key Environmental Issues	Relevance based on PD and Project Location[2] LS = Likely Significant; LI = Likely Insignificant; NR= Not Relevant			a) Basis of Assessment of Relevance; b) Proposed Method of Impact Assessment; c) Other Instructions per Project Phase?	Description of Environment	Required?		Proposed Methodology of Securing and Presenting Information; Other Considerations in EIA Study	Page in the EIA Document	Verified acceptable by EMB CH?	
	LS	LI	NR			Y	N			Y	N
					Distribution Map						
4.1.3. Displacement of property					Population Growth Rate						
4.1.4. Right-of-way conflict					Number of Households and Household Size by Barangay						
					Summary of Demographic data						
4.1.5. In-migration					Household Profile based on results of the Socio-Economic/Perception Survey						
4.1.6. Presence of Indigenous People					Indigenous Peoples						
4.1.7. Cultural Change					Health						
4.1.8. Threat to public health					Morbidity and Mortality Rates (Infants and Adults) from Direct Impact Areas						
4.1.9. Local benefits from the project					5-Year Trend in Morbidity and Mortality						
					Notifiable Diseases in the Area including Endemic Diseases						
					Local Health Resources (Government and Private)						
					Environmental Health and Sanitation Profile: water supply, human excreta mgt, waste mgt and disposal systems and food hygiene						
4.1.10. Threat to delivery of basic services					Water Supply and Demand						
					Power Supply and Demand						
4.1.11. Traffic congestion					Transportation/Traffic situation						

ANNEX 2-7b

SUMMARY/HIGHLIGHTS OF TECHNICAL SCOPING					For Procedural Screening		
	Considering all project activities and phases, select the most critical Environmental Aspects (major sources of most significant impacts)	List of Associated Most Significant Environmental Issues/Stressors	Agreed EIA Approach in Impact Assessment and Mitigation on key environmental aspects and impacts/issues	Remarks	Page in EIA Document	Verified Acceptable by EIAD CH?	
						Y	N
1							
2							
3							

C. ENVIRONMENTAL RISK ASSESSMENT

If the project has the following:		Required Study*	Y	N
1.	Facilities for the production or processing of organic or inorganic chemicals using: alkylation, amination by ammonolysis, carbonylation, condensation, dehydrogenation, esterification, halogenation and manufacture of halogens, hydrogenation,hydrolysis, oxidation, polymerization, sulphonation, desulphurization, manufacture and transformation of sulphur-containing compounds, nitration and manufacture of nitrogen-containing compounds, manufacture of phosphorus-containing compounds, formulation of pesticides and of pharmaceutical products, distillation, extraction, solvation	Risk Screening Study		
2.	Installations for distillation, refining or other processing of petroleum products.	Risk Screening Study		
3.	Installations for the total or partial disposal of solid or liquid substances by incineration or chemical decomposition	Risk Screening Study		
4.	Installations for the production or processing of energy gases, for example, LPG, LNG, SNG	Risk Screening Study		
5.	Installations for the dry distillation of coal or lignite	Risk Screening Study		
6.	Installations for the production of metals or non-metals by a wet process or by means of electrical energy	Risk Screening Study		
7.	Installations for the production of metals or non-metals by a wet process or by means of electrical energy	Risk Screening Study		
8.	Specific facilities or the use of certain processes listed in the **Risk Thresholds Table** below.	Risk Screening Study		
9.	Facilities that would use, manufacture, process or store hazardous materials in excess of **Level 1** threshold inventory	Hazard Analysis Study, and Emergency/ Contingency Plan based on the study and worst-case scenario.		
10.	Facilities that would use, manufacture, process or store hazardous materials in excess of **Level 2** threshold inventory	Quantitative Risk Assessment (QRA) and Emergency/Contingency Plan based on the QRA		

Risk Thresholds Table

CATEGORY	LEVEL 1 (tons)	LEVEL 2 (tons)	CATEGORY	LEVEL 1 (tons)	LEVEL 2 (tons)
1. Explosives	10	50	7. Toxic substances (medium)	10	50
2. Flammable substances	5,000	50,000	8. Toxic substances (high)	5	20
3. Highly flammable substances	50	200	9. Toxic substances (very high)	0.2	1
4. Extremely flammable substances	10	50	10. Toxic substances (extreme)	0.001	0.1
5. Oxidizing substances	50	200	11. Unclassified (Type A)	100	500
6. Toxic substances (low)	50	200	12. Unclassified (Type B)	50	200

SCOPED BY: EIARC MEMBERS

NAME	EXPERTISE	SIGNATURE	NAME	EXPERTISE	SIGNATURE

EIA PERSONNEL | **REPRESENTATIVE/S OF THE PROJECT PROPONENT**

Signature over Printed name | Signature over Printed name | Signature over Printed name | Signature over Printed name

NOTED BY: | **EIA CONSULTANTS:**

Signature over Printed name | Signature over Printed name

PROCEDURAL SCREENING RECOMMENDATION BY EMB CASEHANDLER:

1st Procedural Screening: Return ☐ Accept Document for Filing of Application for

REMARKS:

Printed Name of EMB Case handler: Signature: _____ Date:

2nd Procedural Screening: Return ☐ Accept Document for Filing of Application for

REMARKS:

Printed Name of EMB Case handler: Signature: _____ Date:

Project Name		Project Location	Barangay Municipality/City Province Region
Proponent Name		Proponent Address	
Proponent Contact Person		Proponent Means of Contact	Landline No : Fax No. : Mobile No : Email :
EIA Consultant		Consultant Address	
EIA Consultant Contact Person		Consultant Means of Contact	Landline No : Fax No. : Mobile No : Email :
EMB/DENR Scoping Representatives		Place of Public Scoping	
		Date of Public Scoping	

ISSUES / CONCERNS TO BE INCLUDED IN THE SCOPE OF THE EIA STUDY

EIA Module	Issues/Suggestions Raised by Stakeholder	Sector or Representative Who Raised the Issue/ Suggestion	Proponent's Response
1. Project Description			
2. Land			
3. Water			
4. Air			
5. People			
8. Others			

STAKEHOLDER REPRESENTATIIVES

Signature over Printed name	Signature over Printed name	Signature over Printed name	Signature over Printed name
Signature over Printed name	Signature over Printed name	Signature over Printed name	Signature over Printed name

* Attach List of Participants

OBSERVING EIARC MEMBERS

NAME	EXPERTISE	SIGNATURE	NAME	EXPERTISE	SIGNATURE

EIA PERSONNEL

Signature over Printed name	Signature over Printed name

REPRESENTATIVE/S OF THE PROJECT PROPONENT

Signature over Printed name	Signature over Printed name

NOTED BY:
EIAM Division Chief/ Chief, R&E Section

Signature over Printed name

EIA CONSULTANTS:

Signature over Printed name

Project Name : _____
Project Location : _____
ECC Reference No. : _____
Proponent : _____
Pollution Control Officer : _____
Tel. No./Fax No./E-mail : _____

Project Type : _____
Project Status : _____

I. PROJECT CONSIDERATIONS

1.1 Size and Type

1.1.1 Size based on number of employees

Specify number of employees: _____

1.1.2 Type

ECP (in either ECA or Non-ECA) _____
Non-ECP but in ECA _____
Non-ECP and Non-ECA _____

1.2 Waste Generation and Management

1.2.1 Enumerate Waste Type and Specify Quantity of Wastes generated in your facility. (Identify /Enumerate)

Category	Waste	Type		Quantity
		Hazardous	Non-Hazardous	
Air	Waste 1			(units: MT/yr)
	Waste 2			
	Waste N			
Liquid				(units: m^3/yr)
Solid				(units: tons/yr)

1.3 Pollution Control System (PCS)

1.3.1 Enumerate PCS or Waste Management Method Used in your facility. (Identify /Enumerate)

Category	PCS/Waste Management Method Used	Remarks
Air	PCS 1	
	PCS 2	
	PCS N	
Liquid	Primary	
	Secondary	
	Tertiary	
Solid		

II. PATHWAYS

2.1 Prevailing wind towards barrio or city? (mark the corresponding point) Yes ____ No ____

2.2 Rainfall (impacts surface & groundwater pathways)

2.2.1 Average annual net rainfall:

Specify amount: (units: mm)

2.2.2 Maximum 24-hour rainfall:

Specify amount: (units: mm)

2.3 Terrain (select one and mark) Flat ____ Steep ____

2.4 Is the facility located in a flood-prone area? (select one and mark) Yes ____ No ____

2.5 Ground Water

Depth of groundwater table (meter)	(select one and mark)
0 to less than 3	
3 to 10	
Greater than 10	

III. RECEIVING MEDIA/RECEPTORS

3.1 Air (Distance to nearest community) (select one and mark)

0 to less than 0.5 km	
0.5 to 1 km	
Greater than 1 km	

3.2 Receiving Surface Water Body

3.2.1 Distance to receiving surface water: (select one and mark)

0 to less than 0.5 km	
0.5 to 1 km	
Greater than 1 km	

3.2.2 Size of population using receiving surface water

Specify number:

3.2.3 Fresh Water

3.2.3.1 Classification of fresh water (select one and mark)

AA	
A	
B	
C	
D	

3.2.3.2 Size of fresh water body

Specify size: (units: km^2)

3.2.3.3 Economic value of water use (may select more than one of the criteria below)

Drinking _____
Domestic _____
Recreational _____
Fishery _____
Industrial _____
Agricultural _____

3.2.4 Salt water

3.2.4.1 Classification of salt water (select one and mark)

SA _____
SB _____
SC _____
SD _____

3.2.4.2 Economic value of water use (may select more than one of the criteria below)

Fishery _____
Tourist zone or park _____
Recreational _____
Industrial _____

3.3 Ground Water

3.3.1 Distance to nearest recharge area (select one and mark)

0 to less than 0.5 km _____
0.5 to 1 km _____
Greater than 1 km _____

3.3.2 Distance to nearest well used (select one and mark)

0 to less than 0.5 km _____
0.5 to 1 km _____
Greater than 1 km _____

3.3.3 Groundwater use within the nearest well (may select more than one of the criteria below)

Drinking _____
Industrial _____
Agricultural _____

3.4 Land

3.4.1 Indicate current/actual land uses within 0.5 km radius: (may select more than one of the criteria below)

Residential _____
Commercial/Institutional _____
Industrial _____
Agricultural/Recreational _____
Protected Area _____

3.4.2 Potential/proposed land uses within 0.5 km (may select more than one of the criteria below)

Residential _____
Commercial/Institutional _____
Industrial _____
Agricultural/Recreational _____
Protected Area _____

3.4.3 Number of affected Environmentally Critical Areas within 1 km:

Specify number: _____

3.4.4 Distance to nearest ECA (select one and mark)

0 to less than 0.5km _____
0.5 to 1 km _____
Greater than 1 km _____

IV. ENVIRONMENTAL PERFORMANCE (FOR EXISTING PROJECTS FOR EXPANSION)

3.5 Compliance (pls. take note that this will be double-checked with PCD files)

Law	Violation (check if any)	Type (pls. specify number of times committed)				Type of Admin Violation	Additional Remarks/Status of Compliance
		STANDARD					
		Emission/Effluent/ Discharge	Ambient	Human Impact	Admin/ ECC		
RA 8749							
RA 9275							
RA 6969							
PD 1586							
RA 9003							

3.6 Number of Valid Complaints

3.6.1 Citizen and NGOs

Specify number: _____

3.6.2 Others (other Govt. Agencies, Private Institutions)
Specify number: _____

(To be filled up by EMB Personnel)

RECOMMENDATION/S:

_____
_____
_____

Assessed By: _____

Noted By: _____

ACCOUNTABILITY STATEMENT OF PROJECT PROPONENT

This is to certify that all information in the submitted **Project Environmental Monitoring And Audit Prioritization Scheme (PEMAPS) Questionnaire** of _____ located at _____ is true, accurate and complete. Should I learn of any information, which makes this inaccurate, I shall bring said information to the appropriate Environmental Management Bureau Regional Office.

In witness whereof, I hereby set out my hands this _____ day of 200_ at _____.

_____
PROJECT PROPONENT

SUBSCRIBED AND SWORN to before me this _____ day of _____ 200_ at _____. Affiant exhibiting to me his/her Community Tax Certificate No. _____ issued on _____.

Doc. No. _____
Page No. _____
Book No. _____
Series of 200_

A. GENERAL GUIDELINES

1. One of the major decision points during the Scoping Process is the determination of the need by the project to undertake an Environmental Risk Assessment (ERA) or not.

2. As defined by DAO 2003-30, ERA is the use of universally accepted and scientific methods to assess the risks associated with a project. It focuses on determining the probability of occurrence of accidents and their magnitude (e.g., failure of containment or exposure to hazardous materials or situations.)

3. An ERA is not an entirely separate assessment but deals with the further analysis of hazards identified in the EIA. It builds upon the EIA such that risks are impacts where the likelihood of occurrence and magnitude of consequences are uncertain.

The decision of whether to include an ERA in the EIS should be discussed and agreed upon during the scoping activity (i.e., technical scoping). A sound basis for arriving at a resolution would be to refer to experiences elsewhere that have similar materials, processes and conditions.

4. It should be noted that the ERA, within the context of Philippine EIS System, is concerned primarily with safety risks (characterized by low probability, high consequence, accidental nature and acute effects [human safety focus]). In contrast, geological risks are covered by the EGGAR requirement under the MGB while health risks (characterized by high probability, low consequence, ongoing or continuing exposure and chronic human health effects) are assessed in the *environmental health impact assessment* under the DOH mandate.

5. This section deals only with system procedures of the ERA requirements. Technical guidelines and other reference materials on ERA may be found in the following materials:

   - *Guidance on the Control of Major Accident Hazards Regulations 1999*. Health and Safety Executives, UK
   - *Guidelines for Chemical Process Quantitative Risk Analysis*. Center for Chemical Process Safety, American Institute of Chemical Engineers
   - *Loss Prevention in the Process Industry*. Frank P. Lees

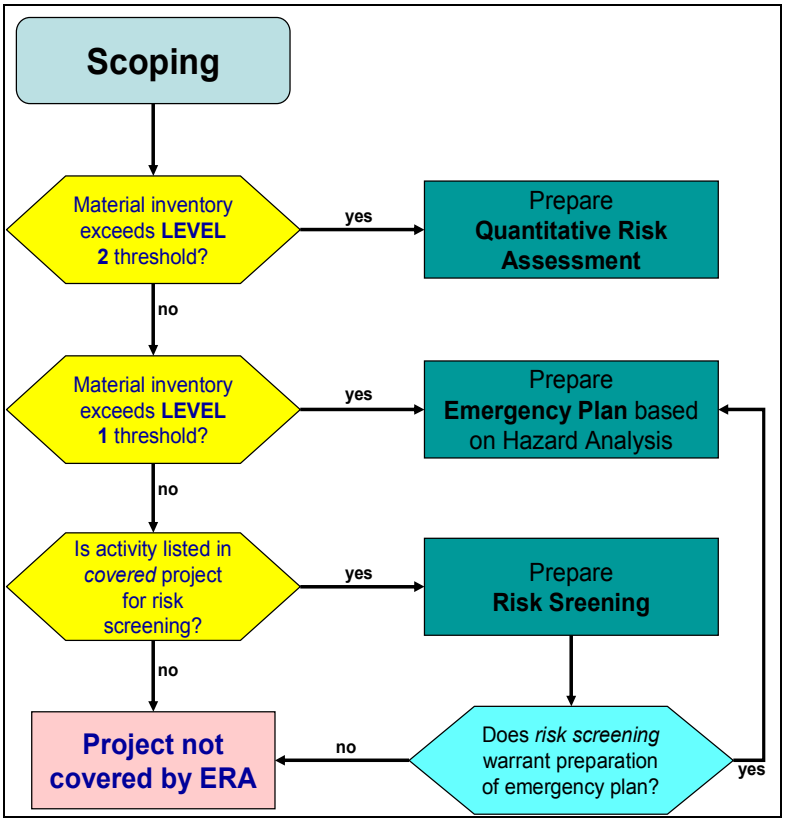
PLEASE REFER BELOW TO SECTION II on the Technical Guidelines for the Conduct of ERA for the technical definitions and required format and content of the ERA.

B. LEVELS OF COVERAGE AND SCOPING REQUIREMENTS

6. The requirement for the conduct of ERA shall be defined at three (3) levels:

   a) Level 2 – for facilities that will use, manufacture, process or store hazardous materials in excess of **Level 2** threshold inventory shall be required to conduct a Quantitative Risk Assessment (QRA) and prepare an Emergency/Contingency Plan based on the results of the QRA.
   b) Level 1 – for facilities that will use, manufacture, process or store hazardous materials in excess of **Level 1** threshold inventory shall be required to prepare an Emergency/Contingency Plan based on the worst case scenario. The Plan shall be based on a Hazard Analysis study.
   c) Risk screening level – specific facilities or the use of certain processes shall require the conduct of a risk screening study even if the projected or estimated inventory does not reach the threshold levels.

7. As stated, projects or undertakings categorized as Level 2 shall be required to conduct a Quantitative Risk Assessment **(QRA)** and prepare an Emergency/Contingency Plan based on the results of the QRA. While projects or undertakings categorized as Level 1 shall be required to prepare an Emergency/Contingency Plan based on the worst case scenario (as a result of a Hazard Analysis study.)



8. Projects or undertakings that are not categorized as Level 1 or Level 2, but is contained in the list for risk screening, shall be require to conduct a risk screening study even if the projected or estimated inventory does not reach the threshold levels. The submission of a risk screening study does not preclude DENR-EMB from further requiring the proponent to submit a hazard analysis or QRA if necessary. DENR-EMB may order the proponent to submit a hazard analysis or QRA if the proposed project has high potential to cause significant public (safety) risks

9. Furthermore, **it should be noted that the ERA coverage levels is independent (i.e., not linked) to the EIS documentary requirements**. It is possible that a project or undertaking submitting an IEE Report will be required to submit a QRA. In the same analogy, a project or undertaking required to submit a full EIS may only be required to submit a risk screening study.

II. TECHNICAL GUIDELINES FOR THE CONDUCT OF ENVIRONMENTAL RISK ASSESSMENT

A. Determination of Risk Levels

1. Levels of Coverage and Requirements

a. Risk Screening Level. The following activities are required to undertake a risk screening exercise:

1) Facilities for the production or processing of organic or inorganic chemicals using:
   a) alkylation
   b) amination by ammonolysis
   c) carbonylation
   d) condensation
   e) dehydrogenation
   f) esterification

g) halogenation and manufacture of halogens
h) hydrogenation
i) hydrolysis
j) oxidation
k) polymerization
l) sulphonation
m) desulphurization, manufacture and transformation of sulphur-containing compounds
n) nitration and manufacture of nitrogen-containing compounds
o) manufacture of phosphorus-containing compounds
p) formulation of pesticides and of pharmaceutical products.
q) distillation
r) extraction
s) solvation

2) Installations for distillation, refining or other processing of petroleum products.
3) Installations for the total or partial disposal of solid or liquid substances by incineration or chemical decomposition.
4) Installations for the production or processing of energy gases, for example, LPG, LNG, SNG.
5) Installations for the dry distillation of coal or lignite.
6) Installations for the production of metals or non-metals by a wet process or by means of electrical energy.
7) Installations for the loading/unloading of hazardous materials as defined by RA 6969 (or DAO 29)

2. Levels 1 and Level 2 Threshold Inventory. The following threshold levels shall be used to determine whether a proposed project or undertaking shall be required to prepare a QRA and/or an emergency/contingency plan:

CATEGORY	LEVEL 1 (tons)	LEVEL 2 (tons)
Explosives	10	50
Flammable substances	5,000	50,000
Highly flammable substances	50	200
Extremely flammable substances	10	50
Oxidizing substances	50	200
Toxic substances (low)	50	200
Toxic substances (medium)	10	50
Toxic substances (high)	5	20
Toxic substances (very high)	0.2	1
Toxic substances (extreme)	0.001	0.1
Unclassified (Type A)	100	500
Unclassified (Type B)	50	200

Definition of different categories of hazardous materials:

Category	Definition
A. Explosives (Reactivity)	1. A substance or preparation which creates the risk of an explosion by shock, friction, fire, or other sources of ignition.
	2. A pyrotechnic substance (or mixture of substances) designed to produce heat, light, sound, gas, or smoke or a combination of such effects through non-detonating self-sustained exothermic chemical reactions.
B. Flammable Substances	1. Flammable substances are substances and preparations having a flash point equal to or greater than 21*C and less than or equal to 55*C, capable of supporting combustion.
(Highly flammable and extremely flammable	2. Highly flammable substances are substances and preparations which may become hot and finally catch fire in contact with air at ambient

substances)	temperature without any input of energy, or substances which have a flash point lower than 55*C and which remain liquid under pressure, where particular processing conditions, such as high pressure or high temperature, may create major-accident hazards.
	3. Extremely flammable substances are liquid substances and preparations which have a flash point lower than 0*C and the boiling point (or, in the case of a boiling range, the initial boiling point) of which at normal pressure is less than or equal to 35*C; gaseous substances and preparations which are flammable when in contact with air at ambient temperature and pressure, whether or not kept in the gaseous or liquid state under pressure; or, liquid substances or preparations maintained at a temperature above their boiling point.
C. Oxidizing substances	Substances which give rise to highly exothermic reaction when in contact with other substances, particularly flammable substances.
D. Toxic Substances	Low, medium, high, very high and extreme toxicity of substances or preparation are classified as follows:
	1. A substance shall be considered as a liquid if vapor pressure is less than 1 bar at 20*C.
	2. A substance shall be considered as a gas if vapor pressure is greater than 1 bar at 20*C.
	3. The sum of (a) and (b) as provided in Tables 2 and 3 shall determine the toxicity class as contained in Table 1.
E. Unclassified Substances	Substances or preparations that react violently with water (Type A), and substances or preparations which release or liberate toxic gas in contact with water (Type B).

Mixtures and preparations shall be treated in the same way as pure substances provided they remain within the level set according to their properties or their latest adaptation to technical progress unless a percentage composition to other description is specifically provided for.

The bases for determination of the level are the maximum quantities which are present or likely to be present at any one time.

The rule for the presence of several hazardous or dangerous substances in an establishment shall be as follows:

Total indicative sum = $q_1/Q_1 + q_2/Q_2 + q_3/Q_3 + * * * + q_n/Q_n$

Where: q = the quantity of dangerous substance
Q_x = the indicative threshold level of dangerous substance x

If the computed Total Indicative Sum is greater than 1.0, then the project or undertaking is covered and shall be required to prepare an ERA.

Table 1. Table for values to determine Toxicity Class

a + b	**Toxicity Class**
6	Low
7	Medium
8	High
9	very high
10	extreme

Table 2. Table for values of *a* based on LC_{50}

LC_{50} rate 4 hour in ppm	Calculation number (*a*)
0.01 – 0.1	8
0.1 – 1	7
1 – 10	6
10 – 100	5
100 – 1,000	4
1,000 – 10,000	3
10,000 – 100,000	2

Table 3. Table for values of *b* based on physical properties

Physical Properties		Calculation number (*b*)
Liquids (vapor pressure) at 20°C)	< 0.05 bar	1
	0.05-0.3 bar	2
	0.3-1 bar	3
Liquefied gas, compressed (BP)	> 265°K	3
	< 265°K	4
Liquefied gas, cooled (BP)	> 245°K	3
	< 245°K	4

BP: Boiling Point

B. Report Formats and Other Requirements

1. An Environmental Risk Assessment (ERA) Report, which forms part of the EIS as a separate chapter, is prepared to demonstrate the following:
   a) that a major accident prevention policy and a safety management system for implementing it have been put into effect by the proponent;
   b) that major accident hazards have been identified and that the necessary measures have been taken to prevent such accidents and to limit their consequences for man and the environment;
   c) that adequate safety measures and reliability have been incorporated into the design, construction, operation and maintenance of any installation, storage facility, equipment and infrastructure connected with its operation which are linked to major accident hazards inside the establishment;
   d) that an on-site emergency plan has been drawn up to implement the necessary measures in the event of a major accident;
   e) that in case of major accident, decontamination, remediation and/or rehabilitation measures will be undertaken; and
   f) that sufficient information is provided to enable decisions to be made in terms of the siting of new activities or developments around existing establishments.

2. The ERA Report (e.g., risk screening, hazard analysis, QRA) shall be prepared as a separate chapter of the EIS. It shall contain at least the following data and information:

   a) Information relating to the operator and the establishment
      - the proponent's major accident prevention policy including the overall aims and principles of action with respect to the control of major accident hazards; and
      - the proponent's conceptual framework for the safety management system, including (if available), the criteria to evaluate or determine such identified indicators.
   b) Information relating to the scope of analysis employed/used in the report
      - coverage of the report, the methodology used in each of the stages of analysis and assumptions made (if there are any) in coming up with the results of analysis; and
      - references shall likewise be acknowledged in the report, whether these are historical data or generic information that aided the analysis attain more reliable results.

c) Information relating to every hazardous substance or situation present in the establishment, in particular:
   - the identification of the hazardous substance: chemical name, CAS number, name according to International Units of Pure and Applied Chemistry (IUPAC) nomenclature;
   - the physical and chemical properties of the toxic/hazardous substance present in the establishment (under normal conditions of use or under foreseeable accidental conditions) and the maximum amount that could possibly be present at any one time;
   - the degree of purity of the substance, and the identification of the main impurities and their percentages, if available;
   - a description of the hazards, both immediate (acute effects) and delayed (chronic effects) for man and the environment, which may be posed by the substance or situation; and
   - a description of the potential sources of a major accident and the conditions or events, which could be significant in bringing one about.

d) Information relating to the consequences of major accidents, the probability of its occurrence, and an estimation of the risk, namely
   - detailed description of the possible major accident scenarios including a summary of events which may play a role in triggering each of these scenarios, the causes being internal or external to the establishment or installation;
   - a description of the methodology adopted, data used and results of analysis in estimating the probable consequence(s) of the predicted major accident that may result within the establishment with an estimate of the number of people in the possible affected area who may be particularly exposed to the hazards considered in the report as well as the major ecosystem that will be affected;
   - whenever possible, a discussion on the probability of occurrence of the potential accident scenario(s) identified in the report; and
   - an assessment of risk(s) associated with the activity inside the establishment.

3. For QRA, the Report shall also contain:
   a) a map, preferably topographic or population map, on a scale of 1:10,000 or larger, which would show (whenever possible) significant locations including risk contour lines identifying those positions outside the industrial site wherein the probability of persons located there would die as a result of an unusual occurrence in the industrial site equals 10-4, 10-5, 10-6, 10-7 and 10-8, respectively; and
   b) a map, preferably topographic or population map, on a scale of 1:10,000 or larger, which would show (whenever possible) other source/s or establishments of significant risk within 10 km, including risk contour lines identifying these sources and the computed total risk with the addition of the establishment covered in the Safety Report.

4. For **Level 1** and **Level 2** coverage, information relating to the safety management system for the establishment, namely:
   a) a description of the measures taken to prevent, control, or minimize the consequences and probability of any major accident;
   b) information about the emergency procedures laid down in dealing with a major accident occurring at the site (a copy of the On-Site Emergency Plan shall be attached);
   c) the monitoring scheme for the continuing assessment of compliance with the objectives of the major accident prevention policy and safety management system, and the mechanisms for investigation and taking corrective action in case of non-compliance. The procedures shall cover the operator's system for reporting major accidents or near misses, particularly those involving failure of protective measures, and their investigation and follow-up on the basis of lessons learned.
   d) the staffing arrangements for controlling the industrial activity with the name of the person responsible for safety on the site and the names of those who are authorized to set emergency procedures in motion and to inform outside authorities;
   e) the arrangements made to ensure that the means provided for the safe operation of the industrial activity are properly designed, constructed, tested, operated, inspected and maintained, and the arrangements for training of persons working on the site; and

f) the audit and review scheme for periodic and systematic assessment of the major accident prevention policy and the effectiveness and suitability of the safety management system, including the documentation of review of performance of the policy and the system and its updating by senior/top management.

5. An Emergency Plan is prepared with the following objectives:
   a) to contain or control incidents so as to minimize the effects, and limit damage to man, the environment and property taking into consideration the worst-case scenario;
   b) to implement the measures necessary to protect man and environment from the effects of major accidents;
   c) to communicate the necessary information to the public and to the emergency service provider (such as fire protection, civil defense. disaster coordination and other appropriate local government unit or agency) in the area; and
   d) to provide for the restoration and clean up of the environment following a major accident.

6. The Emergency Plan shall be prepared as a separate chapter of the EIS for Level 1 Coverage (together with the Hazard Analysis study), or as an annex (of the QRA) for Level 2 Coverage. It shall contain at least the following data and information:

   a) On-site Emergency Plan
      - Names or positions of persons authorized to set emergency procedures in motion and the person in charge of coordinating the on-site mitigatory action.
      - Name or position of the person with responsibility for liaising with the authority responsible for the off-site emergency plan.
      - For foreseeable conditions or events which could be significant in bringing about a major accident, a description of the action which should be taken to control the conditions or events and to limit their consequences, including a description of the safety equipment and the resources available.
      - Arrangements for limiting the risks to persons on site including how warnings are to be given and the actions persons are expected to take upon receipt of a warning.
      - Arrangements for providing early warning of the incident to the authority responsible for setting the off-site emergency plan in motion, the type of information, which should be contained in an initial warning and the arrangements for the provision of more detailed information as it becomes available.
      - Arrangements for training the staff in the duties they are expected to perform, and where necessary, coordinating this with off-site emergency services.
      - Arrangements for providing assistance with off-site mitigatory action.

   b) Linkage with Off-Site Emergency Plan

      - Names or positions of persons authorized to set emergency procedures in motion and of persons authorized to take charge of and coordinate with off-site emergency services.
      - Arrangements for sending early warning of incidents, alert, and call-out procedures.
      - Arrangements for coordinating resources necessary to implement the off-site emergency plan.
      - Arrangements for assistance to provide the public with specific information relating to the accident and the behavior which the public should adopt.
      - Arrangements for the provision of information to the appropriate emergency services of surrounding areas in the event of a major accident with possible trans-boundary consequences.

7. The findings, recommendations and conclusions of the ERA must be integrated in the Environmental Management Plan (EMP) as a safety management plan. Details of the safety management system including proposed monitoring or auditing protocols must be incorporated in the EMP.

8. Together with the EMP, a corresponding Safety Monitoring Plan should be prepared. The plan should include the following information per project activity for each project phase:

a) parameters or criteria to be monitored;
b) location of monitoring activity;
c) frequency of monitoring activity;
d) cost of monitoring activity; and
e) implementing or responsible group

9. The proponent is also strongly urged to maintain comprehensive records of safety information (e.g., incidents, near-incidents, injuries, training, failure of equipment/fixtures, etc.). The information will not only be helpful for regulatory purposes, but also for corporate management – weak areas in terms of safety management can be identified before grave incidents may occur

C. Risk Criteria for EIA Review

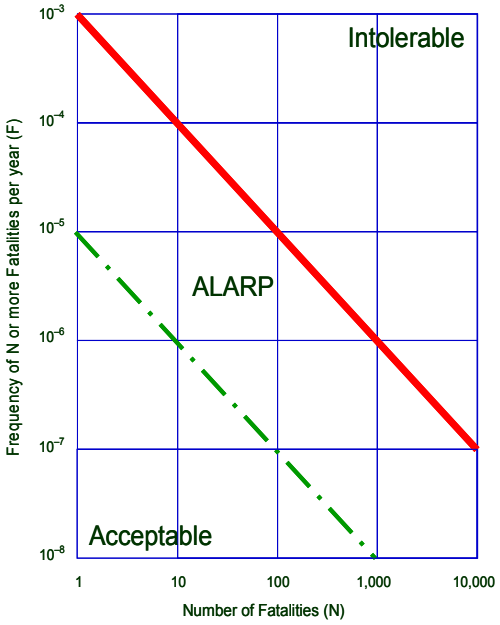
1. Individual Risk Criteria

a) Individual risk criteria have been developed based on the principle that involuntary risks due to industrial developments should not significantly increase the level of risk to individuals living or working near such industry.
b) *Location Specific Individual Fatality Risk (LSIFR)* is the risk of death to an individual person, if present 24 hours per day (in the open) at a particular location for a whole year. It takes no account of the number of people affected by an event.
c) LSIR is normally represented in the form of risk contours. This is achieved by plotting and connecting all points (locations) of similar individual risk, thus forming risk contours (not dissimilar to isobars on a weather map). These contours can then be overlaid onto a land-use map to show the level of individual risk in the various land-use planning areas.
d) Individual risk criteria may be applied and measures taken to ensure that no single individual living near to a hazardous activity bears an undue level of risk.
e) Without prejudice to the supplemental guidelines that may be issued by the DENR Secretary, the acceptable individual risk criterion is set at 10^{-6} fatalities per year. Safety and/or mitigation measures should be incorporated such that hazard zones and the 10^{-6} individual risk per year contour DO NOT encroach into residential (I.e., non-industrial/non-commercial) areas.

2. Societal Risk Criteria

a) The greater public concern for events causing a large number of deaths is best reflected in terms of the societal risk criteria. The establishment of societal risk criteria is recognition that multiple fatality events should be regarded as more serious than events capable of causing only a few fatalities.
b) Another point to be considered is the level of benefit society may derive from an existing or proposed development. Care must be taken to ensure that the local population does not suffer an unfair burden of risk in respect to the benefits of the population at large.
c) Societal risk is another suitable basis for review of hazardous facilities. This has a different emphasis from individual risk. Societal risk measures the number of fatalities caused by a full range of more or less frequent incidents. These are normally presented on a log-log plot of the cumulative frequency of incidents causing N or more fatalities versus the number of fatalities, N.
d) Societal risk criteria specify levels of societal (group) risk, which must not be exceeded by a particular activity. These should ensure that a hazardous activity does not impose a risk on society that is out of proportion to other types of hazards and with the benefits the activity brings, which individual risk does not address.
e) Without prejudice to the supplemental guidelines that may be issued by the DENR Secretary, the acceptable societal risk criterion is an FN curve with slope = –1 and with intercept at N = 1 of 10^{-3}. In cases of co-located projects, the criterion may be adjusted by DENR-EMB by one order of magnitude higher.

Figure 1. Societal Risk Criteria



A. General Considerations

1) An "EIA Module" may be any of the physico-chemical, biological or socio-cultural components of the environment as well as the following: a) Environmental Risk Assessment and b) Environmental Management Planning.

2) The formation of an EIARC for the review of an EIA Report shall be primarily based on the key issues or potential impacts the project may have on its environment. Thus, DENR-EMB is prescribing only 2-4 EIARC members per project, with one serving as Chair.

3) The selection of the EIARC is done right after the submission of the Letter-Request of the Proponent for the EIA Scoping activity. Thus, it is imperative that the Proponent submits the prescribed Project Description in **Annex 2-6** and accurately fills out the EIA Scoping Checklist **(Annex 2-7a/b)** since these are the documents to be used as bases of the EIA Case Handler in determining the fields of expertise to be represented in the EIARC and Resource Persons.

4) The selection discussed in this Manual is specific for project applications. This assumes that the EIA Review Committee members come from the reviewers' pool that has been pre-commissioned by the DENR-EMB. The pool is continually being updated and expanded to include EIA practitioners who apply and are evaluated to be qualified to undertake review.

5) A note is made on Reviewers for Quantitative Risk Assessment. A detailed QRA should normally be post-ECC requirement since the project specifications and quantitative assumptions for operations are not yet available at the FS/EIA stage. The independent review of the QRA Report is to be done by a specialized group of reviewers, commissioned as an ERA Review Committee. The general guidelines presented below on the constitution and leadership of the EIARC will apply to the ERARC. However, the EIARC may selectively consider and recommend the advisability and merits of requiring a QRA during the conduct of the EIS, with the final decision to be made by EMB. In this case, an ERA specialist may be invited as part of the EIARC.

6) The roles of the EIARC and Resource Persons are presented in **Table 1**.

Table 1. Roles of EIARC and Resource Persons

EIARC Chair	EIARC Member	Resource Person
Primarily a technical and administrative facilitator of EIARC meetings; Integrator of EIA Findings Secondarily, a reviewer of assigned EIA modules	Primarily, a reviewer of assigned EIA modules	Primarily, a provider of professional, technical or policy advice and guidance

B. Selection of EIA Review Committee Members for Project-Specific EIA Report Review Assignment

EMB selects the project's EIA Review Committee from its pool of commissioned reviewers. **Table 2 may** serve as a guide to EMB on the selection of EIARC members specific to the project to be reviewed.

Table 2. Criteria for Selection of Project-Specific EIARC Member	
a)	Is not a part of the EIA team or firm that prepared the EIA Report under review
b)	Is an EIA practitioner–expert (i.e. not purely an academic expert with no EIA experience); has preferably prepared an EIA in the past specifically on the module/s assigned to review
c)	Field of competence and expertise is relevant to the module/s assigned to be reviewed
d)	Has operational knowledge of the Philippine EIA process, preferably EIA exposure on similar projects
e)	Has preferably done EIA reviews of similar projects
f)	Is a qualified reviewer as determined by EMB or has been recommended by an institution with proven expertise/s in the concerned area/field such as the academe, Department of Science and Technology or the Development Academy of the Philippines.
g)	Is not a staff or employee of the concerned government agency that prepared the EIA Report or who issued guidelines/regulations mandating the preparation of a part of the EIA Report. For example, a person from the Department of Energy should not review an energy project; a DENR-MGB staff should not review a mining project. The person, however, may be invited as a Resource Person of the EIA Review Committee.
h)	Is neither a current employee nor consultant of the proponent of the project. In the case of previous employee or consultant, the person must not have been connected with the company of the proponent for a minimum of one (1) year before the review assignment starts.
i)	If a member of the EIARC in the past, EIARC shall have a current satisfactory performance rating based on EMB evaluation
j)	Is an enabler of development (with a balanced perspective of national development and environmental protection)
k)	Is a team player, able to consider and show respect for others' opinions, particularly in situations where EIARC members have opposing views on critical matters

C. Selection of EIARC Chair for Project-Specific EIA Report Review Assignment

The EMB may pre-assign the EIARC Chair when it reconvenes for Substantive Review work the prospective EIARC it commissioned during Scoping. Otherwise, the EIARC members may select the Chair from among themselves. **Table 3** provides some guidelines on how to select an EIARC Chair.

Table 3. Criteria for Selection of EIARC Chair	
a)	Meets the selection criteria of an EIARC member in Table 2.
b)	Has been a member of the EIARC in the past with satisfactory performance based on EMB evaluation
c)	With experience in facilitating technical meetings, preferably previous EIARC meetings
d)	Has operational knowledge of the Philippine EIA process
e)	Has more than five (5) years experience in either EIA preparation or EIA review work.

Table 3. Criteria for Selection of EIARC Chair	
f)	Is generally known to be fair, thorough, transparent and prompt in integrating the findings of the EIARC and on submissions to the EIA Case Handler

D. Selection of Resource Persons on Project-Specific EIA Report Concerns

Resource Persons may be invited by EMB when Proponent or the EIARC or Technical Committee evaluates the need for such based on the following criteria, as presented in **Table 4.**

Table 4. Criteria for Selection of Resource Persons	
a)	When there is need for clarification or validation from the lead agency which has regulatory mandate over the implementation of the program or sector where the project belongs, e.g. DOE for energy projects, DPWH for infrastructures, MGB for mining projects, DOH for hospitals, EMB-EQD/PCD for storage facilities of toxic substances or hazardous waste, NSWMC for waste management projects, etc…
b)	When there is need for information or disclosure from a government agency whose sector of jurisdiction may be significantly affected by the proposal; e.g. PAWB where biodiversity/protected area is an issue.
c)	When there is need to validate seemingly doubtful or questionable information from a government agency who serves as a provider or source of baseline information, PAG-ASA for meteorological information, PHIVOLCS/MGB for geological data and hazards, BSWM for soil types, etc…

SAMPLE PROGRAM FOR PUBLIC SCOPING

Project Title: _____
Project Location: _____
Project Proponent: _____
Date and Time of Scoping: _____
Scoping Venue/Address: _____

Time Allotted	Program of Activities	Person Responsible
1 hour 30 mins. (7:30-9:00 am/ 12:30-2:00 pm)	Registration[1]	
5 mins. each (15 mins.) 9:00 – 9:15 am / 2:00 – 2:15 pm)	Opening Prayer	LGU (Mayor, Brgy Captain)
	National Anthem	LGU (Mayor, Brgy Captain, Officer in Charge or Councilor)
	Welcome Remarks	LGU Mayor, LGU Province, DENR-EMB EIAMD Personnel/EMB Case handler
15 mins. (9:15-9:30 am / 2:15 – 2:30 pm)	Introduction of Participants, Workshop Overview, Objectives and Expectation Setting of the Scoping	Facilitator / Representative of Project Proponent
10 mins. (9:30 – 9:40 am/ 2:30-2:40 pm)	Overview of the Scoping Guidelines; Mechanics of the Scoping for the project,	DENR-EMB EIAMD Personnel/EMB Case handler
20 mins. (9:40 – 10:00 am/ 2:40 – 3:00 pm)	Brief Presentation of Proposed Project , Potential Impacts and Measures[2]	Representative Project Proponent
15 mins. (10:00-10:15 am/3:00-3:15 pm)	Snacks	
1 hour (10:15-11:15 am/3:15-4:15 pm)	Open Forum and Raising of Issues to be addressed by the EIA Study[3] [4]	Facilitator / Project Proponent/ Representative, EIA Division Representative
15 mins. (11:15-11:30 am/ 4:15-4:30 pm)	Synthesis and Integration/ Summary of Issues and Agreements on Scoping	Facilitator / Project Proponent/ Representative, EIA Division Representative
15 mins. (11:30-11:45pm/4:30-4:45 pm)	Messages from Representative Sectoral Participants	
15 mins (11:45-12:00 nn/4:45-5:00 pm)	Closing Remarks, and Next Steps in the EIA Process	Chief of EMB RO EIAMD or representative

[1] Registration personnel shall take note of key representatives of each sector. There will be signing of Public Scoping List of Issues by key representatives of each sector. Photo-exhibit and other visuals (maps, pictures, hand-outs, etc.) should be made available/posted as additional reference materials.
[2] : Fact sheets and other documents may be distributed upon registration or at the start of the program.
[3] Per sector, based on registration list
[4] Assumption: Proponent/Preparers have assigned a documenter to list all issues on the board and on the computer, using the Public Scoping Form, Annex 2-7c of the Revised Procedural Manual of DAO 2003-30.

PUBLIC SCOPING GUIDELINES

A. Conduct of Public Scoping

During the Public Scoping, the proponent/EIS preparers shall be responsible for **all** the arrangements and requirements during the scoping session. The proponent/EIS preparers shall facilitate the scoping session and records/transcribes the proceedings using photos and attendance sheets, among others. The DENR-EMB representatives and EIARC members shall only be present to serve as witness and to observe the proceedings.

The Facilitator will explain the rules and procedures to be observed during the scoping. This will include, among others, the following:

- ✓ all participants can comment, make clarification or raise questions, issues and concerns pertinent to the project
- ✓ comments, issues or concerns should be relevant to the project being scoped
- ✓ there should be no interruptions during the presentation of the project description, except to clarify information which is not clear
- ✓ comments, issues or concerns should be raised at appropriate time.
- ✓ the participant raising an issue or concern should properly identify the sector he is representing
- ✓ a friendly atmosphere and orderly discussion should be maintained during the entire session (ex. no cat calls)

- During the presentation of the project description. The presentation should:
  - ✓ Provide sufficient details to allow the participants to visualize the project and identify impacts.
  - ✓ Involve the use of maps and other appropriate presentation materials for better understanding and appreciation of the project.
- The second part of the scoping would be the discussions on questions, issues/concerns and perceived impacts of the project. All issues/concerns and questions raised will be recorded.
- The Facilitator will then summarize the issues and concerns raised and assess their validity.
  - ✓ The proponent and the EIA preparers will be asked to comment on the issues or concerns raised
  - ✓ The body will agree on the significant issues or concerns to be included by the EIA study.
- In the area of public participation, the group should already discuss and agree on the manner and mechanics by which the various stakeholders will participate in the EIA process. There are no set rules or procedures for this. It can vary per project depending on several factors, such as the level of commitment and interest of the stakeholders and others.

B. Post-Scoping Activities

The Public Scoping List of Issues and Agreements shall be used as the reference of the EIARC and EMB in the Technical Scoping. The agreements in the Public Scoping shall be integrated by the EIA Review Team in the Scoping Checklist. It is the Scoping Checklist, upon sign-off by the Review Team and subsequent approval by the EIAD Chief, which shall constitute the formal conclusion of the entire scoping exercise.

The Proponent shall attempt to have the Public Scoping List of Issues and Agreements signed off, at the minimum by community representatives from the project site, at the end of the Public Scoping activity. If this is not possible, the Proponent shall be given time to have the list signed. Non-signing of the list shall not adversely affect or delay the conduct of the Technical Scoping of the Review Team on site.

It is not the intent to get all attendees or all sectors to sign-off the document. The fact that the activity was undertaken in a transparent and participative manner, and that issues and agreements were discussed openly before the participants of the scoping session are proof enough of the validity and acceptability of the process and the outputs. Capping off the Public Scoping activity with a sign-off by a representative set of stakeholders, preferably from the project area itself, is added proof of substantive and meaningful public participation at the earliest stage of the EIA Process.

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RELATIONSHIP OF EIA WITH LGU AND OTHER GOVERNMENT REQUIREMENTS

EIA Study Module	Current Areas of Overlap with EIS and Issues Relating to Other Mandates	Responsible Entity or Mandated agency on the Area of Overlap	Documents of Responsible Entity or Mandated Agency that will use EIA Findings and ECC	Sample Nature of Guidance/ Recommendations from EIARC or Review Team
1) Project Description	Requirement for detailed engineering design, detailed process flow, etc	Proponent's Design Engineer	For FS or bank requirement	Typical design is acceptable. Detailed engineering design not necessary.
2) Geology, Hydrology, Pedology	Earthquake and other earth movement ; Flooding, drainage within site; Soft soil, landslides, cave-in, critical slopes	Design Engineer;	Risk Assessment for Proponent FS	Require identification and description of natural hazards. Assessment of risk posed by natural hazard to the project not a subject of EIA.
		Municipal/City Engineer	Building Permit	Advice to LGU of proximity or occurrence of natural hazards; No need for Building Permit at EIA stage
3) Geology	EGGAR (Engineering Geology and Geohazard Assessment Report)	Geologist, MGB	EGGAR approval	Require integration of FS-relevant geological parameters with the Geology Module ; No need for EGGAR in EIA at FS stage
4) Archaeology	Existence of artifacts	National Museum	National Museum certification	Require Proponent to present in the EIS, a summary of secondary data on existence or proximity of artifacts as part of baseline. There is no need for the NM certification. If there is indication of artifacts, ECC to advice NM of the project for its guidance to the Proponent in cases of artifacts discovery.
5) Hydrology	Allocation of water supply	NWRB	Certificate of Water Availability (CoWA)	No need for the CoWA but Proponent to be required to describe amount of water extraction and sufficiency of source as basis for NWRB's CoWA.
	Water Use Conflicts/ Disputes	Project Design Hydrologist, NIA, MWSS, LWUA, Lawyers	MOA or court settlement	Evaluate baseline and degree of potential impact but not to require resolution of conflict in EIA review
6) Land Use	Land use zoning	LGU	Zoning Certification	Proponent to be required to present zoning data, not the certification, to establish compatibility. If incompatible, advice to be forwarded to the LGU on the project location vis-à-vis zoning classification

EIA Study Module	Current Areas of Overlap with EIS and Issues Relating to Other Mandates	Responsible Entity or Mandated agency on the Area of Overlap	Documents of Responsible Entity or Mandated Agency that will use EIA Findings and ECC	Sample Nature of Guidance/ Recommendations from EIARC or Review Team
	Land reclamation	Philippine Reclamation Authority	Regulation of reclamation activity	EIARC to advise PRA of most critical marine environmental issues for regulation of the legally-authorized ECC applicant. In case of unacceptable mitigating measures resulting to ECC denial, the EIA findings may be used to review/revise the negative list of reclamation areas.
7) Oceanography	Tsunami Hazards	Design Engineer	Risk assessment for Proponent FS	Require identification and description of natural hazards. Assessment of risk posed by natural hazard to the project not a subject of EIA.
		Philippine Ports Authority; Municipal or City Engineer	Foreshore Lease, Other Pier Permits; Building Permits	Require identification and description of natural hazards. Assessment of risk posed by natural hazard to the project not a subject of EIA.
8) Water Quality	Impacts of Pesticides	FPA	Pesticide Management Plan (PMP)	PMP is not necessary at the EIA Stage. Instead, FPA may be advised of EIA findings on critical substances and operations of the project which may pose hazards to water quality with undue usage or release of pesticides.
9) Meteorology	Typhoon or high wind velocity	Design Engineer	Risk assessment for Proponent FS	Require identification and description of natural hazards. Assessment of risk posed by natural hazard to the project not a subject of EIA.
		Municipal or City Engineer	Building Permits	Advice to LGU on occurrence of critical project processes or chemicals which may be affected by typhoon events as input to Building Permits
10) Air Quality and Noise	Work Place Air Quality	DOLE	Occupational Health and Safety Program	Advice to DOLE if baseline shows high respiratory diseases in the project area; Advice to EQD on critical RA 8749-related concerns on emissions, if any
11) Land/Water Biota	Biodiversity	PAWB, PAMB	PAMB endorsement, PAWB Transport Permit, Import/Export Permit, Biodiversity study	PAMB/PAWB endorsements, permits and studies not necessary in the EIA Review. Instead, PAMB/PAWB may be advised of existence and ecological status of critical or unique habitats or species and likely secondary impacts which may potentially occur if habitat/species are affected by project.
12) Terrestrial	Tree Cutting	Forester/Forest	Tree Cutting Permit	FMB permit not necessary in the

EIA Study Module	Current Areas of Overlap with EIS and Issues Relating to Other Mandates	Responsible Entity or Mandated agency on the Area of Overlap	Documents of Responsible Entity or Mandated Agency that will use EIA Findings and ECC	Sample Nature of Guidance/ Recommendations from EIARC or Review Team
Biology		Mgt Bureau	(TCP)	EIA Review. Instead, FMB may be advised of critical EIA findings for inclusion in conditions of permit/ approval
13) Marine Biology	Cutting of mangroves, damage to corals	Forester of FMB; Marine Biologist of CRMP; DA; LGU	FMB permits, DA & LGU approvals	FMB/DA/LGU permits not necessary in the EIA Review. Instead, these agencies may be advised of critical EIA findings for inclusion in conditions of permit/ approval
14) Socio-Economics, Culture and Politics	Traffic Management	LGU	Traffic Management Plan (TMP)	TMP not necessary as a measure to be proposed by Proponent, Instead, LGU to be advised of project's potential to cause traffic congestion based on project's volume/rate of vehicular movement. Proponent may also be advised to coordinate with LGU to address the project's contribution to local traffic.
	Land Title and Owner Disputes	Geodetic Engineers from Bu of Lands/ Lawyers from Dept of Justice	Amicable settlement or Court settlement	Review social implications but not to require settlement of dispute within EIA process
	Site Waste Disposal and Cleanliness	Sanitary Inspector/LGU-DOH	Environmental and Sanitation Permit	LGU-DOH Permit not needed in EIA Review. Instead, LGU-DOH to be advised of critical RA 9003-related issues for consideration in the permitting process.
	Indigenous Peoples/ Ancestral Domain Areas	NCIP	FPIC/CP/IPDP	FPIC not needed for EIA Review. Instead, NCIP to be advised of the project's socio-cultural and economic impacts and benefits on IPs for consideration in issuance of FPIC and in drafting of IP Development Plan after ECC is issued
	Resettlement Plan	NHA, LGU, NEDA-ICC, HLURB	Resettlement Action Plan (RAP), Development Permit (DP) for Resettlement Village, Other Permits	RAP, DP and other plans or permits on resettlement not yet necessary at EIS Stage. Instead, advice may be given to concerned agencies on critical EIA findings such as existence of natural hazards, project impacts & benefits for possible consideration in permit applications and review of RAPs
	Approval by LGUs	LGUs	LGU Endorsements	LGU endorsements not necessary at the EIA stage. Instead, EIA findings and conditions to be advised to the LGU for consideration in its endorsement

EIA Study Module	Current Areas of Overlap with EIS and Issues Relating to Other Mandates	Responsible Entity or Mandated agency on the Area of Overlap	Documents of Responsible Entity or Mandated Agency that will use EIA Findings and ECC	Sample Nature of Guidance/ Recommendations from EIARC or Review Team
	Land Conversion	DAR ,DA	DA certification, DAR Conversion Approval	DA certification and DAR approval for conversion are not necessary at the EIA stage. Instead, DAR and DA to be advised of relevant EIA findings for consideration in their approvals. In case of DA, data on agricultural use of the land, not certification, may be required as part of baseline profile.
15) Occupational Hazards	Fire Hazards Safety	Sanitary Inspector /LGU	LGU Permit from Fire Dept	Permit not necessary at the EIA stage. Instead, LGU may be advised of critical findings in the EIA related to RA 6969, which may increase susceptibility of project to fire hazards.
	Work Place Safety	DOLE	Occupational Health and Safety Program	OHSP is not necessary in the EIA Review. Instead, DOLE is advised of critical project operations, facilities and substances which may pose safety hazards.
16) Environmental Health Impact Assessment (EHIA)	Workers Safety and Health	DOH	Approval of EHIA , EH Management Plan and EH Monitoring Plan	The EIA Findings on the project's environmental impacts and management measures will advise DOH if the project will pose a public health risk to the environment. For this purpose, DOH shall provide DENR-EMB with a declaration of Health Sensitive Projects and Health Sensitive Areas. Further, workers' HIA component of the EHIA is recommended to be coordinated by DOH with DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.

PEIS OUTLINE
(Maximum of about 350 pages)

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1.3 PEIA Public Participation
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1.5 PEIA Schedule

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2.3 General Land Use Allocation
2.4 Phasing and Site Development Components
2.5 Process Description of Locator Plant
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- 3.1.4 Environmental Status Assessment
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EIS OUTLINE
(Maximum of about 250 pages)

NOTE: REFER TO ANNEX 2-7a (EIS SCOPING AND PROCEDURAL SCREENING CHECKLIST) FOR SPECIFIC CONTENTS/REQUIREMENTS OF EACH SECTION

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2) Brief Summary of Project's EIA Process
3) Summary of Baseline Characterization
4) Summary of Impact Assessment and Environmental Management Plan
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DRAFT MAIN EIS

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- 2.2. EIA Team
- 2.3. EIA Study Schedule
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- 4.2.2. Oceanography
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6.2. Social Development Framework

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6.4. Emergency Response Policy and Generic Guidelines

6.5. Abandonment /Decommissioning /Rehabilitation Policies and Generic Guidelines

6.6. Environmental Monitoring Plan

- 6.2.1. Self-Monitoring Plan

  Note: Attach under this section the filled out Project Environmental Monitoring and Audit Prioritization Scheme (PEMAPS) Questionnaire in Annex 2-7d of the RPM
- 6.2.1. Multi-sectoral Monitoring Framework
- 6.2.1. Environmental Guarantee and Monitoring Fund Commitment

6.7. Institutional Plan for EMP Implementation

7. BIBLIOGRAPHY/REFERENCES

8. ANNEXES

8.1. Scoping Checklist

8.2. Original Sworn Accountability Statement of Proponent

8.3. Original Sworn Accountability Statement of Key EIS Consultants

8.4. Proof of Public Participation

8.5. Baseline Study Support Information

8.6. Impact Assessment and EMP Support Information

NOTE: The EIA review process will advise DOH if the project will pose a significant public health risk to the environment, e.g. public health may be affected if the wastes/discharges are direct contributors to the leading causes of mortality/morbidity in the DIA, regardless of environmental management measures. To assist EMB on its review, DOH shall coordinate with the DENR-EMB on the declaration of Health Sensitive Projects and Health Sensitive Areas. Until such time, DOH shall review EHIA independently of the EIA Process, consistent with the DENR-DOH MOA on EHIA. Further, workers' HIA component of the EHIA is recommended to be coordinated by DOH with DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.

PEPRMP OUTLINE

(Maximum of about 200 pages)

Project Fact Sheet
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1) Brief Description of the Co-located Projects vis-à-vis the proposed expansion or changes
2) Brief Summary of Project's EIA Process
3) Brief description of the baseline environmental conditions focused on the critical parameters
4) Summary on the EIA Findings on the Key Significant Impacts of the Project and corresponding EMP highlights
5) Summary of the Environmental Monitoring Plan on the most significant impacts and key measures

DRAFT MAIN PEPRMP

1.0 BASIC PROJECT INFORMATION

2.0 DESCRIPTION OF THE PROJECT'S EIA PROCESS

- 2.1 Terms of Reference of the EIA Study
- 2.2 EIA Team (Proponent & Preparer Team members, module of involvement, expertise)
- 2.3 EIA Study Schedule
- 2.4 EIA Study Area (project area up to extent of coverage of study)
- 2.5 EIA Methodology (per module)
- 2.6 EIA Public Participation Initiatives (if any)

3.0 PROJECT DESCRIPTION

- 3.1 Basic Project Background and Information on the co-located projects and their operations
- 3.2 Project Rationale
- 3.3 Complete project location (barangay, municipality, province, etc) with geographic coordinates.
- 3.4 Project Site Considerations
- 3.5 Description of Project Phases & Activities
- 3.6 Resource & Utility Requirements, Manpower, Cost
- 3.7 Waste Generation & Built-in Management Measures
- 3.8 Summary of Comparison of the new and old projects

4.0 BASELINE ENVIRONMENTAL CONDITIONS FOR <u>CRITICAL</u> ENVIRONMENTAL PARAMETERS, IMPACT ASSESSMENT & MITIGATION (limit to relevant modules)

- 4.1 The Land
- 4.2 The Water - (This section shall discuss carrying capacity for the applicable regulated pollutant based on actual discharges. However, in the case of *stand-alone* project/s, the requirement of carrying capacity assessment/s may be waived by the EIARC. Monitoring results for the preceding six months [minimum] should also be included. This section shall also discuss actual and applicable impacts on the biological environment based on actual inventories or monitoring activities. Anecdotal documentations may only be used with prior approval of DENR-EMB.)
- 4.3 The Air - (This section shall include carrying capacity assessments for the applicable regulated pollutants based on actual discharges/emissions. However, in the case of *stand-alone* project/s, the requirement of carrying capacity assessment/s may be waived by the EIARC. Monitoring results for the preceding six months [minimum] should also be included.)

4.4 The People - (This section shall discuss actual and applicable impacts on the social environment based on actual or incremental effects [both positive and negative] for the preceding two years.)

5.0 ENVIRONMENTAL PERFORMANCE BASED ON THE ORIGINAL ECC-COVERED ENVIRONMENTAL MANAGEMENT PLAN - (This section shall discuss actual and applicable environmental management and monitoring plan including any EMS.)

5.1. Impact(s) Mitigation Plan (IMP)
5.2. Environmental Monitoring Plan (EMoP) and other Monitoring Modes
5.3. Information, Education and Communication (IEC) and Social Development Program (SDP) or Community Assistance Program (CAP)
5.4. Environmental Risk Management and Emergency Response Programs (ERP)
5.5. Abandonment/Rehabilitation Programs
5.6. Institutional Set-up
5.7. Achievements/Awards and Outstanding Accomplishments on the Environment

6.0 ENVIRONMENTAL RISK ASSESSMENT - (when applicable – this section shall discuss the safety records of the preceding two years. Highlights of the hazard assessment/analysis, QRA or other safety studies should also be discussed.)

7.0 ENVIRONMENTAL RISK CATEGORIZATION (PEMAPS)

8.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP) FOR CURRENT PROJECT & PROPOSED MODIFICATION/ EXPANSION – including EMF and EGF

9.0 BIBLIOGRAPHY

10.0 ANNEXES

9.1. Commitments or Agreements
9.2. Accountability Statements of Preparers & Proponent
9.3. Photographs or plates of the project site, impact areas an affected areas and communities
9.4. Environmental Data

NOTE: The EIA Findings on the project's environmental impacts and management measures will advise DOH if the project will pose a public health risk to the environment. For this purpose, DOH shall provide DENR-EMB with a declaration of Health Sensitive Projects and Health Sensitive Areas. Until such time, DOH shall review EHIA independently of the EIA Process. Further, workers' HIA component of the EHIA is recommended to be coordinated by DOH with DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.

EPRMP OUTLINE

(Maximum of about 150 pages)

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3) Brief description of the existing project vis-à-vis the proposed expansion or changes
4) Summary on the EIA Findings on the Key Significant Impacts of the Project and corresponding EMP highlights
5) Summary of the Environmental Monitoring Plan on the most significant impacts and key measures

DRAFT MAIN EPRMP

1.0 BASIC PROJECT INFORMATION

2.0 DESCRIPTION OF THE PROJECT'S EIA PROCESS

- 2.1 Terms of Reference of the EIA Study
- 2.2 EIA Team (Proponent & Preparer Team members, module of involvement, expertise)
- 2.3 EIA Study Schedule
- 2.4 EIA Study Area (project area up to extent of coverage of study)
- 2.5 EIA Methodology (per module)
- 2.6 EIA Public Participation (if any)

3.0 PROJECT DESCRIPTION

- 3.1 Basic Project Background and Information
- 3.2 Project Rationale
- 3.3 Complete project location (barangay, municipality, province, etc) with geographic coordinates.
- 3.4 Project Site Considerations
- 3.5 Description of Project Phases & Activities
- 3.6 Resource & Utility Requirements, Manpower, Cost
- 3.7 Waste Generation & Built-in Management Measures
- 3.8 Summary of Comparison of the new and old projects

4.0 BASELINE ENVIRONMENTAL CONDITIONS FOR CRITICAL ENVIRONMENTAL PARAMETERS, IMPACT ASSESSMENT & MITIGATION (limit to relevant modules)

- 4.1 The Land
- 4.2 The Water
- 4.3 The Air
- 4.4 The People

5.0 ENVIRONMENTAL PERFORMANCE BASED ON THE ORIGINAL ECC-COVERED ENVIRONMENTAL MANAGEMENT PLAN

- 5.1. Impact(s) Mitigation Plan (IMP)
- 5.2. Environmental Monitoring Plan (EMoP) and other Monitoring Modes
- 5.3. Information, Education and Communication (IEC) and Social Development Program (SDP) or Community Assistance Program (CAP)
- 5.4. Environmental Risk Management and Emergency Response Programs (ERP)
- 5.5. Abandonment/Rehabilitation Programs
- 5.6. Institutional Set-up
- 5.7. Achievements/Awards and Outstanding Accomplishments on the Environment

6.0 ENVIRONMENTAL RISK ASSESSMENT
7.0 ENVIRONMENTAL RISK CATEGORIZATION (PEMAPS)
8.0 ENVIRONMENTAL MANAGEMENT PLAN (EMP) FOR CURRENT PROJECT & PROPOSED MODIFICATION/ EXPANSION – including EMF and EGF
9.0 BIBLIOGRAPHY
10.0 ANNEXES

9.1. Commitments or Agreements
9.2. Accountability Statements of Preparers & Proponent
9.3. Photographs or plates of the project site, impact areas an affected areas and communities
9.4. Environmental Data

NOTE: The EIA Findings on the project's environmental impacts and management measures will advise DOH if the project will pose a public health risk to the environment. For this purpose, DOH shall provide DENR-EMB with a declaration of Health Sensitive Projects and Health Sensitive Areas. Until such time, DOH shall review EHIA independently of the EIA Process. Further, workers' HIA component of the EHIA is recommended to be coordinated by DOH with DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.

IEER OUTLINE

(Maximum of about 75 pages)

NOTE: REFER TO ANNEX 2-7a (EIS SCOPING AND PROCEDURAL SCREENING CHECKLIST) AS BASIS FOR DETERMINING SIMILAR OR EQUIVALENT SPECIFIC CONTENTS/REQUIREMENTS OF EACH SECTION

Project Fact Sheet

Table of Contents

Executive Summary

1) Brief Project Description
2) Brief Summary of Project's IEE Process
3) Summary of Baseline Characterization
4) Summary of Impact Assessment and Environmental Management Plan
5) Summary of Environmental Monitoring Plan

DRAFT MAIN IEER

1. BASIC PROJECT INFORMATION

2. DESCRIPTION OF THE PROJECT'S IEE PROCESS -

- 2.1. Terms of Reference of the IEE Study (if scoping was done with EMB)
- 2.2. IEE Team
- 2.3. IEE Study Schedule
- 2.4. IEE Study Area
- 2.5. IEE Methodology

3. PROJECT DESCRIPTION

- 3.1. Project Location, Area, ECA category (if applicable)
- 3.2. Project Rationale
- 3.3. Project Development Plan, Process/Technology and Project Components
- 3.4. Description of Project Phases (Activities/Environmental Aspects, Associated Wastes and Built-in Pollution Control Measures)
  - 3.4.1. Pre-construction/ Pre-operational phase
  - 3.4.2. Construction/Development phase
  - 3.4.3. Operational phase
  - 3.4.4. Abandonment phase
- 3.5. Manpower Requirements
- 3.6. Project Cost
- 3.7. Project Duration and Schedule

4. BASELINE ENVIRONMENTAL CONDITIONS, IMPACT ASSESSMENT AND MITIGATION

- 4.1. The Land (Discuss only relevant modules or modules likely to be affected by project impacts) - Land use, Pedology, Geology, Geomorphology, Terrestrial biology
- 4.2. The Water (Discuss only relevant modules or modules likely to be affected by project impacts – Hydrology, Oceanography, Water Quality, Freshwater Biology, Marine Biology
- 4.3. The Air - ((Discuss only relevant modules or modules likely to be affected by project

impacts - Meteorology, Air Quality, Noise

4.4. The People

5. ENVIRONMENTAL MANAGEMENT PLAN

5.1. Impacts Management Plan

5.2. Emergency Response Policy and Generic Guidelines (if applicable)

5.3. Environmental Monitoring Plan

Note: Attach under this section the filled out Project Environmental Monitoring and Audit Prioritization Scheme (PEMAPS) Questionnaire in Annex 2-7d of the RPM

5.4. Institutional Plan for EMP Implementation

6. BIBLIOGRAPHY/REFERENCES

7. ANNEXES

7.1. Scoping Checklist (optional, since Scoping is not required for IEEs)

7.2. Original Sworn Accountability Statement of Proponent

7.3. Original Sworn Accountability Statement of IEE Preparer

7.4. Baseline Study Support Information

PDR OUTLINE (maximum of about 30 pages)

PURPOSES: GRP III ENHANCEMENT/MITIGATION PROJECTS – PD REPORT REQUIRED; ALL OTHER GRP III PROJECTS – PD REPORT OPTIONAL; GRP V UNCLASSIFIED/ UNLISTED/NEW TECHNOLOGY PROJECT – PD REPORT REQUIRED

Table of Contents (1 page)

1. BASIC INFORMATION ON PROJECT and PROPONENT (1 page)

2. PROJECT DESCRIPTION (15 pages)

2.1. **Project Location and Area** (at the minimum, shown in an official NAMRIA topographic or nautical map (whichever type is applicable and of appropriate scale); Show title, legend, scale, project location and political boundaries (from sitio/barangay to region); indicate any known ECA category encompassing the project area

2.2. **Project Rationale** – state need for & purpose of the project., particularly environmental enhancement or mitigation purpose of the project

2.3. **Project Development Plan, Process and Componen**ts - Attach tentative/option of Physical Plan/Site Development Map being considered at the FS stage; briefly describe process/technology; list/describe and indicate project components (facilities/infrastructures, other single projects supporting the main project) on the topographic map

2.4. **Description of Project Phases** - For Group III non-covered projects: focus on activities and processes which may cause residual impacts; For Unclassified/Unlisted/New Technology Projects: focus on critical activities and processes per phase which place a demand on local resource uses and which generate emissions, effluent, hazardous waste, solid waste, other wastes)

- 2.4.1. **Pre-Construction/ Pre-Development phase**
- 2.4.2. **Construction/Development phase**
- 2.4.3. **Operational phase** – For Unclassified/Unlisted/New Technology Projects: Specifically present if processes and substances to be used are listed and fall within the limits covered by Environmental Risk Assessment as enumerated in Section C of Annex 2-7a of the Revised Procedural Manual)
- 2.4.4. **Abandonment phase**

2.5. **Project Emissions/Effluent/ Hazardous Waste/Solid Waste/Other Wastes -** Present integrated summary of types of wastes (residual for Group III non-covered projects) ; estimate waste generation rate; identify built-in waste management measures and facilities planned or committed to be built into the project design

2.6. **Manpower** - Present manpower requirements per project phase; specify expertise needed; nature & estimated number of jobs available for men; nature and number of jobs available for women; specify strategy and tentative scheme for sourcing locally from host and neighboring LGUs and those from outside

2.7. **Project Cost**

2.8. **Project Duration and Schedule**

3. OVERVIEW/GENERIC DESCRIPTION OF THE BASELINE ENVIRONMENT (4 pages – on land, water, air, people) – focus on the environmental components and factors likely to be affected by the project's impacts; only secondary data or qualitative environmental description is necessary

4. ENVIRONMENTAL MANAGEMENT PLAN (3 pages - focused only on the residual management scheme on the relevant land, water air & people module)

5. ANNEXES (3-6 pages)

5.1 Original Sworn Accountability Statement of Proponent (Use Annex 2-21 of RPM)

5.2 Photos or plates of proposed project site, cumulative/residual impact areas and surrounding communities (N, S, E, W of the project; key sectoral features - land, water, air, people)

IMPACT MANAGEMENT PLAN (IMP) TEMPLATE

Project Phase / Environmental Aspect (Project Activity Which Will Likely Impact the Environmental Component)	**Environmental Component Likely to be Affected**	**Potential Impact**	**Options for Prevention or Mitigation* or Enhancement**	**Responsible Entity**	**Cost**	**Guarantee / Financial Arrangements**
I. PRE-CONSTRUCTION PHASE	**(include only applicable modules)**					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 4	B. The People					
II. CONSTRUCTION PHASE	**(include only applicable modules)**					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 2	B. The Water					
Environmental Aspect # 3	C. The Air					
Environmental Aspect # 4	D. The People					
III. OPERATION PHASE	**(include only applicable modules)**					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 2	B. The Water					
Environmental Aspect # 3	C. The Air					
Environmental Aspect # 4	D. The People					
IV. ABANDONMENT PHASE	**(include only applicable modules)**					
Environmental Aspect # 1	A. The Land					
Environmental Aspect # 2	B. The Water					
Environmental Aspect # 3	C. The Air					
Environmental Aspect # 4	D. The People					

*At the FS/pre-ECC stage, mitigation measures shall aim to comply with air/water environmental standards which is the 3rd or "limit level" in the EMB system of management and monitoring of Environmental Quality Performance. The Proponent is referred to the Technical Procedures Handbook of the SEPMES Project available with the EMB on the technical details of EQPLs. See Annex 2-20 on Environmental Monitoring Plan with Environmental Quality Performance Levels for the formulation of the EQPL scheme.

TEMPLATE FOR SOCIAL DEVELOPMENT (SDP) PLAN/FRAMEWORK[1]

CONCERN	Responsible Community Member / Beneficiary	Government Agency/ Non-government Agency and Services (indicate specific services)	PROPONENT	Indicative Timeline	Source of fund
1. Relocation.	Barangay Chairman • Project affected families	• LGU Municipal Planning, Housing a NHA (R.A 7279 Memo Circular 1070, settlement and Institutional Framework for local Government units) • DSWD • DPWH	Community Relations Officer	• Pre-construction	LGU-NHA / Proponent
2. Gender Responsive Livelihood / Employment and Credit Facilities (Men, Women, Youth & elderly)	Association Chairperson • Qualified Project Affected Men, Women, Youth & Elderly	• LGU Municipal Planning Office • MSWD • TESDA	Community Relations Officer	• Pre-construction • Construction • Operation	LGU –IRA/ Proponent
3. Health and Safety	Barangay Kagawad for Health • Project Affected Community	• MHO • Barangay Disaster Management	Community Relations Officer	• Pre-construction • Construction • Operation	LGU –IRA/ Proponent
4. Education and Recreation	Barangay Kagawad for Education • Project Affected Families	• DepEd	Community Relations Officer	• Pre-construction • Construction • Operation	LGU –IRA/ Proponent
5. Environment and Sanitation	Barangay Kagawad for Environment • Project Affected Community	• ENRO • MHO	Community Relations Officer	• Pre-construction • Construction • Operation	LGU –IRA/ Proponent
6. Peace and order	Barangay Kagawad for Peace and order • Project Affected Community	• LGU • PNP	Chief Security Officer	• Pre-construction • Construction • Operation	LGU –IRA/ Proponent
7. Spiritual	Barangay Assigned Catholic Priest, Pastor of different denomination	• Parish Priest • Pastor	Community Relations Officer		

[1]The SDP of the project shall be derived from, and aligned with, the LGU's existing SDP. The project's SDP normally aims to prevent/mitigate and/or enhance a project's adverse and positive impacts, respectively, on people's livelihood, health and environment. The process of formulating the project's SDP shall be actively participated in by Municipal Development and Planning Officer (MPDO) and/or other Government Agencies whose mandates cover the management of impacts posed by project operations, e.g. DOH who may coordinate with the Proponent on the conduct of health impact studies or conduct of medical missions to alleviate adverse health effects attributed to the project.

[2]The cost estimates shall be estimated once specific projects have been processed and identified thru consultation with the concerned LGUs and sectors in the potentially affected communities. The Proponent shall share in the cost of the selected projects from the LGU's SDP found to be relevant to the attainment of compliance or socially responsible EMP implementation.

TEMPLATE FOR INFORMATION, EDUCATION AND COMMUNICATION (IEC) PLAN/FRAMEWORK

Target Sector Identified as Needing Project IEC	Major Topic/s of concern in Relation to Project	IEC Scheme / Strategy / Methods	Information Medium	Indicative Timelines and Frequency	Indicative Cost
Examples: 1. LGU 2. Project affected families 3. POs 4. NGOs *5.* Schools	*Examples:* • Project description & status • EIA findings • Performance against ECC / EMP • Actual Impacts & Measures	*Examples:* • Individual methods • Group methods • Multi-media	Examples: • Invitation letters • Focus Interviews • Authority figures & Key Informant Interviews • Focus Group Interviews • Focus Group Discussion • Multi -sectoral Cluster Meetings • Hand-outs • Audio-visual presentations Comics on EIA in local language • Illustrative primer about the project • News paper publication • Radio broadcast • Posters • Flyers	Example: At least 1 month prior to start of project construction; or Annually	Examples: • Project expected number of attendees • Cost of meals • Cost of venue • Cost of IEC Materials

Guidelines on the Conduct of Information, Education and Communication (IEC)

1) The objective of conducting IEC is to inform through the process of education using communication mediums. The communication processes shall provide feedbacks to the preparer and the proponent about the stakeholders' understanding of the EIA process and project, the issues and concerns about the project, as well as their suggestions and other inputs.

2) IEC methods may include the following:
   a) Individual methods, e.g. home visits, personal letters, focus interviews
   b) Group methods, e.g. meetings, study tours, group workshops, Focus Group Discussions
   c) Multi- media, e.g. newspaper publication, radio broadcast, web posting

3) The proponent or preparer may use any or all kinds of information materials in conducting IEC campaigns. These may be in print (e.g. flyers, pamphlets, comics, posters, newspapers, banners) or in other forms, such as video, film, and sound slides.

4) These materials should be:
   a) Prepared in a manner and language that can be easily understood by everybody and should contain balanced and complete information. The information material on EIA should, as much as practical, be in the local language or dialect.
   b) Contain sufficient information including a description of the proposed project, the proponent, the EIA process, and the expected outputs. It shall also include such appropriate studies as evaluation of public health, environment, population, gender, socio-economic, and cultural impacts of the project or undertaking and the appropriate mitigation and enhancement measures.

5) The information drive should at the same time inculcate value formation by making the members of the community aware of their responsibilities as stakeholders.

6) In the conduct of IEC, it is beneficial to the proponent to engage the services of locally based Communication or Language Teachers or Community Organizers in planning, implementing, assessing and documenting the conduct of IEC.

TEMPLATE OF ENVIRONMENTAL MONITORING PLAN (EMoP) with ENVIRONMENTAL QUALITY PERFORMANCE LEVELS (EQPLs) [1,2,3]

Key Environmental Aspects per Project Phase	Potential Impacts Per Envt'l Sector	Parameter to be Monitored	Sampling & Measurement Plan			Lead Person	Annual Estimated Cost	EQPL MANAGEMENT SCHEME					
			Method	Frequency	Location			EQPL RANGE			MANAGEMENT MEASURE		
								ALERT	ACTION	LIMIT	ALERT	ACTION	LIMIT
I. PRE-CONSTRUCTION PHASE													
Environmental Aspect # 1 *(shown with a sample entry in succeeding columns)*	Water Quality: Siltation	Total Suspended Solids (TSS)	Grab sampling; RA9275 lab analysis method	weekly	Indicate coordinates/ Description of station	Project PCO	P500/sample * 2 bottles/ station/wk * 52 wks/yr = P52,000						
Environmental Aspect #2													
II. CONSTRUCTION PHASE													
Environmental Aspect #1													
Environmental Aspect #2													
III. OPERATION PHASE													
Environmental Aspect #1													
Environmental Aspect #2													
IV. ABANDONMENT PHASE													
Environmental Aspect #1													
Environmental Aspect #2													

[1]EQPL-Environmental Quality Performance Level

- Alert or Red Flag : early warning
- Action Level : point where management measures must be employed so as not to reach the regulated threshold or limit level, or to reduce deterioration of affected environmental component to pre-impact or optimum environmental quality
- Limit Level : regulated threshold of pollutant (standard that must not be exceeded); point where emergency response measures must be employed to reduce pollutants to lower than standard limit.

[2] **NOTE**: Sections on EQPLs to be filled out only if EQPLs are willing to be committed by the Proponent at the pre-ECC stage. Otherwise, Proponent may opt to have EQPLs established post-ECC and mutually agreed upon among Proponent, EMB and other MMT members. Otherwise, only the LIMIT Level shall be the reference for regulatory compliance. This means that environmental management measures are formulated not to exceed this regulated threshold.

[3] At the FS/pre-ECC stage Impacts Management Plan (IMP), only the 3rd or "limit level" is required to be the reference for regulatory compliance in the EMB system of management and monitoring of Environmental Quality Performance of the project. The commitment for the two lower levels and corresponding measures may be formulated post-ECC: the "alert or warning" and "action" levels may be subjectively set at a certain percentage lower than the limit level or standard, particularly for situations where the baseline or current environment of the project already has a critical level of the specific parameter of concern or is sensitive to such parameter at levels proven or observed to be lower than the set national standard. These two pre-standard levels may be self-formulated or with the MMT during technical skill building workshops with the community-based MMT members for appropriate utilization of the MMT's indigenous knowledge in identifying quasi/pseudo-indicators of environmental quality status and relating these to quantitative concentrations/measures of the parameters, e.g. a certain color of the water or air may be determined to be equivalent to a range of concentrations of a certain parameter; a change in color of the leaf from green to yellowish or white may be considered indicative of the effect of a certain range of concentration of salts/brine or other chemicals; an examination of the phloem/xylem of a tree wherein dried leaves and blackened/burned bark give the impression of a dead tree may show the tree is still alive and capable of recovery, particularly if with assistance from the Proponent and/or community; a rotten egg smell of the air may be correlated with a certain range of concentration of hydrogen sulfide, etc… These indicators all serve as an aide to monitoring and validation of the Proponent or the MMT as a whole, and can then provide adequate time and strategy for the Proponent to take measures to prevent the worsening of certain environmental conditions even before these reach the limit or standard levels. Once the Environmental Quality Performance Levels (EQPLs) are formulated with the MMT and consequently approved by the EMB, the Proponent can then include these in its semi-annual Compliance Monitoring Report (CMR); the MMT can then validate performance thru its Compliance Monitoring and Validation Report (CMVR); and the EMB can then make an evaluation of performance of both Proponent and MMT thru its Compliance Evaluation Report (CER).

SWORN STATEMENT OF ACCOUNTABILITY OF THE PROPONENT*

This is to certify that all the information and commitments in this *(state one of the 7 EIA report types)* REPORT for the *(state name of project)* PROJECT are accurate and complete to the best of our knowledge, and that an objective and thorough assessment of the Project was undertaken in accordance with the dictates of professional and reasonable judgment. Should I/we learn of any information, which would make this *(state one of the 7 EIA report types)* REPORT inaccurate, I shall immediately bring the said information to the attention of DENR-EMB.

I hereby certify that no DENR-EMB personnel was directly involved in the preparation of this (*state name of project)* REPORT other than to provide procedural and technical advice consistent with the guidelines in the DAO 03-30 Revised Procedural Manual.

I hereby bind myself to answer any penalty that may be imposed arising from any misrepresentation or failure to state material information in this *(state one of the 7 EIA report types)* REPORT.

In witness whereof, I hereby set my hand this ____ day of _____ at _____.

_____
NAME OF PROPONENT HEAD
(Position)
(Company Name)

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 200_, affiant exhibiting his/her Community Tax Certificate No. _____ issued at _____ on _____.

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

*** The Sworn Statement of Accountability of the Proponent shall be part of ALL seven (7) EIA Report Type submissions – PEIS, EIS, PEPRMP, EPRMP, IEER, IEEC and PD Report.**

SWORN STATEMENT OF ACCOUNTABILITY OF PREPARERS

This is to certify that all information in this *(state one of the 7 EIA report types)* REPORT for the *(state name of project)* **PROJECT** are accurate and complete to the best of our knowledge, and that an objective and thorough assessment of the Project was undertaken in accordance with the dictates of professional and reasonable judgment. Should we learn of any information which would make this *(state one of the 7 EIA report types)* REPORT inaccurate, we shall immediately bring the said information to the attention of the DENR-EMB.

We hereby certify that no DENR-EMB personnel was directly involved in the preparation of this *(state name of project)* REPORT other than to provide procedural and technical advice consistent with the guidelines in the DAO 03-30 Revised Procedural Manual.

We hereby bind ourselves jointly and solidarily to answer any penalty that may be imposed arising from any misrepresentation or failure to state material information in this *(state one of the 7 EIA report types)* REPORT.

In witness whereof, we hereby set our hands this _____ day of _____ at _____.

	Name	Field of Expertise	Signature
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

SUBSCRIBED AND SWORN TO before me this _____ day of _____ 2006, affiants exhibiting their Community Tax Certificate information, as follows:

	Name	Community Tax Certificate Information		
		CTC NO.	Place of Issue	Date of Issue
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

GUIDELINES FOR THE ESTABLISHMENT OF THE EIA REVIEW FUND

Filing Fees cover only the basic costs of processing a Proponent's application, i.e., the cost to EMB or the Regional Office of the procedural review. Substantive review of the application, however, entails substantial resources that cannot be provided by the EMB or Regional Office regular budget.

The lack of the needed resources for the review of EIS documents oftentimes causes the delay in the review process. The Proponent and the DENR must cooperate to speed up the review process. The Proponent shoulders the costs attendant to the review of a project's IEE or EIS. The amount that will cover such cost is required to be deposited with a fund manager, who will disburse the necessary amounts based on mechanics to be agreed upon among the fund manager, the EMB or EMB Regional Office and the Proponent. Such system is designed to ensure transparency in disbursement of funds and dispel suspicions of bribery and exertion of undue influence on the reviewers.

A. Work and Financial Plan

The EMB CO or DENR-EMB RO drafts a Review Work and Financial Plan (RWFP) for concurrence by the Proponent. The RWFP shall indicate the timetable and the corresponding budget and logistical requirement to attain the projected review completion date. The establishment of the fund is not a guarantee that an ECC will be granted, but rather the assurance of completion of the review within the mutually agreed upon RWFP.

B. The Fund Manager

The review funds shall be held by the fund manager as trustee; the ownership of said amount remains with the Proponent, and will not at any point be acquired by the government or by the fund manager. It is understood, however, that the fund manager shall be entitled to a reasonable management fee. The fund manager must be duly empowered to act as such, must have a reputation for professionalism and trustworthiness, and must have adequate experience in the field of fund management. To ensure transparency, the selection of the fund manager followed government guidelines on procurement of services. A MOA shall be executed between the selected fund manager and the Proponent establishing the review fund. The fund manager shall receive the payment and handle the funds in accordance with applicable accounting and auditing practices and shall return to the Proponent the unexpended balance of the fund within sixty (60) days after the Proponent's receipt of the ECC or Denial Letter.

C. Cost Components of the EIS Review Support Fund

Expenses attendant to the review process include, but are not limited to, the following items:

1) Honoraria of EIA Review Committee Members and Resource Persons

a) The amount of honoraria to be paid to the EIARC members and Resource Persons should be commensurate to their status as professionals and the time they will provide for the review. It should reasonably approximate the opportunity cost to said members, i.e., how much they will lose from their means of livelihood as a result of the performance of their duties as review committee members.

b) The allowable rates for honoraria are as follows:

- ✓ For EIARC members – PhP 2,500 to 4,000 per meeting. The EIARC Chair may receive additional honoraria.
- ✓ For Resource Persons – PhP 1,000 to 2,000 per meeting

2) Site visit expenses of EIARC members, resource persons and DENR staff

a) Only members of the Review Team (composed of the EIARC, Resource Persons and key DENR-EMB staff of at most two (2) personnel per trip) are entitled to have their site visit expenses be shouldered by the Proponent through the EIA Review Fund. These expenses include round trip transport cost using the most economical and practical route, and reasonable per diem to cover food and accommodation, depending on site location and the attendant cost of living, for a

maximum of three (3) days per trip inclusive of travel time, unless circumstances warrant otherwise. Under no conditions should such per diems or travel/transportation allowances exceed double (or twice) prescribed government rate for such travel(s) or the Proponent's/Preparer's standard/existing rates for such purposes as may be agreed upon during the finalization of the Review Work and Financial Plan. The per diem of EIARC members and/or resource persons is over and above the honorarium to which they are entitled.

b) If per diem is provided, the Proponent is prohibited from providing hotel/lodging accommodation and/or meals to EIARC members, Resource Persons, DENR officers and personnel, and other members of the team during field visits, site inspection, public hearing and other such activities. Such prohibition is waived in cases where the site visited does not have facilities/amenities for such purposes.

3) Logistical support

These expenses include the cost of food per meeting, supplies and materials for preparation of individual and EIARC reports, documentation costs, reproduction costs, transportation costs of EIARC members to and from their meetings, and cost of communicating with EIARC members.

4) Public Consultations/Public Hearing

In addition to the travel costs and per diems, the Proponent should shoulder expenses for the preparation of materials for the public consultation/hearing, cost of venue and food of participants.

5) Travel insurance cover

The proponent shall be required to secure insurance cover for those who will undertake site visits or any travels in relation to EIA report review.

6) Basic management and administrative costs

In consideration for services rendered by the fund manager, a reasonable amount may be charged as management fee. Furthermore, to insure that DENR can provide adequate secretariat support services, a separate administrative cost may be assessed as per the agreed Review Work and Financial Plan.

ADDITIONAL INFORMATION REQUEST FROM EIARC							
		FIRST AI	√		SECOND AI		
Project Title	:						
Project Location	:	**Barangay/s**	**Municipality/City**	**Province**	**Region**		
Proponent Name	:						
Date/Time EIA Documents Received	:						
Date & Venue of Meeting	:						

Module of Concern	**Additional Information Requested**		**State PURPOSE & VALUE of info as input to completion of Project Feasibility Study**	**State how & where info will be integrated in the EIA document**	**Any special instructions how to secure the information**	**Remarks**
A. Assigned Module: _____	1)					
B. Related Modules: _____	2)					
C. General Comments	3)					

Requested by: _____ **Date submitted to EMB:** _____

(Signature over printed name)
EIARC Member

Consolidated by: _____ **Date submitted to EMB:** _____

(Signature over printed name)
EIARC Chair

GUIDELINES FOR AI REQUESTS

1. The EIARC can require Additional Information (AI) from the Proponent based on the agreed upon scope and limits of the EIA Study, as embodied in the EMB-approved Scoping Checklist. Issues on relevance of an AI shall be explained by the requesting EIARC member (using the form above), deliberated upon and/or recommended by the EIARC as a whole for EMB's final evaluation.

2. Additional information (AI) requirements are intended to provide elaboration or clarification of some aspects of the EIA Study. AI must be rationalized or justified on the basis of its linkage or necessity to the decision of issuance or non-issuance of ECC. Normally, it should not require the conduct of new studies or collection of field data that are outside the agreed upon scope. Should such additional activities be necessary, the EIARC should first obtain the concurrence of the EMB Director or RD, as the case may be.

AI requirements that are not critical to the decision for issuance or non-issuance of ECC are not allowed. DAO 2003-30 (Section 5.2) limits DENR-EMB to a maximum of two (2) requests for additional information, which should ideally be made within the first 75 percent of the allotted time period for substantive review. As a general rule, the EIARC should endeavor to only have one request for additional information.

3. An advance draft list of AI shall be provided the Proponent after the 1st EIARC Meeting. However, for projects required a Public Hearing/Consultation, the official 1st AI shall be comprised of the 1st EIARC set of AI **and** any public hearing/consultation issues judged by the EIARC as meriting a response from the Proponent. The integrated AI shall be transmitted by the EMB to the Proponent after the Public Hearing/Consultation. The Proponent shall be given the prescribed number of working days (wd), reckoned after the receipt of the EMB AI Letter after the Public Hearing/Consultation, to submit its response, depending on the type of EIA Report being reviewed (Refer to Figures 2-1 and 2-2 of the Revised Procedural Manual: 20 wd for PEIS, 15 wd for EIS, PEPRMP and EIS-based-EPRMP, 5 wd for IEE-based EPRMP, IEER and IEEC).

The second EIARC meeting shall discuss, clarify and evaluate the response to the First AI submitted by the proponents, which include the findings during the public hearing or consultation(s). If possible, a decision shall already be made on the recommendation to issue or deny the application for an ECC.

4. Should there be a need for clarification of the submitted additional information at this stage, the 2nd EIARC Meeting shall be held in such a way as to allow panel discussion. The proponent/ preparer shall be given a chance to present pending AIs of concern to the EIARC, and if necessary, defend, clarify, and elaborate on issues raised by the EIARC. Additional written submissions may be made at a later date for documentation purposes. To provide adequate safeguards, the proceedings may be recorded by videotape if necessary.

5. At the end of the allocated period for substantive review by the EIARC, a decision or recommendation for issuance or non-issuance of ECC shall be rendered by the EIARC. The decision or recommendation shall be based on available or submitted information. The non-submission of AI, especially if the allocated or agreed upon time frame was not followed, should not serve as a reason for not making a decision or recommendation.

Per Section 8.2 of DAO 2003-30: The EMB may deny issuance of ECC if the proponent fails to submit required additional information critical to deciding on the ECC/CNC application, despite written request from EMB and despite an adequate period for the proponent to comply with the said requirement;

6. In cases where ECC issuance cannot be decided due to the proponent's inability to submit the AI most critical to making a decision on the application within the prescribed period, the EMB shall return the application to the proponent. The project proponent may resubmit its application, including the required additional information, within one (1) year for Groups/Sub-groups I and II EIS-based projects and Group IV PEIS/PEPRMP-based projects; and six (6) months for all other covered projects without having to pay processing and other fees. Otherwise, the matter shall be treated as a new application.

In cases where EMB and the project proponent have exhausted all reasonable efforts to generate the information needed for deciding on the ECC/CNC application, the responsible authority (Secretary or EMB Director / Regional Director) shall make a decision based on the available information so as to comply with the prescribed timeframe.

What are the considerations for a focused request for Additional Information (AI) during the EIA Review?

a) The EIARC shall focus the scope of review to project information, environmental concerns and issues that are relevant and available only at the FS Stage. There are a lot of uncertainties at this project planning stage, thus, the need to consider options and alternatives. Range of assumptions on production capacity, areas of development, process technologies, emissions, discharges and other waste should be acceptable as basis for evaluating acceptability of the proposal for ECC. The EIARC shall provide a level of guidance on environmental and social considerations that will allow Proponent flexibility to site, design and operate the project within the scope and limits of its application as presented in the EIS. The EIA study is expected to specify a range of input-output in the process options that the Proponent is considering as well as to project a range of impacts and formulate appropriate measures which will be used as reference in the project's technical and economic feasibility assessment. Specific detailed engineering design shall not be required at the EIS review stage.

Example #1 of Guidance on Total Production Capacity Limit: *"Total minable reserve" and "Total megawatt capacity" requirements are reasonable at the FS stage. Since the ECC requires a production limit, the Proponent normally buffers its application for production estimates and supports this with application of improved technologies which the project may avail of during its projected lifetime, say for 20-50 years. A geothermal project application, for example, may apply for 500-700 MW capacity for 30 yr project duration even if current internal economics only targets 500 MW to get viable ROI. The higher limit is opted to be applied for in consideration of proven optimization technologies which increase production even without drilling new wells.*

b) The EIARC shall consider as reference material the recommendations and learnings from similar projects whose EIA studies have been reviewed and whose ECCs have been approved by DENR, where deemed applicable. The case handler shall prepare available EIS/ECCs or pro-actively share the learnings with the rest of the review team.

Example #2 of Guidance on Project Area Limit Location of Facilities: *In case of ECC application for a geothermal, oil, coal or mineral mining project, the EIS may cover an application for a known block of surface area only (such as that covered by a service contract with DOE or Mineral Production Sharing Agreement (MPSA) with the MGB, without data yet on the specific location of wells or mine-mouth power plants or mine sites within the block. Thus, instead of requiring "coordinates of 100 geothermal wells or pipelines within the applied geothermal block" or "coordinates of specific mining areas within the MPSA", the EIARC may require "siting criteria to be used" or at most, "indicative locations where the geothermal/coal/mineral resource may be extracted within the block" or "indicative preferred and alternative locations of power plants, mine sites, thermal ponds, tailings dams or other facilities within the block, based on siting criteria." At the FS stage, the geophysical data may already provide indicative locations of reserves, although the boundaries of these within the blocks may not yet be determined at the FS stage. In geothermal projects, only the 1st to 2nd well locations are normally known at the FS stage; power plants may only be optionally sited while the pipeline routes, access road routes and other support facilities are dependent on the power plant locations and location of successful wells to be drilled.*

Example #3 of Guidance on Design of Facilities: *Instead of requiring "settling pond design, e.g. the sump should have 3 compartments to allow enough time for proper settling", the EIARC can ask "estimated range of wastewater volume the pond is expected to contain" or "what is the nature of waste the pond will contain" or " description of the potentially-affected environment if the pond will overflow". The data normally collected in the EIA at the FS stage is not enough for a Proponent to do DED but just enough for Proponent to have a general idea of design options.*

c) The EIARC shall have preference over accumulated historical and recent environmental data over one-time short-term collection of data (say, several days, a week) since the latter provides only a snapshot picture of the project environs and will not be representative of the actual environmental quality. If there is available and relevant secondary data for a development proposal, the EIARC may not require additional primary sampling. Baseline data are usually obtainable from government, academe and other entities. Should no secondary or primary historical data is available after an in-depth or extensive search by the EIA Preparer or Proponent, the EIARC shall consider the merits of a post-ECC baseline monitoring or monitoring during project operations in a control and impact station as forms of securing background environmental profile thru more meaningful and substantive manner.

d) The EIA study shall focus on project-induced impacts while risk assessment of natural hazards to the project is more appropriately addressed in the proponent's FS. However, data on natural hazards (e.g. tsunami, earthquake, volcanic

eruptions, typhoons, floods, naturally-induced landslides) are required to be presented in the EIS as part of the baseline environmental profile for the proponent's guidance during project design. .

e) EIA Scoping is a focusing exercise on significant issues. The EIARC must focus the EIS only to the most significant associated impacts of a project to various environmental conditions.

Definition of Significant Impacts*: Significant issues or impacts are those that need special attention, intervention or action to prevent, minimize/reduce, abate or mitigate potential adverse effects or damage to the environment.*

f) The EIARC must be able to segregate the issues within the EMB mandate from those outside its jurisdiction, such as issues on occupational safety (DOLE's); public health and safety (DOH mandate); traffic (LGU/MMDA mandate); detailed engineering (Design Engineer's); septic tanks and sanitation issues (DOH engineers' responsibility). **Annex 2-10** of the Revised Procedural Manual presents the list of concerned agencies with jurisdiction on said issues as well as sample guidance that the EIARC may provide so that these agencies may consider the critical EIA findings in their approval system. The EIARC shall highlight only special concerns in making recommendations to the Proponent, design engineers and other government agencies who have mandates on the project.

Example of Guidance on Special Concern: *EIARC may highlight proximity of an active fault to a proposed project location. Avoid dictating design measures, provision and requirements of the Building Codes, and other details that are best left to the responsible entities, the design engineers, building official, and building inspectors.*

g) The EIARC shall recommend or evaluate nationally or internationally acceptable methods for quantitative assessments and this should be done during the Scoping stage of the EIA process. The EIARC must be cognizant that the purpose of the requirement (of modeling or ERA, for example) is for identification of general management measures, which will be used with other FS outputs for guidance in detailed engineering design phase.

h) The EIARC's requests for Additional Information (AI) shall be limited to those agreed in the final Scoping Checklist. All requests for AI shall be to address EIS information inadequacies and shall be properly justified by the concerned EIARC member, and subsequently by the EIARC as a whole upon recommendation of the consolidated AI to EMB. A replacement or alternative member to the EIARC shall respect the signed Scoping Checklist, thus, shall not add requirements.

A. Program/Sequence of Activities for an EIARC/ Technical Committee Meeting

TIME (approximate)	ACTIVITY	LEAD PERSON	EXPECTED OUTPUT/OUTCOME
5 minutes	Background and Introduction	EMB Case handler	Background on project application is given; Review Team is introduced
10 minutes	Review Guidelines/Roles of EIARC, Resource Person, EMB & Guidelines of Appraisal by EMB of EIARC Performance	EMB Case handler	For info of EIARC and Resource Person
10 minutes	Review Process specific to the Project	EIARC Chair	Clarified sequence of activities, proper decorum during review and process of agreements/arriving at a common recommendation
60 minutes	1st EIARC Meeting: [1] Raising of concerns by each EIARC member on the EIA Report /EIARC Deliberations	Led by EIARC Chair	List of clarifications and draft of 1st AI to Proponent
	2nd EIARC Meeting: [2] Raising of Clarificatory Concerns on First AI **OR** Sharing of Recommendations for Decision	Led by EIARC Chair	List of Clarifications on the First AI (comprises the 2nd AI); **OR** List of Recommendations for Decision of EMB
25 minutes	Sharing with Proponent on the EIA findings or recommendations of the Review Team	EIARC Chair	1st EIARC Meeting: Consolidated set of clarifications and draft of First AI; 2nd/3rd EIARC Meeting: Consolidated list of Clarifications on the First AI or Consolidated Recommendations for Decision
10 minutes	Wrap up between Review Team and Proponent	EIARC Chair	Final list of AI or Final list of Recommendations for EMB Decision after meeting with Proponent
		EMB Case handler	Guidance & Next Actions
TOTAL: approx. 2 hours			

[1] *An advance draft list of AI shall be provided the Proponent after the 1st EIARC Meeting. However, for projects required a Public Hearing/Consultation, the official 1st AI shall be comprised of the 1st EIARC set of AI and any public hearing/consultation issues judged by the EIARC as meriting a response from the Proponent. The integrated AI shall be transmitted by the EMB to the Proponent after the Public Hearing/ Consultation. The Proponent shall be given the prescribed number of working days (wd), reckoned after the receipt of the EMB AI Letter after the Public Hearing/ Consultation, to submit its response, depending on the type of EIA Report being reviewed (Refer to Figures 2-1 and 2-2 of the Revised Procedural Manual: 20 wd for PEIS, 15 wd for EIS, PEPRMP and EIS-based-EPRMP, 5 wd for IEE-based-EPRMP, IEER and IEEC).*

[2] *EIARC must attempt to complete review by the 2nd EIARC Meeting. Only when there are further clarifications on the First & Second AI and/or the EIARC has not reached a final recommendation to EMB will a 3rd EIARC Meeting is necessary to call.*

B. Review Criteria

1) The review of the EIS by EMB shall be guided by three general criteria:
   a) that environmental considerations are integrated into the overall project planning,
   b) that the assessment is technically sound and proposed environmental mitigation measures are deemed effective, and
   c) that the EIS System procedures as required in this Revised Procedural Manual have been satisfactorily complied with, particularly the requirement that the EIA process is based on a timely, well informed and sectorally well represented public participation.

C. Review Objectives

2) The review of the EIA report aims to achieve the following key objectives:

   a) To ensure that the nature, quality and quantity of data, impact assessment and management measures presented in the EIA Report are those that will be most useful and critical in the integration of environmental and social concerns during the preparation and finalization of the Proponent's Feasibility Study and downstream activities of the project such as detailed engineering design, construction, operation and abandonment.

   b) To advise and inform the decision-making of other units, bureaus, offices and regulatory government agencies on the critical environmental and social concerns of a development proposal which are recommended to be considered in the respective government documents (e.g. permits, certificates, licenses, clearances, endorsements, resolutions), conduct of studies, agreements involving the project or other forms of approval under the mandate of such entities;

   c) To provide guidance for validation of projected environmentally and socially significant impacts and for assessment of effectiveness of measures throughout the project cycle for the purpose of continuing improvement of environmental performance as part of promotion of good business practice.

D. Determination of Need for Site Inspections and Public Hearings/ Consultations

3) **Field Visits or Site Inspections**: In order to minimize the number of EIARC meetings, field work including public hearing, public consultations, site inspections or ocular visits may be scheduled during the first EIARC meeting. A visit to the project site may be conducted by the EIARC only under the following conditions:
   a) when a particular concern or issue critical to the decision of issuance or non-issuance of ECC can only be validated with a field visit/inspection; or
   b) when there is a need for a Public Consultation or Public Hearing.

4) **Public Hearing:** A Public Hearing is automatically required of all new ECPs and PEIS-based projects. The Public Hearing for new ECPs may be waived and Public Consultation may be conducted in lieu of Public Hearing if the following situations exist:
   a) there is **NO** mounting or strong public opposition against the proposed project;
   b) there is **NO** written request to EMB (with *valid* grounds/basis) for the conduct of such Public Hearing from any of the legitimate stakeholders.

E. ERA Review Procedures

3) As a general rule, the ERA shall be reviewed independently of the EIS. In the case of risk screening and hazard analysis, DENR-EMB **may** invite a *risk assessment specialist* to evaluate and/or validate the study.

4) In the case of QRA, DENR-EMB shall convene a separate ERA Review Committee (ERARC) to evaluate and/or validate the study. The ERARC, consisting of at least three (3) members, shall be composed of *risk assessment specialists*.

F. Best Review Practices

5) Recommendations shall not be "trivialized" but allow flexibility to the Proponent in siting, and design of project facilities within the limits of its ECC application.

Example of Trivialization of Recommendation: *Some EIARC/EMB reviewers require very specific dimensions for some project facilities or billboards for ECC disclosure (so many meters L by so many meters wide) ; or others require very specific plant species for fencing, such as bougainvillea. Instead, EIARC can provide guidance to the permitting entity on criticality of the potentially-affected environment to be considered in the facility design.*

6) The EIARC shall adopt consensus building and other appropriate administrative procedures in resolving issues within the review timeframe. Voting may be held as a means to sense the position of majority of the EIARC. Policy and legal issues are referred to the EMB for resolution. Resource Persons may be invited to clarify technical concerns. If at the end of the deliberation process, the issues are still unresolved, the EIARC Chair reflects both opposing position/s in its EIARC Report, subject to final evaluation by EMB.

7) EMB Case Handlers shall be encouraged to undertake a more extensive procedural screening, based on a transparent listing of parameters to be specifically indicated in the Procedural Screening Checklist.

8) The current practice of availing of in-house EMB substantive reviewers shall be continued and further encouraged among various divisions of EMB. EMB may commission independent experts' review for EIA modules or projects it does not have expertise on.

9) The EIARC shall minimize inclusion in its recommendations the requirements of various environmental laws unless the project by its nature and location will require special mitigating measures that have to be highlighted as an ECC condition.

10) The EIARC shall take the EIARC Report as a confidential matter and not utilize the information or data for any academe, commercial or professional research, unless prior clearance is issued by the EMB.

G. Delineated Roles and Responsibilities of the Review Team members

11) The Review Team is composed of the EMB Case Handler, EIA Review Committee (EIARC) and/or Resource Person/s. For Non-ECPs, the reviewer may be singly the EMB Case handler or a composite team of EMB/DENR personnel, called the Technical Team, who has expertise and administrative jurisdiction over the proposed project. The RT is multi-disciplinary and multi-sectoral, thus, the need to delineate specific roles and responsibilities to undertake a harmonious, efficient and effective review of the EIA Report. The delineated roles and responsibilities of the Review Team are presented in **Table 1** below.

"… The EMB may commission independent professionals, experts from the academe and representatives from relevant government agencies as members of the EIA Review Committee as may be deemed necessary. Further, continual improvement of the technical capability of the Staff of the EIA Division shall be undertaken" *– Section 13.1 of DAO 2003-30*

Table 1. Delineated Roles and Responsibilities of a Review Team (Case Handler, EIARC and Resource Persons

Review Team	Roles and Responsibilities	
a) Case Handler	i)	EMB staff who coordinates the over-all management of the EIA Report review process for a specific ECC application
	ii)	Recommends EIARC members and/or Resource Person, subject to endorsement by the EIA Review Section Chief and approval by the EIAMD Chief
	iii)	Coordinates with Project Proponent and EIARC on schedule of meetings, field visits and public hearing and on corresponding details of administrative and logistical requirements
	iv)	Undertakes procedural screening of the EIA Report, and makes recommendation to EIA Evaluation Section Chief on acceptability or return of the document within the prescribed timeframe by EMB;
	v)	May undertake an internal review of the EIA Report

		vi) May evaluate the EIARC's request for Additional Information for endorsement of EMB to the Proponent, and provide corresponding feedback to the EIARC thru the EIARC Chair, of any requirement outside EMB regulations;
		vii) May evaluate the EIARC's recommendations as either regulatory or recommendatory provisions in the ECC;
		viii) Briefs EIARC members of duties and responsibilities, observance of Code of Practice, timelines of review and reports, expected outputs
		ix) Documents and evaluates review proceedings focused on key issues and highlights, including policy and procedural problems encountered by the review team and recommendations offered by the team for continual improvement of the EIS System
		x) Finalizes integrated AI documents and oversees transmittal of AI and AI Responses to Proponents and EIARC
		xi) Prepares Review Process Report and drafts ECC for review/endorsement by EIA Evaluation Section Chief or EIAMD Chief
b. EIA Review Committee	**EIARC Chair**	i) Takes over-all lead in the EIARC's review;
		ii) Presides EIARC meetings;
		iii) Reads through the entire EIA Report for holistic guidance to the EIARC members on issues to be focused on
		iv) Aligns individual EIARC member's review with the guidance provided in the Manual of EIA Review and the DAO 2003-30 Procedural Manual;
		v) Consolidates individual EIARC members' recommendations and other concerns into an integrated AI request and transmits to the Case Handler;
		vi) Refers specific EIARC comments to other experts in the team whose modular review may be affected by such comments or recommendations;
		vii) Can endorse request for Resource Person/s by other EIARC members or by the Preparer/Proponent to address concerns which need further clarification or other pending issues which could not be settled by the EIARC
		viii) Prepares and submits to the Case Handler the EIARC Report within the prescribed timeframe by EMB;
		ix) Raises and summarizes policy and procedural problems encountered by the review team and consolidates recommendations for continual improvement of the EIS System
	EIARC Members	i) Undertakes individual reviews of its assigned modular sections in the EIA Report;
		ii) Reads the Executive Summary, Introduction, Project Description and EIA Process Documentation before reviewing assigned modular section/s;
		iii) Suggests need for Resource Person/s based on specific information needed to make a decision on acceptability of the modular report;
		iv) Attends EIARC review meetings, field visits and public hearing;
		v) Coordinates with other EIARC members, Resource Person and/or EIARC Chair on comments/ recommendations affecting other modules;
		vi) Prepares modular review report with comments, recommendations, or Additional Information (AI), if any, together with explanation or justification why such AI is being requested;
		vii) Submits modular review report within timeframe required by EMB;
		viii) Provides assistance to the EIARC Chair for more efficient review of the EIARC as a team
		ix) Raises policy and procedural problems encountered by the review team and recommends solutions for continual improvement of the EIS System
c. Resource Persons		i) Provides information and expert opinion within the module or subject matter asked of;
		ii) When requested by EMB or EIARC, provides other advice and/or recommendations on subject matter of concern
		iii) May be invited not just during review meetings but also during public consultations/hearings.

H. Level of Authority of the Review Team Members

12) The **Case Handler** is directly recommendatory to the EIAMD Evaluation Section Chief, or EIAM Division Chief in the absence of the former, on the procedural acceptability of the EIA Report and on the acceptability of the results and process of the substantive review. Within the Review Team, the Case Handler is the EMB's representative in providing guidance and clarification on EIA policy and procedures. Moreover, the CH does not vote or participate in consensus building on EIARC issues as he/she is supposed to be the receptor, facilitator and evaluator of the issues raised by the EIARC as a whole. The CH has the authority to evaluate and rate the performance of the EIARC, with the assistance of the EIARC Chair, particularly on the issue of late submission of AI Request Forms (Annex 2-24) and EIARC Reports, which has a direct adverse effect of delaying the over-all EIA review process.

13) The **EIARC** is directly advisory and recommendatory to the EMB. It is also indirectly advisory to the Proponent, thru the signing by the EIARC Chair of a portion of the ECC where the EIARC recommendations are either at the option of the Proponent to be complied with or at the option of other regulatory agencies to consider in their approval process. The EIARC can require Additional Information (AI) from the Proponent based on the agreed upon scope and limits of the EIA Study. Issues on relevance of an AI shall be justified by the requesting EIARC member, deliberated upon and/or recommended by the EIARC as a whole for EMB's final evaluation. All members have equal voting power in resolving pending issues. However, the Chair has the authority to break any tie on parliamentary issues and procedures within the EIARC. On technical matters, the Chair and all other members of the EIARC defers to the EIARC member who has been commissioned by EMB to address a specific field of expertise on the project being reviewed. All may provide recommendations or raise points for consideration by experts in their own fields.

    The EIARC Chair or any member cannot directly provide official AI or other official review documents to the Proponent unless with prior clearance of EMB. The EIARC also needs prior verbal clearance from the EMB to interphase professionally with the Preparer and/or Proponent in providing guidance and clarifications in relation to the review.

14) The **Resource Person** is advisory to the review team, a provider of technical and policy information and clarifications, upon request by the EMB or the EIARC. The RP has the option to read the EIA if he/she deems it necessary for a more relevant advice on the referred area of concern. However, the RP cannot require AI from the Proponent. He/She can request clarifications on the EIS from EMB or the EIARC for the purpose of focusing its advice on the project being reviewed. The RP has no voting power within the Review Team.

    The RP may directly interphase with the Proponent, particularly the RP's who represent the agency who is mandated to promote the sector of the subject ECC application, e.g. A Resource Person from MGB Environmental or Mine Operations divisions can coordinate with a Proponent for a mining project since the RP represents the agency mandated to promote the mining program and encourage entry of mining investments in the country. The MGB RP, by virtue of its regulatory powers over the mining firm, can directly advice the Proponent on the latter's compliance with the EIA review issues and all other regulatory requirements of the MGB. Same is true with Resource Persons from DOE for energy projects, RPs from DPWH for infrastructure projects, RPs from DOH for medical facilities, RPs from DA/BFAR for agricultural projects and so on.

NOTICE OF PUBLIC HEARING

On the **ENVIRONMENTAL IMPACT ASSESSMENT (EIA) REPORT** of the _____ **PROJECT** of the Proponent _____ to be located in _____:

Notice is hereby given to all parties who wish to give their opinion regarding the implementation of the proposed _____ PROJECT to attend a Public Hearing on _____ (Month, Day, Year) at _____ (time to start) at the _____ (exact venue) in Barangay _____, Municipality/City of _____, Province of _____.

This Public Hearing is being conducted in connection with the review of the EIA Report of the aforementioned project by the Environmental Management Bureau (EMB) of the Department of Environment and Natural Resources (DENR).

All interested parties who wish to attend or participate in this Public Hearing should preferably register in person or by mail with the EMB at DENR Compound, Visayas Avenue, Diliman, Quezon City. Those who will not be able to register or submit written positions may be given the opportunity to share their issues on the day of the hearing itself. However, priority shall be given to those who register first with the above offices before the hearing, and then to the early registrants during the hearing.

Full copy/ies of the EIA Report can be accessed at the EMB Region ___ Office and at the libraries/development council office of the Municipal Hall of ___ (state host LGU), while copy/ies of the Executive Summary are available at Barangay/s _____ (state name of host barangay/s). A limited number of Project Fact sheets are available at these offices.

Individual and/or organizations may give their opinion(s) in a concise position paper submitted to the EMB (Central Office and/or Region ___ with address at _____ _____ on or before _____ (STATE THE DATE EQUIVALENT TO A CALENDAR WEEK BEFORE THE PUBLIC HEARING DAY). Submissions may also be thru mailed letters or thru e-mails at the EMB email address of _____ _____.

For more details, please contact the EIA Division of EMB through _____ (STATE NAMES OF CASEHANDLERS) at Telephone Numbers _____.

NOTE TO THE PROPONENT:

Above Notice of Public Hearing shall observe the following publication dates: Two consecutive publications a week apart, with the second at least 15 days prior to the exact date of hearing, e.g. May 4 and May 11, 2007, with hearing on May 26, 2007.

Public Hearing/Public Consultation[1,2] Program

Project Title: _____
Project Location (Province/Region): _____
Date and Time of Scoping: _____
Scoping Venue/Address: _____
Project Proponent & LGU Involved: _____

Time Allotted	Program of Activities	Person Responsible
1 hour 30 mins. (7:30-9:00 am/ 12:30-2:00 pm)	Registration	
5 mins. each (15 mins.) 9:00 – 9:15 am / 2:00 – 2:15 pm)	National Anthem	LGU (Mayor, Brgy Captain Councilor)
	Invocation Opening Remarks	LGU Representatives Chief of EMB EIAMD
	Introduction on the Conduct of the Public Hearing/Consultation and Target Objective/Outcome	PH: Public Hearing Officer PC: Proponent Representative
45 mins. (9:15-10:00 am / 2:15 – 3:00 pm)	Brief presentation on project background, description, location, implementation schedule and other information or facts regarding the project and the result of the EIA on impacts, measures, commitments	Proponent Representative/EIA Preparer
15 mins. (10:00 – 10:15 am/ 3:00-3:15pm)	Snacks	
1 hour (10:15 – 11:15am / 3:45 -4:15pm)	Open Forum	PH: Public Hearing Officer PC: Proponent/EMB Rep
30 mins. (11:15-11:45 pm/4:15 -4:45pm)	Agreements in Public Hearing/Consultation Open Forum; Summary of issues/concerns /impacts raised by the public and Response of the Proponent.	PH: Public Hearing Officer PC: Proponent/EMB Rep
15 mins. (11:45-12:00 nn/4:45-5:00 pm)	Closing Remarks and Next Steps in the EIA Process	PH: Pubic Hearing Officer PC: EMB Rep

[1] Publication of a notice of public hearing once a week for two (2) consecutive weeks in any newspaper of general circulation with the second publication undertaken at least 15 days prior to the scheduled hearing.

[2] If Public Consultation were instead required, there is no need to observe the PH publication dates. The PH Program may be retained without need for a Public Hearing Officer. The PH Guidelines below shall still apply where analogous/applicable to Public Consultation scenario. The Proponent prepares the Public Consultation Report for submission to the EMB at same timelines as the PH Report. The Public Consultation Report shall be subject to review by the EIA Review Committee/Technical Committee and further evaluation by EMB prior to final recommendation on the application.

Public Hearing Guidelines

A. General Considerations

1) A public hearing is a formal process that is initiated, planned and conducted by the DENR. It is designed to promote dialogue or communication between and among the project proponent, the DENR and the public for the purpose of exchanging information and views. It provides a forum for the proponent and the DENR to understand community values or needs and appropriately respond to them. Further, it serves as a venue to test alternative options for resolution of issues or conflicts.

2) It should be noted that the *Public Hearing* is not the appropriate venue to ensure that the findings of the EIA study had been communicated to the stakeholders. The communication by the preparers or proponents of the EIA study highlights should have been completed before the submission of the EIS. The processes, methods and proofs of the "*feedback to the stakeholders*" should be described in the *Process Document*. As such, the conduct of *Public Hearing* with the primary aim of communicating the EIA results to the stakeholders is not a sufficient basis to require a *public hearing*.

B. Pre-Public Hearing

3) In coordination with DENR, the proponent at its own expense shall cause the publication of a notice of public hearing once a week for two (2) consecutive weeks in any newspaper of general circulation with the second publication undertaken at least 15 days prior to the scheduled hearing. For example, the notices are published for two consecutive Wednesdays with the hearing conducted 15 days after the second publication.

Notice-publication of Public Hearing (format and text) must have prior written approval of EMB or DENR RO.

4) Notices shall likewise be posted in conspicuous places in the municipality and barangay where the project is proposed to be located at least 15 days prior to the scheduled hearing. Announcements of hearing may also utilize popular forms, e.g., radio, public address system, posters, Sunday mass or service. The proponent shall shoulder the expenses incurred for such notices.

The selection of venue, schedule and manner of handling the Public Hearing must take due consideration of local culture and lifestyle.

5) When the stakeholders do not have access to the usual means of communication, the proponent must utilize other forms of information dissemination such as radio, distribution of flyers, publication in local newspaper/s, etc. so that people will promptly learn about the Public Hearing and have adequate time to prepare for participation in the process.

6) The announcement of public hearing shall conform to the DENR approved format. The notice should encourage early registration of participants and submission of position paper/s. These position papers may be formulated by interested parties (e.g., academe, NGOs/POs, LGUs, etc.) in support or in opposition relative to certain issues or components of the project.

In order to ensure maximum participation, proponents of projects located in the region must also publish the Notice of Public Hearing in a regional or local newspaper of general circulation in the project area. Also, Notice of the Public Hearing should be provided in non-written means such as radio, etc. especially if stakeholders who have no access to written means of information have been identified.

7) The proponent should ensure the attendance of stakeholders, particularly the LGU officials and leaders of key sectoral organizations or communities within the Direct Impact Areas (DIAs) and other legitimate stakeholder representatives in the Indirect Impact Areas (IIA). Annex 2-2 provides guidance on determination of DIA and IIA while Annex 2-3 provides guidelines on stakeholder identification. The number of attendees in the Public Hearing is not as important as the presence and active participation of the DIA/IIA LGU officials as well as the diversity of sectors that have legitimate interests or valid issues on the proposed development.

8) The DENR shall conduct the public hearing with the assistance of the proponent and preparer. The Public Hearing shall be scheduled by the DENR and the proponent in consultation with other key stakeholders. All public hearings shall be summary in nature and shall not strictly adhere to the technical rules of evidence.

9) Public hearings shall be open, without the need for a *formal* invitation, to all interested groups with valid concerns about the proposed project.

10) Provision of EIA Report copies to the public:

a) The proponent shall provide at least one (1) complete copy of the EIA Report to the EMB Office, which is administratively designated as directly responsible for overseeing the preparations and conduct of the Public Hearing. The EIA Report can be used as reference by stakeholders who want to review the document for drafting their position on the project.

b) The proponent shall also provide at least one (1) copy of the EIA Report to each of the host municipalities and at least one (1) copy of the Executive Summary to each of the host barangays. The copies must be lodged at the development council offices or libraries of the concerned LGUs for easy access by the people.

c) The proponent shall further provide copies of Project Fact Sheet (2-3 paged document) to the concerned EMB and host LGUs (at barangay and municipality levels). The fact sheet is preferably written in the local dialect or in a popularly understood language of the host communities. The proponent shall take the initiative and effort to ensure copies of the Project Fact Sheet actually reach the major stakeholders of the project. The fact sheet must specify that full copies of the EIA Report or Executive Summaries can be accessed at the EMB or concerned LGUs.

11) Selection of a Public Hearing Venue

a) The determination of the venue for the public hearing is a critical element of the entire process. It can pre-determine or prejudiced the success or failure of the exercise. As such, utmost care must be exerted to select the most optimum venue.

b) The DENR-EMB office concerned, in coordination with the EIS preparers, shall determine the venue for the public hearing. The venue must be *neutral*, i.e., it is not identified or associated with a party who is in favor of or against the project. Further, the venue must not be conducted in a government location (e.g., office, conference hall) of a government unit or agency that has regulatory control, jurisdiction or interest over the project. For example, municipal halls are not ideal venue inasmuch as the proponent has to secure endorsements or permits from the LGU. Also, the LGU may be identified or perceived to be supportive of or against the project. The selection of a *private* venue, on the other hand, does not guarantee *neutrality*. The same degree of care must be exerted in selecting *private* venues (e.g., hotel).

12) Designation of a Hearing Officer

a) The EMB Director or DENR-EMB RD shall designate a hearing officer with the following qualifications:

i) of known probity and independence;
ii) familiarity with rules and procedures in the conduct of public hearings;
iii) skill in effective dispute and conflict resolution; and
iv) sensitivity to the need for social acceptability and public participation in the EIA process.

b) A hearing officer need not be a lawyer nor a DENR personnel. A professional moderator/facilitator who possesses the necessary qualifications may be designated as hearing officer.

13) Powers and Duties of Hearing Officer

a) A hearing officer shall have the power and authority to conduct the proceeding with the aim of eliciting information and facts to support the substantive review of the EIARC.

b) A hearing officer shall ensure that all participants are given the opportunity to be heard and to ventilate their positions/concerns regarding the project. Furthermore, the public hearing officer should ensure that these concerns are adequately discussed.

c) A hearing officer shall endeavor to identify options for possible resolution of issues and conflicts.

d) He shall submit a report of the proceedings to the EIARC within 10 days after the hearing.

e) He may also be called upon by the EIARC to give a verbal report even prior to the submission of the formal report for purposes of facilitating the review process. The report shall be an assessment of issues discussed or events that transpired during the public hearing, and the findings or recommendation of the public hearing officer.

f) To facilitate the preparation of the report, the hearing officer may require the proponent/preparers to engage the services of a stenographer (or equivalent) to prepare the transcript of the session.

C. Public Hearing Proper

14) Matters to be Discussed in a Public Hearing

a) The hearing, as much as practical and possible, may deal with any or a combination of the following themes:

i) the proponent, especially their responsibilities to the community;
ii) the project, including its elements or components, its implementation and related development;

iii) the elements and features of the environment likely to be affected by the project;
iv) the impact, as identified and assessed;
v) the option, as studied and evaluated;
vi) monitoring, follow-up, enhancement, and mitigating measures;
vii) negotiated settlements or compensations
viii) assurances and guarantees for compliance to the environmental management plan

b) Procedures of the EIA review process and grounds for appeals may also be discussed during the hearing to inform the stakeholders about their rights.

15) Conducting a Public Hearing

a) Set the proper tone for the public hearing

This can be done by singing the national anthem and delivering an invocation. An opening remark may also be given to provide a briefing and orientation on the purpose of the public hearing, the EIS System, and other such relevant information.

b) The Hearing Officer explains the rules governing the conduct of the public hearing. Examples of rules that should be emphasized include, among others, the following:

i) comments should be based on correct and updated information
ii) discussions should be directly relevant to the issue at hand
iii) comments should be made on behalf of public interest not personal interest
iv) proper decorum (ex. no cat calls, no booing)

c) The first part shall be the presentation of all information or facts regarding the project and the result of the EIA. The presentations should be comprehensive and should be clearly communicated in the language that would be easily understood by the public. An interpreter should be readily available in case some aspects of the information need to be translated in the local dialect. There should be no interruption during the presentations except for clarification.

d) The second part of the public hearing should be devoted to entertaining questions, comments, reactions, and ideas.

i) During this part of the public hearing, the hearing officer should insure that *heated* or *emotional* debates and arguments are avoided. The opportunity to ventilate *valid* issues and concerns should be maximized. This process should be well managed to maximize participation and get a balanced view of those who are for and against the project. To the extent possible, there must be full representation across the broad sectors of the various stakeholders or interest groups. As much as possible before the start of the public hearing, the following should be determined:

- How should speakers be chosen? One for (pro) followed by one against (con) the project?
- Do we require registration of speakers for and in behalf of certain groups?
- Do we require written comments? What if stakeholders like indigenous groups cannot write?

ii) Participants may ask questions about specific points in the impact study. They may raise new points. In some cases, they may take the liberty of assessing the content of the impact study, challenging the data, the methodology, or even the interpretation of the data. They may also interpret or re-interpret the results of the proponent's analysis. Finally, they may go well beyond the content of the impact study, introducing new information and assessments.
iii) Resource persons may be invited to present technical information or shed light on certain issues. However, it is the responsibility of the proponent and preparer to make available the EIA team to answer questions or issues raised during the hearing.
iv) The facilitator should be sensitive to the socio-cultural dynamics of the project area to be able to assess and determine valid issues and accordingly deal with them properly during the process.

Assessing the Validity of an Issue Raised

In the conduct of an EIS, there are many issues or concerns that can surface. One should be able to distinguish between a valid issue/concern from that which is largely politically motivated or personal in nature. To assess the validity and legitimacy of an issue raised, the following guide questions should be answered:

- Are the issues or concerns raised based on correct and updated information?
- Are these issues or concerns directly relevant to the project being assessed?
- What are the motivations of those who raised these issues, public interests or personal interests?

v) Summarize issues/concerns/impacts raised by the public and response of the proponent. All the issues and concerns raised and discussed should be synthesized by the Hearing Officer and presented to the public for validation. The synthesis shall include the summary of agreements, commitments, assurances and guarantees of the proponent on relocation and appropriate compensation of displaced population and other affected parties.

D. Post-Public Hearing

16) Proponent Documentation: The proponent must carefully document (in audio and preferably in videotape form) all public hearings. Such documentation shall be submitted to the Hearing Officer who shall validate and carefully analyze the process and results. **The process documentation and relevant attachments (transcripts, proceedings, videotapes, etc) shall be submitted by the proponent within five (5) working days to the EIARC, copy furnished the public hearing officer.** The process documentation shall include the following:

a) list of directory of participants

b) the issues, concerns, interests raised or addressed during the public hearing.

c) the sequence of significant activities undertaken or issues addressed

d) the process by which agreements or resolutions were arrived at

e) the stakeholders and key players who most actively participated, those who were present but were quiet, those who were not represented

f) the outcome of the activity or undertaking

As a rule, the EIARC shall prescribed the appropriate feedback mechanism/s (e.g., manner of providing copies of the documentation) for those who demand it and those deemed by the EIARC as needing it.

17) Public Hearing Report by Public Hearing Officer: The Public Hearing Officer shall submit a *Public Hearing Report* within ten (10) working days to the EIARC. The *Public Hearing Report* shall have the following formats and/or contents:

a) Project Background – project description, location, implementation schedule and other details as presented during the public hearing.

b) Public Hearing Proceedings – administrative arrangements (e.g., background on why public hearing was required, schedules and actual time utilized, venues, logistical supports provided, etc.), summary/list of participants, and general assessment of the conduct of the public hearing.

c) Summary of Issues and Discussions – a summary (with annotation or reference to the detailed transcriptions, if necessary) of issues and concerns raised during the public hearing, the parties concerned (the one who raised the issue and the responding party), resolution/s or agreement/s.

d) Recommendations and Conclusions – findings, recommendations and/or conclusions of the *Public Hearing Officer* especially with regard to the issues or concerns raised by the stakeholders AND assessment or determination if the basis or reasons why a public hearing was required had been resolved.

e) Essentially, the report is an assessment of issues discussed or events that transpired during the public hearing, and the findings or recommendation of the officer. The PH Officer may also be called upon by the EIARC to give a verbal report even prior to the submission of the formal report for purposes of facilitating the review process.

EIARC Report for the		
Project Title	:	
Project Location	:	<table><tr><th>Barangay/s</th><th>Municipality/City</th><th>Province</th><th>Region</th></tr><tr><td></td><td></td><td></td><td></td></tr></table>
Proponent Name	:	
Date & Venue of Last EIARC Meeting	:	

I. Brief Project Description

Project Type	:	
Product Type	:	
Project Location	:	<table><tr><th>Barangay/s</th><th>Municipality/City</th><th>Province</th><th>Region</th></tr><tr><td></td><td></td><td></td><td></td></tr></table>
Project Area	:	
Production Rate	:	
Project Life	:	
Total Production or total resource estimate for project life		
Production Method/ Technology	:	
Project Manpower	:	
Project Cost	:	
Project Waste Types	:	

II. Summary matrix of significant project impacts and mitigation enhancement measures

The following matrices and sections in the EIA Report and Additional Information Responses provide a summarized overview of the extent of project impacts and measures to address the project's potential consequences:

	EIA Report	**AI Response**
Impacts Mitigation Plan	State section in the report	State nature of response
SDP Framework		
IEC Framework		
Etc…		

III. Summary of key issues or concerns plus the proponent's response to the issue(s) raised and EIARC's evaluation of the responses

EIARC 's Key Concerns	Proponent's Response	EIARC Evaluation of Response*
Ex. 1) On the Project Description		
a) Presentation of estimated or range of volume and rate of generation of overburden based on available FS data	Ex. Presented in AI response.	Acceptable.
Ex. 2) On Hydrology, Water Quality		
b) Lack of baseline data on heavy metals in groundwater – considered important due to high background of Pb and Cr in river water quality. *Include in EMoP as baseline/pre-operational monitoring.*	Ex. Revised EMoP submitted.	Acceptable.
Ex 3) On Socio-economics		
c) No mention in the EMP of training and preparation of local residents to be qualified for hiring; No commitment to formulate a hiring scheme which will raise chances newly-trained locals to be hired, as well as how to provide equal opportunities for IPs ; no mention of training for women which should be sensitive to the limitations of nature of work opportunities appropriate for women in the mine site (e.g. training program for women may include livelihood other than on skills for working in the mine)	Ex. Revised EMP portion submitted.	Acceptable.

IV. A review summary based on the technical and substantive review criteria

1.	Summary of the major substantive concerns of the EIARC which were addressed in the AI responses of the Proponent
2.	Summary of substantive concerns which were recommended to be post-ECC
3.	Summary of substantive concerns falling outside the mandate of DENR-EMB, and thus, were referred to other agencies/entities with mandates on such issues

V. Report on compliance with Public Participation requirements

1.	Statement on public participation during IEC activities
2.	Statement on public participation during Site Scoping
3.	Statement on public participation during Public Hearing or Public Consultation
4.	Meetings or interventions by Proponent with project stakeholders , particularly with sectors who have opposing views about the project
5.	Proponent's commitments to pursue public involvement in the project monitoring
6.	Other proofs of public participation

VI. Over-all findings and recommendations of the review or evaluation

Example of over-all recommendation to issue ECC:

A. Example of statement on positive determination on the review: "The EIARC recommends the issuance of an ECC, subject to the recommendations listed in Section VII below. "

B. Example of additional recommendation: "Moreover, the EIA Review Committee also recommends that once an ECC is decided upon and is eventually issued, the EMB EIA Division briefs the proponent not only of the regulatory or "must" conditionalities of the ECC but to also impress upon the Proponent the advantages and soundness of the EIARC recommendations arising out of the review process."

VII. List of EIARC Recommendations

I.	Recommendations to the Regulatory Conditions of EMB
II.	Recommendations for Consideration by Proponent
III.	Recommendations to Specific Government Agency/ies or LGUs with Mandate on the Project

Prepared by: _____ Date: _____

Chair, EIARC

NOTE: The Chair signs the EIARC Report within five (5) days after the final review meeting. Draft EIARC Recommendations are signed off by all EIARC members. If an EIARC member dissents, he or she must submit a memorandum to the DENR-EMB Director through the EIARC Chairman his or her reasons for dissenting.

I. Project Background/Information (Catalog/Case Number)

- Project Background and Significance
- Project Description
- Location
- Processes and Waste Streams
- Time frame of Implementation
- Estimated Project Cost
- Project Employment Generation

II. Documentation of Compliance with Procedural Requirements

A. Review Schedule Chart
B. Total Number of Review Days (Working Days)
C. Reasons for Delay (if applicable)

III. Technical Assessment

A. Summary of Environmental Impacts with the Proposed Mitigation and Enhancement Measures
B. Key Issues/Concerns and Proponent's Response
   - Summary of Additional Information Submitted
   - Summary of Major Issues raised during the public hearing

IV. Commitments from the Proponents

A. Acceptability of the proposed EMP including the corresponding cost of Mitigation, EGF and EMF (if required)
B. Other Submitted Documents
   - Endorsements
   - Research of relevant information materials

V. Key Basis for the Decision on the ECC Application

- Over-all findings of the Review or Evaluation

VI. Critical Conditions that should be incorporated in the ECC

<u>Guidelines in Preparation of the Review Process Report</u>

1) The Review Process Report (RPR) shall be prepared by the Casehandler as part of the review documentation for EIA report types which require the RPR.

2) "The Review Process Report serves to provide the procedural and administrative record of the entire review process. It provides sufficient details to serve as archival records for documentation purposes. The Report shall contain the details that may not have been considered by the EIARC. In case the case handler disagrees with the recommendations or

findings of the EIARC, the Review Process Report shall detail the rationale and framework, including the basis or supporting factors, of such reservation or disagreement."

3) The report shall contain the results of the review/evaluation and the recommendation/s on the issuance or non-issuance of an ECC including the appropriate conditions. The report shall be submitted to the EIAM Division Chief within the allocated timeframe for substantive review.

4) In the case of IEE review:

   a) If it has been determined that some significant impacts have not been resolved by the IEE and/or that additional studies would be needed to fully address them, the conduct of an EIS will be recommended for the proposed project. The EIAM Division Chief shall prepare the recommendation together with a draft letter of notification for the proponent to prepare and submit an EIS.

   b) The preparations of an EIS shall be mandatory under the following conditions:

      i) presence of significant environmental impacts have not been adequately addressed by proposed mitigation and enhancement measures

      ii) presence of strong public opposition or low social acceptability based on valid issues or concerns

      iii) presence or possibility of high public risk

      iv) the project involves the use, manufacture, storage or transport of highly pollutive substances toxic or hazardous materials

      v) presence of significant socio-cultural impacts

   c) Also, if the IEE has been evaluated as not having satisfied the substantive requirements, the report may recommend the denial of ECC. In case of an ECC denial recommendation, the report should identify specific issues and comments that have not been satisfied by the proponent, and a draft letter to inform proponent of ECC denial.

Date: _____

ECC Ref. Code: _____

The _____ (e.g. The President)
_____ (Name of Proponent/Company)
_____ (Proponent Address)

Attention: (Name of Proponent's Head)
(Position of Proponent's Head, e.g. President)

Subject: **Certificate of Environmental Compliance Commitment (ECC)**

Dear Sir/Madam:

This refers to the ECC application for the proposed **(state name of project)** to be located in Barangays _____, in the Municipality/City of _____, Province of _____ in Region _____.

After satisfying the requirements in the said application and upon recommendation of the Environmental Management Bureau (EMB), this Department has decided to grant an ECC to the above-mentioned project.

With the issuance of this ECC, you are expected to implement the measures presented in the Environmental Impact Statement (EIS) Study, intended to protect and mitigate the project's adverse impacts on community health, welfare and the environment. Environmental considerations shall be incorporated in all phases and aspects of the project. You may proceed with project implementation after securing all the necessary permits from other pertinent government agencies. This Office will be monitoring the project periodically to ensure your compliance with stipulations cited in the attached ECC.

Please be guided accordingly.

Very truly yours,

NAME OF DECIDING AND SIGNING AUTHORITY
Position

cc: (state name of EMB Office)

ENVIRONMENTAL COMPLIANCE COMMITMENT
(Environmental Compliance Certificate)
(Issued under Presidential Decree 1586)
ECC No. _____

THIS IS TO CERTIFY THAT PROPONENT _____ _____, represented by its President, _____ _____, is granted this ECC, for the proposed _____ located in **BARANGAY/s _____, in the Municipality/City of _____, Province of _____,** by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau (EMB).

SUBJECT ONLY to the conditions and restrictions set-out in this ECC and in the attached document labeled as Annex A. EIARC Recommendations have been provided in Annex B as guidance to concerned government agencies and local government units for consideration in their decision making process.

PROJECT DESCRIPTION

The ECC covers the proposed (PROJECT NAME) with an area of _____ to be located in Barangays _____, Municipality/City of _____, Province of _____, Region _____.

(State the projected scale or rate of production/generation and nature of product outputs based on the units of measure or thresholds in Annex 2-1b of the DAO 2003-30 Revised Procedural Manual. State also the estimated project life.

State the project components and process/technology to be used, if relevant to the project.

This ECC is issued in compliance to the requirements of Presidential Decree No. 1586, in accordance to Department Administrative Order No. 2003-30. The Bureau, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found to be inconsistent with the Revised Procedural Manual of DAO 2003-30 after issuance of this ECC.

Issued at (state DENR-EMB Office), (Address) this _____.

Approved by:

_____
Deciding Authority
Position

Recommending Approval:

_____
Endorsing Authority
Position

Annex A

I. CONDITIONS

A. ENVIRONMENTAL MANAGEMENT and MONITORING PLAN (EMMoP)

1. The proponent shall ensure that all commitments, appropriate mitigating/enhancement measures and monitoring requirements especially those contained in the EMMoP in the EIA Report, its modifications and additional information as approved by the EMB during the EIA Report review shall be instituted and strictly implemented throughout the project implementation.

2. Formulate and enter into a Memorandum of Agreement on Social Development Plan (FOR MINING PROJECTS: "Social Development and Management Program or SDMP)"

3. Undertake a continuing Information, Education and Communication (IEC) Program to explain to all stakeholders the final approved EMMoP and the conditions of this ECC as well as an update of project status including any significant changes on the EMMoP, results of MMT activities and over-all performance against this ECC;

4. Submit an updated Project Environmental Risk Categorization prior to implementation or as soon as or after the final siting and design of facilities have been decided, whichever comes earlier; (Using Annex 2-7d of the Revised Procedural Manual of DAO 2003-30)

5. Submit an Abandonment Plan to the EMB at least _____ (specify period, e.g. one year) prior to the project's abandonment. The plan shall include rehabilitation measures/clean-up, remediation of areas affected by the project and proposed alternative projects in the area;

B. GENERAL CONDITIONS

1. The operations shall conform to the applicable provisions of R.A. 6969 (Toxic and Hazardous Waste Act of 1990), R.A. 8749 (Philippine Clean Air Act of 1999), R.A. 9003 (Ecological Solid Waste Management Act of 2000), and R.A. 9275 (Philippine Clean Water Act of 2004).

GENERAL STANDARD CONDITIONS FOR MINING PROJECTS

1. Comply with the environmental management and protection requirements of the pertinent provisions of the Philippine Mining Act of 1995 (R.A. 7942) and its implementing rules and regulations (DAO. No. 96-40, as amended), as well as the Memorandum of Agreement between the EMB and MGB executed on April 16, 1998. These include, among others:

    1.1. Submit an Environmental Protection and Enhancement Program (EPEP), with the Final Mine Rehabilitation and/or Decommissioning Plan (FMR/DP) integrated thereto thru the MGB for approval of CLRF Steering Committee;
    1.2. Set-up a Contingent Liability and Rehabilitation Fund (CLRF) and Environmental Trust Fund (ETF). The CLRF shall consist of the Mine Rehabilitation Fund (MRF), the Mine Waste and Tailings Fees (MWTF) and the Final Mine Rehabilitation and Decommissioning Fund (FMRDF); and,
    1.3. Establishment of an MRF Committee and its monitoring arm, Multi-partite Monitoring Team (MMT), following the guidelines on the Revised Procedural Manual of 2003-30.

2. Establish a Mine Environmental Protection and Enhancement Office (MEPEO) to competently handle the environment related aspects of the project in addition to the monitoring requirements as specified in the EMMoP. The MEPEO shall:

    2.1 Implement the Social Development and Management Program (SDMP). The reports shall be submitted to MGB Region ____ on an annual basis;
    2.2 Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the EIS;
    2.3 Submit all environmental reports to EMB Region ____ semi-annually; and,
    2.4 Ensure that monitoring and reporting are carried out as required.

GENERAL STANDARD CONDITIONS FOR ALL OTHER PROJECTS

1. A Memorandum of Agreement (MOA) on the formation of a Multi-partite Monitoring Team (MMT), and establishment of an Environmental Monitoring Fund (EMF) and an Environmental Guarantee Fund (EGF) shall be initiated by the Proponent in coordination with the concerned EMB Office and shall be submitted to the EMB for approval within sixty (60) days from receipt of this ECC.

2. An Environmental Unit (EU) or its equivalent shall be established to related aspects of the project. In addition to the monitoring requirements as specified in the Environmental Management Plan (EMP)/Environmental Monitoring Plan (EMoP), the EU shall:

   2.1 Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the EIS;
   2.2 Submit semi-annually an ECC Compliance Report to the ECC-endorsing or issuing office, wherein each second or year- end report shows the summary of cumulative performance of Proponent against previous years' requirements and commitments.

II. RESTRICTIONS

9. In case of transfer of ownership of this project, these same conditions and restrictions shall apply and the transferee shall be required to notify the EMB within fifteen (15) days as regards to the transfer of ownership.

Pursuant to Section 9.0 of P.D. 1586, non-compliance with any of the provisions of this ECC shall be sufficient cause for its cancellation or suspension and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (PhP 50,000.00) thereof.

O.R. No. : _____ Date : _____
Processing Fee : PhP _____

NOTE: Add as footer to all Annexes of the ECC:

ECC No.	:	
Project Name	:	
Proponent Name	:	

Annex B

PROJECT ASSESSMENT PLANNING TOOL

For the assistance of the Proponent, other DENR Divisions/Bureaus, other concerned government agencies and LGUs in the management of the project and for better coordination in mitigation on the impact of the project on its surrounding areas and to the environment.

By way of recommendation, the following have been taken notice of by the EIA Review Committee and are forwarding these recommendations to the parties and authorities concerned for proper appreciation and action, and integration into their decision-making process.

A. RECOMMENDATIONS TO CONCERNED GOVERNMENT AGENCIES/LGUS	**CONCERNED PERMITTING, DECIDING, MONITORING ENTITIES**
NOTE: REFER TO ANNEX 2-10 OF THE DAO 2003-30 REVISED PROCEDURAL MANUAL FOR LIST OF AGENCIES/LGUS AND CORRESPONDING GOVERNMENT REQUIREMENTS WHICH WILL BE ADVISED BY THE EIA FINDINGS.	
1.	
2.	
B. ENVIRONMENTAL PLANNING RECOMMENDATIONS FOR THE PROPONENT	
3.	
4.	
5.	

For dissemination and proper action of the parties concerned.

EIARC CHAIR

TYPE IN PRINTED NAME
EIAMD Chief

TYPE IN PRINTED NAME
EMB DIRECTOR

OR

TYPE IN PRINTED NAME
EMB REGIONAL
DIRECTOR

SWORN STATEMENT OF OWNER

I, **(Name of Proponent Head)**, proponent of this **(Project Name)** located in Barangays _____, Municipality of _____, Province of _____ takes full responsibility in complying with all conditions contained in this Environmental Compliance Commitment (Environmental Compliance Certificate or ECC).

_____
(NAME OF PROPONENT HEAD)
Signature
TIN NO. _____

Subscribed and sworn to before me this _____, the above-named affiant taking oath presenting Residence Certificate No. _____, issued on _____ at _____.

_____
Signature of Notarizing Officer

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

Guidelines on EIA Decision Making

A. General Procedural Guidelines

1) The ECC (together with the official *cover* letter) or the Denial Letter constitutes the decision document representing the final decision/s of DENR on the ECC application of the proponent.

2) The ECC shall contain the scope and limitations of the approved activities, as well as conditions to ensure compliance with the Environmental Management Plan. The ECC shall also specify the setting up of an EMF and EGF, if applicable. No ECC shall be released until the proponent has settled all liabilities, fines and other obligations with DENR. A Denial Letter on the other hand shall specify the bases for the decision.

3) The ECC or Denial Letter shall be issued directly to the project proponent or its duly authorized representative, and receipt of the letter shall be properly documented.

4) The responsible officer is expected to exercise due diligence and unbiased judgment in evaluating an ECC application – by determining whether the proponent have *reasonably* satisfied or complied with these decision criteria. He shall take into consideration the recommendations of the EIARC, technical committee and/or the case handler.

5) As a general rule, the deciding authority must cite strong and compelling reasons, bases and/or justifications whenever reversing or overturning the recommendations of the reviewing parties (e.g., EIARC, technical committee, case handlers). Among reasons or factors that may compel the deciding authority to revise, amend, reverse or amend the recommendations of reviewing parties are:

   a) Abuse of discretion or authority by the reviewing parties – in such cases, the deciding authority must initiate the appropriate administrative proceedings against the person/s involved.

   b) Serious errors in the findings of facts – among factors that will present serious errors in the findings of facts include the disproportionate costs of mitigating or enhancement measures as compared to project costs or revenues, inappropriate mitigation or enhancement measures to the predicted impacts of the projects, imposition of ECC conditions that are not reasonable or appropriate to project activities, and similar situations.

   c) The deciding authority, in making the final judgment, shall take into account the social and environmental cost implications of the project relative to the judicious

B. Reckoning Date of Project Implementation

6) The “start of implementation of the Project” is defined as, the time when the project begun its construction activities (i.e. site cleaning, excavation works). However, for Projects which do not require construction activities, its “start of implementation” is defined as, the time when the machines started its operation;

C. Issuance of Decision Documents

7) If no decision is made within the specified timeframe of review, the ECC/CNC application is deemed automatically approved and the approving authority shall issue the ECC or CNC within five (5) working days after the prescribed processing timeframe has lapsed. However, the EMB may deny issuance of ECC if the proponent fails to submit required additional information critical to deciding on the ECC/CNC application, despite written request from EMB and despite an adequate period for the proponent to comply with the said requirement;

8) In cases where ECC issuance cannot be decided due to the proponent's inability to submit required additional information within the prescribed period, the EMB shall return the application to the proponent. The project proponent may resubmit its application, including the required additional information, within one (1) year for Group I EIS-based projects and six (6) months for all other covered projects without having to pay processing and other fees. Otherwise, the matter shall be treated as a new application;

9) In cases where EMB and the project proponent have exhausted all reasonable efforts to generate the information needed for deciding on the ECC/CNC application, the responsible authority (Secretary or EMB Director / Regional Director) shall make a decision based on the available information so as to comply with the prescribed timeframe. The decision shall nonetheless reflect a thorough assessment of impacts taking into consideration (i) the significance of environmental impacts and risks; (ii) the carrying capacity of the environment; (iii) equity issues with respect to use of natural resources, (iv) and the proponent's commitment to institute effective environmental management measures.

10) The decision by DENR to approve or deny the ECC application is based on striking the correct balance between socio-economic development and environmental protection. On one hand, DENR shall use a variety of criteria to assess environmental factors, social acceptability and equity issues among others. On the other hand, the principle of the primacy of jurisdiction of other government agencies must be respected and supported.

    a) ***Environmental and Socio-economic Criteria***: On the assessment of the overall acceptability and desirability of the project, the evaluation requires the consideration of a broad spectrum of environmental factors, social acceptability and equity issues such as:

        i) **ecological/environmental soundness of the proposed project**: The primary consideration that a project is deemed to be ecologically or environmentally sound is that a project is designed in such manner so as to avoid or minimize negative environmental impacts to the extent practical or feasible. Moreover, ecological or environmental soundness of a project is determined by the mitigation of negative environmental impacts. The key decision query for this criterion is: "*Are the proposed mitigating measures of the project appropriate and adequate to reduce or minimize the projected negative environmental impacts to the extent feasible/practical?*"

        ii) **effective implementation of the public participation process**: It is important that the proponent and preparers utilized a meaningful process that involved the widest possible range of stakeholders. The EIA process is not expected to be a venue for the *final* resolution of conflicts – it should be noted that the primary responsibility for conflict resolutions lies with the LGU concerned. The important consideration is that the proponent has exerted reasonable effort in soliciting and harnessing the participation of stakeholders in the EIA process as well as undertaking the appropriate mode of social impact assessment. As such, the *process documentation* is one of the most suitable bases for assessing this criterion.

        iii) **promotion of social and intergenerational equity and poverty alleviation**: It is important that the project promote social and intergenerational equity and contributes to the poverty alleviation program of the government. Within the context of the Philippine EIS System, the project must be deemed as satisfactorily adhering to the principles of sustainable development.

        iv) **effective environmental monitoring and evaluation**: The effectiveness of the environmental monitoring and evaluation program of a proposed project is best determined by its appropriateness. The program is effective if it focuses on the most significant of the predicted environmental impacts. In addition, the estimated costs of monitoring and evaluation must be commensurate to the operating costs/expenses of the project – this is to ensure the "*reasonableness*" of the program.

        v) **proposed mitigation and enhancement measures**: The effectiveness of the proposed measures is based on its appropriateness to the activities of the project. In addition, the

proposed mitigation or enhancement measures must address the most significant of the predicted environmental impacts. It is not expected that the proponent shall resolve or address the entire problems (for example, a proponent whose project may cause additional traffic in the area is not expected to solve the problem). But rather, the proponent is expected to deal with (either by minimizing or avoiding) *incremental* negative impacts that may be caused by the proposed project.

b) ***Primacy of Jurisdiction:*** The principle of *primacy of jurisdiction* of other government agencies must be given due consideration, e.g. the DOH has primary jurisdiction over health issues, the LGUs on social acceptability, and so on. Concerns and issues under the jurisdiction or mandates of other government agencies must be addressed by the EIA study. However, the regulatory documentary requirements of such agencies addressing such issues shall be resolved outside of the EIA process. As a practical application, requiring clearances, permits or endorsements from other government agencies shall not be pre-requisites for ECC issuance.

i) In particular, *social acceptability* determination is recognized as falling within the jurisdiction of the local government units concerned. It should be noted that the issuance of ECC does not, in any way, compel the LGU to issue the requisite permits or licenses (e.g., building permit, business permit). Corollary to this principle, the issuance of ECC shall serve as a guide or basis for the decision-making of the LGU to approve the project or not.

ii) The Philippine EIS System further recognizes the primacy of the jurisdiction of other government agencies in their respective primary sphere of responsibilities. In this connection, while issues that are within the purview or mandates of other government agencies may be discussed and evaluated within the EIA process as part of the integrated approach in considering concerns of all stakeholders of the project, the issues shall be resolved **exclusively by the agencies concerned, outside the pre-ECC process**. For example, health issues must be dealt with using systems and procedures as may be prescribed by the Department of Health. Another case in point, historical or cultural issues shall be within the exclusive ambit of the National Historical Institute, National Commission on Culture and the Arts, and/or other relevant government agencies.

iii) Using the same principle of jurisdiction primacy, the coverage under the Philippine EIS System shall be based on expert judgment of the government agency concerned. For example, determination of areas that are prone to volcanic activities or vulnerable to earthquake shall be the exclusive domain of PHILVOLCS. Likewise, determination of areas frequently visited or hard-hit by typhoons is within the jurisdiction of PAGASA. DENR can only certify areas which are within its mandate, i.e. declared protected areas under the NIPAS Act.

D. Technical Procedures on Matters covered by the *Automatic Approval* Provision of DAO 2003-30

11) DAO 2003-30 provides that the absence of any action/s or decision/s by DENR-EMB on any pending request/s within the allotted processing time shall be deemed as *approved* or decided upon in favor of the requesting party. Under such circumstances, the following procedures shall guide the preparation and release of the requisite document/s:

b) In the absence of any action/s or decision/s by DENR-EMB on any pending request/s or application after the allotted processing time, a proponent shall file a letter-request for the preparation and release of the requisite document/s (e.g., ECC, amendment of ECC, use of *third party auditor*, reduction of fines, etc.). The letter-request must be filed within three (3) months after the last day of the allotted processing time.

b) Upon receipt of the letter-request, DENR-EMB shall determine the validity of the claim of no action/s or no decision/s.

i) In case a decision or action has been made by DENR-EMB, documentary proof of such action/s or decision/s shall be furnished to the proponent/applicant.

ii) The failure by proponent/applicant to receive such communication or document shall render the claim invalid provided that evidence/s exists that such documents were sent to the proponent/applicant. A copy of the communication received by representative/s of the proponent/applicant or proof of delivery via registered mail shall constitute sufficient proof that a decision/s or action/s has been made

iii) The failure by DENR-EMB to duly transmit the document containing its decision/s or action/s to the proponent/applicant or representative shall not render the claim invalid.

c) If the claim of no action/s or no decision/s is found to be valid, the DENR-EMB office or officer concerned shall prepare, issue and release the required document/s (e.g., ECC, amended ECC, reduction of fine, etc.) not later than five (5) working days after the receipt of the letter-request.

d) In case the DENR-EMB office concerned failed to act within five (5) working days, the receiving clerk/personnel, head of the division concerned and the head of the DENR-EMB office concerned (e.g., Director) shall be administratively liable in accordance with civil service rules and regulations.

SAMPLE LETTER OF TRANSMITTAL OF ECC/CNC RECOMMENDATIONS TO LGUs AND GOVERNMENT AGENCIES

Date: _____

The _____ (e.g. Name of LGU/GA Head)
_____ (Position)
_____ (Name of LGU/GA)
_____ (Address)

Subject: Transmittal of ECC/CNC (Reference Code _____) of
_____
(State Name of Project)

Dear Sir/Madam:

The DENR-EMB respectfully transmits to your office the ECC/CNC of the proposed **(state name of project)** to be located in Barangay/s _____, in the Municipality/City of _____.

With the issuance of this ECC/CNC, the proponent is referred to your office for subsequent acquisition of any permits or approvals you are legally mandated to issue to allow the project to proceed to implementation. **(Note: Next two statements apply to ECC only)**: We ask you to consider in your decision making the ECC recommendations in Annex B of this ECC. These provisions comprise the most critical EIA findings of the EIA Review Committee to ensure integration and proper management of major environmental and social concerns in all phases of the project cycle.

We look forward to your favorable and decisive action on the ECC/CNC recommendations. Should you need further guidance or clarification on the ECC/CNC, you may contact the EMB Office designated to monitor the project at telephone numbers _____ thru its EMB staff _____.

Very truly yours,

NAME OF DENR or EMB DECIDING AND SIGNING AUTHORITY
Position

cc: - NAME OF EMB MONITORING OFFICE
- NAME OF PROPONENT

ANNEX 2-31
STANDARD FORMAT AND CONTENT OF CERTIFICATE OF NON-COVERAGE (CNC)

CNC No. _____

_____
(state date)

_____ *Input Name of Proponent's Addressee*
_____
_____
_____

SUBJECT: CNC Application for _____
(State name of Project)

Dear Sir or Madam:

This refers to your _____to be implemented in
(state name of project)
_____.
(state project location/address)

After evaluation of the document submitted on the aforesaid project, this Office has determined that your project which has a threshold limit of _____ *(state nature of project and corresponding threshold limit in Annex 2-1 of the DAO 03-30 Revised Procedural Manual which gave basis for non-covered category of the project)* is outside the purview of the Environmental Impact Statement (EIS) system. As such, an ECC under P.D. 1586 is not required for your project.

(Include subsequent statement only if review shows project is covered by EQD/PCD permitting requirements. Implied that EIAMD has to secure EQD/PCD's evaluation prior to release of this CNC)
However, our review has shown your project is covered by (RA 6969, RA8749, RA9003, RA 9275 – pls. state which is applicable), thus, you are directed to secure the permitting requirements from our Environmental Quality Division (EQD) prior to project construction.

You are further advised that since this CNC does not exempt you from other environmental laws and applicable rules and regulations, it is incumbent upon you to secure all the necessary permits/approvals within the mandate and jurisdiction of the LGUs and pertinent government agencies prior to your project implementation. Please be reminded that this Certificate of Non-Coverage (CNC) does not preclude EMB from verifying any expansion and/or modification of your operations which may potentially bring the level of your project within the coverage of the EIS System.

Very truly yours,

_____
(state name of EMB Director in capitals and bold font)
Director, _____
(state if EMB CO or EMB RO- __)

Cc: _____
(state name of region, as applicable for CNCs issued by EMB CO)

O.R. No. : _____
Amount : _____
Date : _____

_____
PROPONENT'S NAME

MONITORING PERIOD COVERED: _____

I. BASIC PROJECT INFORMATION AND UPDATES

ECC Control No/REFERENCE Code No: _____
Project Title: _____
Project Type:_____
Location: _____
Project Coordinates: _____
Project Stage/Phase: *(i.e. construction; commissioning, etc.)* _____
Contact Person: _____
EMP Approval: ☐ During ECC Application Stage
☐ Updated after ECC Issuance; approved on _____
Changes in Project Design (if any): _____
_____
_____
_____
_____

II. EXECUTIVE SUMMARY

This section should include a summary of the major findings for the monitoring period. For example, a statement that there were no major activities that influenced the monitoring parameters during the monitoring period can be made if there were really no activities by the proponent that affected the monitored parameters.

Table II-1. Summary of Major Findings for the Monitoring Period

Condition / Requirement / Commitment	Compliance Status & Summary of Actions taken	Recommendation/Commitment for the next reporting
Compliance with ECC		
Compliance with EMP		
Implementation of appropriate & effective env'tal impact remedial actions in case of exceedances		
Complaints Management		
Realistic and sufficient budget for conducting the environmental monitoring and audit activities		
Accountability - qualified personnel are charged with the routine monitoring of the project activities in terms of education, training, knowledge and experience of the environmental team		
Others . . .		

III. RESULTS AND DISCUSSIONS

A. Compliance Monitoring

The status of compliance to the ECC conditionalities and the attainment of EMP commitments should be elaborated in this section. Reasons for noncompliance or unmet commitment should be explained and solutions and measures to attain full compliance of ECC terms and conditions as well as satisfactory attainment of EMP commitments should be discussed as renewed efforts for the next monitoring period. **Table 1** may be used to summarize the status of compliance.

Table 1. Summary Status of ECC & EMP Compliance

ECC/EMP Condition/Requirement Categorization		Relevant ECC Condition/s (if any)		Status of Compliance (✓ if complying)	REMARKS
		#/s	Requirement Description		
1)	Project coverage/limits/				
2)	Components				
3)	Other sectoral requirements mandated by other agencies to be complied with				
4)	EMP and updates as deemed required				
5)	Conduct of baseline, compliance and impact self-monitoring				
6)	Multi-sectoral Monitoring (as may be required)				
7)	Regular reporting				
8)	Institutional arrangements necessary for implementation of environmental management measures				
9)	Standard DENR requirement on transfer of ownership				
10)	Standard DENR requirement on abandonment				
11)	Impact Mitigation Plan or Construction/ Contractor's Environmental Program				
12)	Social Development Plan (SDP)				

13) IEC Plan					
14) Contingency/Emergency Response Plan or equivalent Risk Management Plan					
15) Abandonment Plan (when applicable)					
16) Environmental Monitoring Plan (EMoP)					
17) *(Others)*					

B. Impact Monitoring

This section shall contain relevant graphical presentation of quantitative and semi-quantitative impact monitoring results showing trends, comparing past monitoring results with the current. Relevant monitoring results in the other SMR modules shall be referred to. The latest monitoring findings and conclusion should be discussed in text form.

Qualitative impact monitoring results may be presented in text form or in terms of pictorial coverage, if applicable. Examples of qualitative impacts are those relating to quality of life, degree of happiness, and sense of environmental cleanliness.

i. Summary of Previous Monitoring
The key findings, recommendations, and action plan from the previous monitoring and outstanding issues from earlier monitoring periods (if applicable) should be highlighted in this section.

ii. Current Monitoring Results and Findings
The data collected and related expenses from the various sampling and measurement events done under the Environmental Monitoring Plan (EMoP) or a Sampling and Measurement Plan (SAMP) for the current monitoring period shall be summarized in a tabular form, preferably using the prescribed format in **Tables 2 and 3** below, and discussed under this section. Only processed and summarized data must be presented here.

The current monitoring results must be related to the historical trend for each parameter. Any deviation from this trend must be explained. More, importantly, the discussion must focus on point-by-point comparison of the gathered values with Environmental Quality Performance Levels (EQPLs), if EQPLs have been committed by the Proponent or established with the Multi-partite Monitoring Team. The monitoring results could also be used to determine the action and limit levels for the specific project. These should all be presented here in detail and summarized in the conclusions and recommendations section.

Compliances, non-compliances and exceedances must all be thoroughly explained. In cases of compliances, success factors must be cited. For non-compliances and exceedances, the proponent's response should be explained. Moreover, causative factors must be identified and additional solutions and mitigation measures proposed, if needed.

It should also cite the weather conditions and other factors which may affect the results of the sampling activities.

The status of compliance to recommendations from previous monitoring and measures included in the action plan should be described and any unmet commitment must be rationalized and alternative, if needed, presented.

Table 2. Summary Status of Environmental Impact Management and Monitoring Plan Implementation

Monitoring Objective	Envt'l Aspect	Envt'l Impact	Monitoring Parameter	Sampling & Measurement			Standard/ EIS Prediction	Envt'l Mgmt. Measure	Remarks (EQPL* commitment, if any)
				Stn/ Locn	Results				
					Previous	Current			

***EQPL-Environmental Quality Performance Level**

- Alert or Red Flag - early warning
- Action Level-point where management measures must be employed so as not to reach the regulated threshold or limit level, or to reduce deterioration of affected environmental component to pre-impact or optimum environmental quality
- Limit Level-regulated threshold of pollutant (standard that must not be exceeded); point where emergency response measures must be employed to reduce pollutants to lower than standard limit.
- **NOTE:** Section on EQPLs may be filled out as a Proponent's draft commitment or after these have been established and mutually agreed upon among Proponent, EMB and other MMT members. Otherwise, only the LIMIT Level shall be the reference for regulatory compliance. This means that environmental management measures are formulated at the "ACTION level" so as not to exceed this regulated threshold.

Table 3. Report on Status of Environmental Budget Allocations and Expenses

Expense Item*	Budget		Actual Expenses	
	Direct from Co.	Budget for MMT	Direct Co. Expense	MMT expenses
A. Implementation of Management Plans & Programs				
1) Environmental Impact Mitigation Plan	✓		✓	
2) Social Development Plan	✓		✓	
3) IEC Plan	✓		✓	
4) Enhancement Programs (if any)	✓		✓	
B. Implementation of Monitoring Plans				
1) Self-Monitoring	✓		✓	
2) Environmental Monitoring Fund (with MMT)	✓	✓	✓	✓
3) Environmental Guarantee Fund	✓	✓	✓	✓
TOTALS				
*For mining projects, equivalent cost items shall be adopted, e.g. SDMP in lieu of SDP.				

IV. CONCLUSIONS AND RECOMMENDATIONS

This section should present the conclusions and recommendations of the current SMR based on the results and discussion of the previous sections. It should also explain if the previous monitoring recommendations should continue (if implemented). On the other hand, if warranted, the recommendation may be the cessation of specific or all monitoring activities.

The conclusions and recommendations should preferably be in a bulleted format and as much as possible grouped according to coherent themes, such as the following headings.

A. Compliance Status

Only the key conclusions about the status of compliance to ECC and EMP are included in this section. The status of non-compliances should be particularly tracked throughout all SMRs even if compliance has been already attained. Recommended additional measures or amendments to the EMP should be presented here.

B. Environmental Quality Status (applicable only if EQPLs have been set by the Proponent as its commitment or if opted to be mutually agreed upon by Proponent with the EMB and other members of the MMT)

Only the key conclusions on meeting the set EQPLs are included in this section.

C. Environmental Management Plan Status

Only the key conclusions about the status of EMP implementation and recommended additional measures or amendments should be presented here.

D. ENVIRONMENTAL RISK CATEGORIZATION

The proponent should fill-up or update the project's environmental risk categorization questionnaire (presented in Annex 2-7d of the Revised Procedural Manual of DAO 2003-30) – applicable on the Second Semi-annual ECC Compliance Monitoring Report.

E. WORK PLAN FOR NEXT MONITORING PERIOD

The specific actions for the next monitoring period, including carry-overs from previous monitoring periods, should be detailed in this section.

V. ATTACHMENTS

Please have the following documents attached:

a) Laboratory Results of Analysis from DENR-EMB recognized laboratory;
b) Approved Impact Mitigation Plan in the EIS/other EIS Update Documents; and
c) Approved Environmental Monitoring Plan in the EIS/other EIS Update Documents

PREPARED BY:	**NOTED BY:**
_____	_____
Name/Position	**Name/Position**
_____	_____
Proponent/Company Name	**Proponent/Company Name**
_____	_____
Date	**Date**

ANNEX 3-2
PRO-FORMA MMT COMPLIANCE MONITORING AND VALIDATION REPORT (CMVR)

DATE OF COMPLIANCE MONITORING AND VALIDATION: _____

MONITORING AND VALIDATION PERIOD COVERED: e.g. 1st & 2nd quarter

I. BASIC INFORMATION

ECC Control No./Reference Code No.	:	
Date ECC Issued	:	
Project Current Name	:	
Project Name in the ECC	:	
Project Status		
Geographical Coordinates of the Project	:	X:
		Y:
Proponent Name	:	
Proponent Contact Person/Position	:	
Proponent Mailing Address	:	
Proponent Telephone No./Fax No.	:	
Proponent Email Address	:	
MMT Contact Person/Position	:	
MMT Mailing Address	:	
MMT Telephone No./Fax No.	:	
MMT Email Address	:	

II. EXECUTIVE SUMMARY

REQUIREMENT		EVIDENCE	REMARKS
Validity of the ECC	Check for expiry conditions in the ECC *(usually related to date of ECC issuance vs. date of project implementation and period of implementation stoppage)*	Date of ECC issuance, proof of project implementation schedule/stoppage	
Compliance with ECC	Project coverage/limits/ Components		
	Other sectoral requirements mandated by other agencies to be complied with		
	EMP and updates as deemed necessary	Presence of EMP	
	Conduct of compliance and impact self-monitoring	Records of compliance and impact monitoring	
	Multi-sectoral Monitoring (as may be required)	MOA signed by all parties, attendance sheets for meetings and other MMT activities, MMT Monitoring Reports	
	Regular reporting	Proof or receipt by EMB/DENR of written reports	
	Institutional arrangements necessary for implementation of environmental management measures		
	Standard DENR requirement on transfer of ownership	Appropriate legal document	
	Standard DENR requirement on abandonment		
Compliance with EMP	Construction/Contractor's Environmental Program	Relevant provisions in the contract and relevant proof of compliance	

REQUIREMENT		EVIDENCE	REMARKS
	Social Development Program (SDP)	SDP provision in the EMP or SDP prepared after ECC issuance (if required in the ECC) and relevant proof of compliance	
	Information, Education & Communication Program (IEC)	IEC provision in the EMP or IEC prepared after ECC issuance (if required in the ECC) and relevant proof of compliance	
	Contingency/Emergency Response Plan	Check for presence of specific provision in the EMP and relevant proof of compliance	
	Risk Management Program		
	Abandonment Plan (when applicable)		
	Environmental Monitoring Plan		
	Impact Mitigating Measures		
Appropriate & effective environmental impact remedial actions or mitigation measures	In case of non-compliance w/ any of the prescribed environmental performance criteria and exceedances over any applicable environmental standards	Procedures or protocols (preferably written) & relevant documentation of specific cases	
	In case of unacceptable deterioration or degradation of vulnerable environmental media or adverse health and welfare impacts to human receptors		
Complaints Management	the complaint receiving set-up	Procedures or protocols (preferably written) & relevant documentation of specific cases	
	case investigation		
	implementation of corrective measures		
	communication with the complainant/public		
	complaint documentation		
Realistic and sufficient budget for conducting the environmental monitoring and audit activities		Appropriate Financial Statement on the Project Operating Budget	
Accountability - qualified personnel are charged with the routine monitoring of the project activities in terms of education, training, knowledge and experience of the environmental team		Relevant Credentials of key environmental management personnel and appropriate organizational structure	

III. METHODOLOGY

A. Process Documentation for Review and Validation of Proponent's Monitoring Report

B. Process Documentation for Validation of Water Quality (if confirmatory sampling is conducted.)

C. Process Documentation for Validation of Air Quality (if confirmatory sampling is conducted.)

D. Process Documentation for Validation of Hazardous Waste Management (if confirmatory sampling is conducted.)

IV. COMPLIANCE MONITORING RESULTS AND DISCUSSIONS

A. Review & Validation of Proponent's Monitoring Reports

A.1 Compliance to ECC Conditions

Directions: The MMT shall check documentary compliance of the Proponent to the conditions stipulated in the ECC.

ECC CONDITIONS	COMPLIED?		PROOF OF COMPLIANCE
	Y	N	
1			
2			
3			
N			

A.2 Compliance to EMP Commitments

Directions: The MMT shall check compliance of the Proponent to the commitments made in the EMP.

PROJECT IMPACTS	MITIGATING MEASURES		EFFECTIVE?		RECOMMENDATION
	PLANNED	ACTUAL	Y	N	
1					
2					
3					
N					

A.3 Air Quality Impact Assessment

Directions: The MMT shall compare current sampling results as stated/reflected in the SMR from the previous quarter's results, DENR standards and the EQPL.

Sampling Location 1: _____ (Table must be used per sampling location)

PARAMETER	RESULT		DENR STANDARDS	EQPL*			REMARKS
	CURRENT	PREVIOUS		RED FLAG	ACTION	LIMIT	
1							
2							
3							
N							

Sampling Location 2: _____ (Table must be used per sampling location)

PARAMETER	RESULT		DENR STANDARDS	EQPL*			REMARKS
	CURRENT	PREVIOUS		RED FLAG	ACTION	LIMIT	
1							
2							
3							
N							

*EQPL-Environmental Quality Performance Level

- Alert or Red Flag - early warning
- Action Level-point where management measures must be employed so as not to reach the regulated threshold or limit level, or to reduce deterioration of affected environmental component to pre-impact or optimum environmental quality
- Limit Level-regulated threshold of pollutant (standard that must not be exceeded); point where emergency response measures must be employed to reduce pollutants to lower than standard limit.
- ***NOTE: Section on EQPLs may be filled out as a Proponent's draft commitment or after these have been established and mutually agreed upon among Proponent, EMB and other MMT members. Otherwise, only the LIMIT Level shall be the reference for regulatory compliance. This means that environmental management measures are formulated not to exceed this regulated threshold.***

Remarks:

A.4 Water Quality Impact Assessment

Directions: The MMT shall compare current sampling results as stated/reflected in the SMR from the previous quarter's results, DENR standards and the EQPL.

Sampling Location 1: _____ (Table must be used per sampling location)

PARAMETER	RESULT		DENR STANDARDS	EQPL*			REMARKS
	CURRENT	PREVIOUS		RED FLAG	ACTION	LIMIT	
1							
2							
3							
N							

Sampling Location 2: _____ (Table must be used per sampling location)

PARAMETER	RESULT		DENR STANDARDS	EQPL*			REMARKS
	CURRENT	PREVIOUS		RED FLAG	ACTION	LIMIT	
1							
2							
3							
N							

Remarks:

A.5 Compliance with good practices in HAZARDOUS WASTE Management

Directions: The MMT shall indicate its observations on how hazardous waste is handled, stored and disposed.

TYPE OF WASTE	HANDLING	STORAGE	DISPOSAL	ADEQUATE?		REMARKS
				Y	N	
1						
2						
3						
N						

Remarks:

A.6 Compliance with good practices in SOLID WASTE Management

Directions: The MMT shall indicate its observations on how solid waste is stored and disposed.

TYPE OF WASTE	HANDLING	STORAGE	DISPOSAL	ADEQUATE?		REMARKS
				Y	N	
1						
2						
3						
N						

Remarks:

A.7 Compliance with good practices in CHEMICAL SAFETY Management (for those companies using/producing chemicals listed in EMB's PCL and CCO list)

Chemicals in PCL and CCO List	ADEQUATE ?* *(put ✓ if adequate)*				REMARKS
	Risk Management	Training	Handling & Storage	Emergency Preparedness	

*refer to attached checklist

B. Confirmatory Sampling and Measurement

Directions: The MMT shall discuss the reason/cause for the conduct of confirmatory sampling and measurement.

C. Complaints Verification and Management

Directions: The MMT shall discuss how complaints were handled (process documentation as attachment), problems encountered, solutions and recommendations made.

D. Other Remarks

Prepared by:

_____
MMT Chairperson
(Printed Name, Signature, Date Signed)

_____
MMT Member
(Printed Name, Position, Signature, Date Signed)

_____
MMT Member
(Printed Name, Position, Signature, Date Signed)

_____
MMT Member
(Printed Name, Position, Signature, Date Signed)

_____
MMT Member
(Printed Name, Position, Signature, Date Signed)

_____
MMT Member
(Printed Name, Position, Signature, Date Signed))

_____
MMT Member
(Printed Name, Position, Signature, Date Signed)

Chemical Safety Management Checklist

Risk Management:

1). Regular evaluation of chemical handling risks which consider the hazards of the material and the likelihood of accidents/incidents and the potential for human and environmental exposure from release of the material
2). Implementation of chemical handling risk reduction measures
3). Investigation of the chemical accidents/incidents and implementation of preventive measures

Training

1) A program for providing guidelines and information for proper use, storage, transport and disposal of chemicals
2) Establishment of procedure and work practices for safe operating and maintenance activities

Handling and Storage

1) Documented procedures for inspection of leaks and visible defects of containers and facilities
2) Defined criteria for cleaning, decontamination of containers as well as other returnable/refillable bulk and semi-bulk containers, and for proper disposal of cleaning residues
3) A program for providing guidance and information to customers, distributors and other users on proper procedures for handling and storing chemicals and appreciation of Safety data sheets

Emergency Preparedness

1) A process for responding to accidents/incidents involving chemicals
2) Documented procedures for making information about the chemicals used available to response agencies – including training materials for emergency response
3) Provision of control processes and equipment during emergencies resulting from natural events, utility disruptions and other external conditions.

ANNEX 3-3

PRO-FORMA EMB COMPLIANCE EVALUATION REPORT (CER)

DATE OF EVALUATION : _____

MONITORING PERIOD COVERED : _____

I. BASIC INFORMATION

ECC Control No./Reference Code No.	:	
Date ECC Issued	:	
Project Current Name	:	
Project Name in the ECC	:	
Project Status		
Proponent Name	:	
Proponent Contact Person/Position	:	
Proponent Mailing Address	:	
Proponent Telephone No./Fax No.	:	
Proponent Email Address	:	
MMT Contact Person/Position	:	
MMT Mailing Address	:	
MMT Telephone No./Fax No.	:	
MMT Email Address	:	
EMB CASE HANDLER	:	

II. EXECUTIVE SUMMARY

REQUIREMENT		EVIDENCE	REMARKS
Validity of the ECC	Check for expiry conditions in the ECC *(usually related to date of ECC issuance vs. date of project implementation and period of implementation stoppage)*	Date of ECC issuance, proof of project implementation schedule/stoppage	
Compliance with ECC	Project coverage/limits/ Components		
	Other sectoral requirements mandated by other agencies to be complied with		
	EMP and updates as deemed necessary	Presence of EMP	
	Conduct of compliance and impact self-monitoring	Records of compliance and impact monitoring	
	Multi-sectoral Monitoring (as may be required)	MOA signed by all parties, attendance sheets for meetings and other MMT activities, MMT Monitoring Reports	
	Regular reporting	Proof or receipt by EMB/DENR of written reports	
	Institutional arrangements necessary for implementation of environmental management measures		
	Standard DENR requirement on transfer of ownership	Appropriate legal document	
	Standard DENR requirement on abandonment		
Compliance with EMP	Construction/Contractor's Environmental Program	Relevant provisions in the contract and relevant proof of compliance	

REQUIREMENT		EVIDENCE	REMARKS
	Social Development Program (SDP)	SDP provision in the EMP or SDP prepared after ECC issuance (if required in the ECC) and relevant proof of compliance	
	Contingency/Emergency Response Plan	Check for presence of specific provision in the EMP and relevant proof of compliance	
	Risk Management Program		
	Abandonment Plan (when applicable)		
	Environmental Monitoring Plan		
	Impact Mitigating Measures		
Appropriate & effective environmental impact remedial actions or mitigation measures	In case of non-compliance w/ any of the prescribed environmental performance criteria and exceedances over any applicable environmental standards	Procedures or protocols (preferably written) & relevant documentation of specific cases	
	In case of unacceptable deterioration or degradation of vulnerable environmental media or adverse health and welfare impacts to human receptors		
Complaints Management	the complaint receiving set-up	Procedures or protocols (preferably written) & relevant documentation of specific cases	
	case investigation		
	implementation of corrective measures		
	communication with the complainant/public		
	Complaint documentation		
Realistic and sufficient budget for conducting the environmental monitoring and audit activities		Appropriate Financial Statement on the Project Operating Budget	
Accountability - qualified personnel are charged with the routine monitoring of the project activities in terms of education, training, knowledge and experience of the environmental team		Relevant Credentials of key environmental management personnel and appropriate organizational structure	

III. METHODOLOGY

Note: If project has no MMT, EMB to present its process of validation for Items A to D.

A. Evaluation of the MMT's process of Review and Validation of Proponent's Monitoring Report

B. Evaluation of the MMT's process of Validation of Water Quality (if confirmatory sampling is conducted.)

C. Evaluation of the MMT's process of Validation of Air Quality (if confirmatory sampling is conducted.)

D. Evaluation of the MMT's process of Validation of Hazardous Waste Management (if confirmatory sampling is conducted.)

IV. COMPLIANCE MONITORING RESULTS AND DISCUSSIONS

Note: If project has no MMT, EMB shall handle filling up the CMVR from the perspective of the EMB as a regulatory entity. EMB shall focus its validation and evaluation on the Proponent's CMR/SMR. It shall attach the accomplished CMVR and the Proponent's CMR/SMR to this CER.

A. Evaluation of the Status of Environmental Impact Management and Monitoring Plan Implementation

Directions: Upon reviewing the MMT Report as well as the Proponent's CMR, the EMB Case Handler shall summarize the problem areas with respect to the environmental Impact Management and Monitoring Plan Implementation in the following matrix.

Monitoring Objective	Envt'l Aspect	Envt'l Impact	Monitoring Parameter	Exceedances		Envt'l Mgmt. Measure	Recommendations (i.e. for further investigation, etc., endorsement to PAB)
				Standards/EIS Predictions	Current Results		

B. Confirmatory Sampling and Measurement

Directions: Upon reviewing the MMT Report as well as the Proponent's CMR, the EMB Case Handler, evaluates recommendation on for confirmatory sampling

Parameters Recommended by MMT for Confirmatory Sampling and Measurement	Justification	Case Handler's Evaluation	Recommendation *(include units/agencies to be involved)*

Tentative Date of Confirmatory Sampling: _____

C. Comments on Complaints Verification and Management

D. Other Remarks

Prepared by:

_____ _____
Case Handler Date

Noted by:

_____ _____
Monitoring and Validation Section Chief EIA Division Chief

_____ _____
Date Date

MEMORANDUM OF AGREEMENT ON THE CREATION OF THE MULTI-PARTITE MONITORING TEAM, ENVIRONMENTAL MONITORING FUND AND THE ENVIRONMENTAL GUARANTEE FUND

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement is made and entered into this _____day of _____, at _____ by and among:

The **DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**, through the **ENVIRONMENTAL MANAGEMENT BUREAU** with principal office at EMB, Bldg., DENR Compound, Visayas Avenue, Diliman, Quezon City, represented by its Director, _____ hereinafter referred to as **EMB**;

-And-

The (state the O*fficial Name of the Proponent: Company/Corporation)*, with principal office at _____, represented by its (President), _____, hereinafter referred to as *[acronym of the company/corporation (proponent)]*;

WITNESSETH, That:

WHEREAS:

(i) *(state Proponent)* has been issued an Environmental Compliance Certificate (ECC) with ECC Reference Code No. _____ on *(date of issuance)* pursuant to Presidential Decree No. 1586 for its proposed *(state the Official Name of the Project and its exact location)*, hereinafter referred to as the PROJECT;

(ii) The ECC requires, as a condition, the formation of a Multi-partite Monitoring Team, hereinafter referred to as MMT, and shall be composed of representatives of the DENR, the *(state Proponent)*, the *[state Local Government Units (LGUs: Province, Municipality or City, Barangay)]*, *[state duly accredited Non-Governmental Organization (NGO)/People's Organization (PO) in the area]* and the affected communities/vulnerable groups;

(iii) The ECC requires, as a condition, the establishment of an Environmental Guarantee Fund, hereinafter referred to as EGF, as a fund source for the indemnification of damages caused by the PROJECT and immediate rehabilitation and/or restoration of affected ecosystems, and Environmental Monitoring Fund, hereinafter referred to as EMF, to cover the expenses of environmental monitoring and surveillance activities;

(iv) The Parties desire to clarify and thus define hereunder their respective commitments and responsibilities in connection with the formation of the MMT and the establishment of the EGF and EMF;

NOW, **THEREFORE**, for and in consideration of the foregoing premises and the mutual covenants set forth herein, the Parties hereto agree as follows:

ANNEX 3-4

PRO-FORMA MOA ON THE CREATION OF THE MULTI-PARTITE MONITORING TEAM (MMT), ENVIRONMENTAL MONITORING FUND (EMF) AND ENVIRONMENTAL GUARANTEE FUND (EGF)

TITLE I. THE MMT ORGANIZATION

SECTION A. COMPOSITION

The following shall be represented in the MMT:

1. Environmental Management Bureau *(include for projects issued PECC and those whose impact area covers more than 1 region)*
2. DENR Regional Office *(please state region)*
3. Proponent *(please state)*
4. LGU/s representing the affected communities based on the project/program impact assessment predictions *(please state)*
5. Accredited NGOs / POs representing the affected sectors based on the project/program impact assessment predictions *(please state)*
6. Concerned government agencies with mandates significantly affected by the project/program impact predictions *(please state)*

SECTION B. MMT STRUCTURE AND LEADERSHIP

The MMT shall be headed by _____ *(as a general rule, the DENR-EMB Regional Director shall serve as the MMT Chair. In some cases, the provisions of the MOA on the establishment of the MMT may specify procedures for the selection of the MMT Chair. The selection of non-DENR persons as chair of the MMT shall require prior concurrence of the DENR-EMB RD concerned).*

The following shall serve as the MMT Organizational Structure:

(The organizational structure should be well thought out and discussed, to avoid ambiguity with regards to the chain of command and other important aspects of MMT operations).

(An executive committee (Exec Com) may be formed if necessary – Creation of Exec Com is advisable if MMT membership is rather large, and MMT covers more than two geopolitical units. Otherwise, a simple structure with functional committees will suffice. In case of simple/straightforward-structured MMTs, officers responsible for orderly and effective operations of the MMT as a group may be elected to function as Exec Com. Roles and responsibilities as officers must be distinguished from roles and responsibilities as members of Committees that perform specific monitoring tasks).

The _____ shall head the MMT Secretariat with the following as members:

(State the Proponent Name)
(State the concerned LGU)
EMB-DENR Region ___

Sectoral Monitoring Teams (SMT) may be organized:

1. *by the environment sectoral impact concerns (air, water, etc) which are identified as critical monitoring concern or*
2. *by the geopolitical units identified as impact area (for projects w/ rather large impact area)*

Sectoral monitoring teams organized by the environment sectoral impact concerns shall be composed of MMT members representing sectors identified as affected by the sectoral impact or those conversant with the assessment of impacts on the particular environmental sector.
Sectoral monitoring teams organized by geopolitical units shall be composed of the following:

1. PENRO or CENRO (state area/jurisdiction) or EMB RO personnel assigned in the project area as the over-all head and Team/Unit Leader
2. LGU Representative (barangay, municipal level)
3. NGO Representative
4. (State Concerned Gov't agency (regional level)
5. (State the Position of the Proponent Representative)

SECTION C: MEMBERSHIP

The MMT shall be multi-sectoral and shall have representations from the stakeholders as identified in Section A above. The identified offices / sector shall officially designate/authorize through a written office order, endorsement letter or similar instruments, a representative to be a member of the MMT who must:

1. Be able to regularly attend meetings, orientations, training, actual monitoring and reporting activities.
2. Be able to read, write and learn the various aspects of monitoring.
3. Be credible to the larger community and without any criminal or administrative cases
   (an alternate member for each represented entity may be officially designated if deemed necessary)

The EMB shall confirm and update the official listing of MMT Members.

TITLE II. MMT FUNCTIONS, INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES

SECTION A. MAJOR FUNCTIONS OF THE MMT

Functions of MMT are as follows:

1. Monitor project compliance with the conditions stipulated in the ECC (**Annex A**) and the EMP (**Annex B**);
2. Validate proponent's conduct of self monitoring
3. Receive complaints, gather relevant information to facilitate determination of validity of complaints or concerns about the project and timely transmit to the proponent and EMB recommended measures to address the complaint
4. Prepare, integrate & disseminate simplified monitoring reports to community stakeholders
5. Make regular and timely submission of MMT Report based on the EMB-prescribed format

SECTION B. INSTITUTIONAL ARRANGEMENTS AND RESPONSIBILITIES

The EMB Central Office (*who may not be a represented as regular member of the MMT based on specifications stated in Section A of Title I)* shall be responsible for taking the lead in policy guidance, resolution of issues where consensus or decisions cannot be made at the regional level, the provision of needed support for the operationalization of the MMT and MMT Performance validation.

Other member offices/sector identified in Section A of Title I as needing representation in the MMT shall have the following roles, duties and responsibilities:

EMB Regional Office shall designate a representative who shall assure strict adherence with the policies and implementing rules and regulations governing the formation and operationalization of the MMT and shall initiate transmittal to the EMB Central Office for resolution, regional or project specific issues where consensus or decisions cannot be made at the regional level. (*In the case of the presence of field units or personnel in charge of areas/site hosting the project, the EMB RO may designate personnel to lead the SMT instead of the PENRO or CENRO)*

DENR-Provincial Environment and Natural Resources Officer (PENRO), the DENR-Community Environment and Natural Resources Officer (CENRO) or the EMB-RO Personnel in charge of the areas/site hosting the Project shall lead the *SMT organized by geopolitical units* in undertaking actual monitoring activities and act with dispatch on issues/problems that arise relative to the PROJECT being monitored. (*In case of the presence of EMB field unit or personnel in charge of area/site hosting the project, the EMB RO may designate its personnel to lead the SMT instead of the PENRO or CENRO)*

(state Proponent) shall provide necessary budget/funds for the MMT activities, make available to the MMT all project information necessary to determine compliance with the environmental requirements and commitments to the extent that such information is not subject to any restrictions and confidentiality, coordinate with and allow the MMT members to inspect and observe construction and operation activities of the PROJECT including the testing, calibration and operation of pollution control and in-house monitoring equipment.

(state Local Government Units) shall designate a representative who shall participate in actual monitoring work, prepare or concur with and sign the MMT monitoring reports, provide the necessary information about local policies, plans and programs affecting MMT monitoring results and standards, advise the MMT of any complaints, information or reports from LGUs concerning the PROJECT.

(state NGO/PO and other vulnerable groups) shall designate a representative who shall participate in actual monitoring work, prepare or concur with and sign the monitoring reports, provide the necessary information such as update regarding the perceptible impact of the project on the sector/concern being represented.

As may be required from time to time, MMT may request the assistance of *(state other relevant government agencies and other sectors)* to provide the necessary information about agency/sectoral policies, plans and programs affecting MMT monitoring results and standards and participate in the actual monitoring activity and concur with and sign the monitoring reports.

TITLE III. MMT OPERATIONS AND PROCEDURES

SECTION A. MMT MANUAL OF OPERATIONS

All MMT activities shall be guided by a Manual of Operations (MOO) to be prepared based on the EMB-prescribed generic manual of operations which shall be customized based on the project type/situation and the corresponding monitoring requirements and submitted to EMB for approval within sixty (60) days from the signing of this MOA. The MOO shall contain, at the minimum, the following:

MMT Code of Ethics

I. INTRODUCTION
II. PROJECT BACKGROUND
III. LEGAL BASIS
IV. VISION-MISSION
V. OBJECTIVES
VI. GENERAL FUNCTIONS
VII. MEMBERSHIP
  7.1 Selection Process and Criteria for Membership
  7.2 Suspension/Removal, Resignation and Replacement of Members
VIII. ORGANIZATION
  8.1 MMT Structure and leadership
  8.2 General Roles, Duties And Responsibilities Of MMT Members
  8.3 Specific Roles, Duties And Responsibilities Of MMT Members
IX. FUND ADMINISTRATION AND MANAGEMENT
  9.1 Amount of EMF
  9.2 Utilization of EMF / Preparation of a Work and Financial Plan
  9.3 Management of the Fund
  9.4 Disbursement and Auditing Procedures
X. ACTIVITIES AND CORRESPONDING GUIDELINES
  10.1 Meetings
    10.1.1 Regular Meetings
    10.1.2 Special Meetings
    10.1.3 Notice of Meetings
    10.1.4 Quorum
    10.1.5 Proxy Voting
  10.2 Compliance Monitoring, Site Validation and Reporting
    10.2.1 Document Review – ECC & EMP Commitments, EIA Predictions, Previous and Current Monitoring Reports
    10.2.2 Site Validation
    10.2.3 Confirmatory Sampling and Measurement Activities
    10.2.4 Complaint Verification and Management
    10.2.5 Reporting – Compliance Monitoring and Validation Report
  10.3 Records Keeping
  10.4 Public Disclosure and IEC
  10.5 Other MMT Operations Enhancement Activities
    10.5.1 Review of Proponent's Monitoring Protocols
    10.5.2 MMT Performance Validation
    10.5.3 Annual Planning Workshop
    10.5.4 Trainings

The MOO may be updated as the need arises to address operational problems and for continuous improvement of the MMT operations.

SECTION B. ESTABLISHMENT OF THE ENVIRONMENTAL MANAGEMENT FUND (EMF)

The EMF is a fund that the proponent shall commit to establish to support the activities of the MMT as described in the EMB-approved Annual Work and Financial Plan (AWFP).

(*state Proponent)* shall arrange the opening of an account in a reputable bank in the country for the EMF within ten (10) banking days after the effectivity of this Agreement, the amount of *[state the proposed amount: e.g. FOUR HUNDRED THOUSAND PESOS (PHP 400,000)]* to finance the initial organizational activities of the MMT for the PROJECT based on the attached Work and Financial Plan (**Annex C**). The Interest shall accrue to the same fund. Replenishment of this amount shall be done by the proponent regularly to correspond to the EMB-approved annual work and financial plan.

SECTION C. EMF ADMINISTRATION AND MANAGEMENT

The EMF shall be exclusively utilized to cover all costs attendant to the operation of the MMT and disbursed in accordance with the guidelines stipulated in the approved MOO. The EMF shall be managed and administered by *[duly elected/appointed fund manager-MMT member organization who has an acceptable and operational financial accounting system]* in accordance with the MMT MOO and annual work and financial plan.

A separate bank account of the EMF shall be established. The signatories shall be the designated MMT Chairman and Vice-chairman

The MMT Secretariat shall undertake the accounting of all expenses by the MMT which the Exec Com / Officers shall oversee.

An external auditor may be commissioned by the MMT, proponent or EMB to conduct audit on the expenditure/disbursement of EMF in accordance with applicable rules and guidelines *(the MMT has to discuss among the members if this will be done on a regular basis or at whose option will the audit be conducted and along with the audit procedures, shall be spelled out in the MOO)*

SECTION D. DOCUMENTATION, REPORTING AND RECORDS KEEPING

All MMT activities shall be documented and a report following the EMB-prescribed format shall be submitted semi-annually to EMB CO (in the case of MMTs for ECPs) and the EMB RO. The MMT shall document relevant data, technical references and compile monitoring reports and store them at *(MMT shall decide on the records repository to be specified here)*, under the custody of *(specify custodian: preferably member of the MMT)*.

TITLE IV. ENVIRONMENTAL GUARANTEE FUND (EGF)

SECTION A. OBJECTIVE

The EGF shall be established and used exclusively for the following purposes:

1. The immediate rehabilitation of areas affected by damages to the environment and the resulting deterioration of environmental quality as a direct consequence of project construction, operation and abandonment;

2. The just compensation of parties and communities affected by the negative impacts of the PROJECT;
3. The conduct of scientific or research studies related to the PROJECT that will aid in the prevention or rehabilitation of accidents and/or environmental damages; and
4. For contingency clean-up activities, environmental enhancement measures, damage prevention programs and social equity measures (e.g. livelihood, social development programs) including the necessary IEC and capability building activities related to the PROJECT.

SECTION B. ESTABLISHMENT OF EGF

There shall be two (2) components of the EGF as follows:

1.1 EGF Trust Fund

The *(state Proponent*) shall open an account for the Trust Fund in the amount of [*state proposed amount: e.g. FIVE MILLION PESOS (PhP 5,000,000.00)*] in the form of [*please state the specific economic guarantee instrument: bank guarantee/insurance policy/letter of credit*), the earnings/interests of which shall accrue to the same Fund. The Trust Fund will be used to compensate aggrieved parties for any damages to life or property, undertake community-based environmental programs, conduct environmental research aimed at strengthening measures to prevent environmental damage and to finance restoration and rehabilitation of environmental quality of the project-affected area.

The Trust Fund shall be replenished to its original amount annually or whenever the amount goes below Php___ (*state mutually agreed amount*). The Trust Fund shall also be renewed upon every expiration. The proponent shall immediately inform EMB Central and RO should it fail to renew the Trust Fund (e.g. insurance policy) on its stated expiration date or should the Trust Fund be cancelled or voided by the Insurer because of non-payment of the required premiums or any other cause allowed by the Insurance Code or pertinent issuances of the Insurance Commission.

1.2 EGF Cash Fund

The *(state Proponent)* shall open an account for the Environmental Guarantee Cash Fund at a reputable bank in the area in the amount of *[state the proposed amount: e.g. THREE MILLION FIVE HUNDRED THOUSAND PESOS (PhP 3,000,000.00)]* which shall be earmarked for immediate rehabilitation and compensation of affected communities in case of damage or accidents. It shall also be used to cover the operational costs of the EGF Committee. This Cash Fund shall be placed in an interest-bearing account and such interest shall accrue to the same Cash Fund. The Fund shall be replenished to its original amount annually or whenever the amount goes below 50% of the amount.

Provided, further that in the event of insufficiency of both the EGF Trust Fund and the EGF Cash Fund to answer for expenses, the Proponent shall shoulder the amount of any such insufficiency.

SECTION C. EGF ADMINISTRATION AND MANAGMENT

An EGF Committee shall be established for EGF Management and Administration. It shall be composed of the MMT Executive Committee or Officers with the EMB Director (Central or RO) as the Chairperson.

**[*Other government agencies/sectors/organizations may be invited as members or resource persons of the EGF Committee, as deemed necessary.]

The Chairperson of the EGF Committee shall not vote on any matters except to break a tie. Any determination or approval by the EGF Committee shall require a majority vote, provided there is a quorum. A quorum shall require the presence of more than half of the members including, at all times, the representatives from the DENR and the Proponent.

The Committee shall have the following functions:

- Manage, control and operate the EGF in accordance with approved procedures established regarding the mechanisms for fund disbursement, processing, validation, accounting and documentation;
- Resolve issues involving rehabilitation and compensation for damages that may be brought before it;
- Decide on issues or complaints/questions involving the implementation of the rehabilitation program between the proponent and the aggrieved party;
- Designate entities or individuals in the event that an independent body must resolve the issues and cases;
- Hire credible experts, when necessary, to conduct independent studies and research on the environmental and socio-cultural impacts of the PROJECT in order to assist the EGF Committee in making judicious decisions about environmental issues related to the PROJECT; and
- Undertake damage preventive and social equity measures.

Existing EMB guidelines on fund disbursement, processing, validation, accounting and documentation shall be implemented.

TITLE V. AMENDMENTS

Amendment - This Agreement may not be renewed, extended, amended or otherwise modified except by agreement in writing signed by both parties.

TITLE VI. EFFECTIVITY AND DURATION

Effectivity and Duration - This Agreement shall take effect immediately and shall be maintained by the Parties hereto (or their respective successors or assigns) until the transfer of ownership of the Project by the *(state Proponent)* or the abandonment or termination of the PROJECT for whatever reason. Upon such transfer, abandonment or termination of the PROJECT, all funds set up by the Proponent under this Agreement shall automatically revert to the *(state_Proponent)*, except to the extent necessary to satisfy any outstanding obligations of the *(state Proponent)* under this Agreement including the financing of the rehabilitation, restoration, decommissioning or other such activities as may be required for the abandonment phase relative to the PROJECT.

IN WITNESS WHEREOF, the parties hereto have signed and executed this Agreement as of the date and place first above written.

(OFFICIAL NAME OF THE PROPONENT)

By:

President

ENVIRONMENTAL MANAGEMENT BUREAU (EMB)

By:

Director

WITH OUR CONFORMITY

PROVINCIAL GOVERNMENT OF

By:

Governor

BARANGAY _____

By:

CITY/MUNICIPAL GOVERNMENT OF

By:

Mayor

(OFFICIAL NAME OF A DULY ACCREDITED NGO and RECOGNIZED PO OR GROUP/ASSOC. OF NGOs/POs)

By:

Designated Representative

WITNESSES

EMB REGION ____

By:

Regional Director, EMB Region___

DENR REGION ____

By:

Provincial Environmental and Natural Resources Officer (PENRO)

(PROPONENT)

By:

Authorized Representative

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES)
CITY OF_____) S.S.

BEFORE ME, a Notary Public for and in _____, on this_____ day of _____, at this _____, personally appeared the following:

Name and Designation	*TIN/CTC No.*	*Date & Place Issued/Expiry Date*
_____ , Director EMB CO	_____	_____
(Name of proponent, position)	_____	_____
(Name of LGU official, Governor)	_____	_____
(Name of LGU official, Mayor)	_____	_____
(Name of LGU official, Brgy. Chair)	_____	_____
(Name of NGO rep., position)	_____	_____

Known to me as the same persons who executed the foregoing Memorandum of Agreement and acknowledged the same as their free act and deed.

This Agreement, consisting of _____ (___) pages including this page on which this Acknowledgement is written, has been signed by the Parties and their instrumental witnesses on each and every page thereof.

WITNESS MY HAND AND SEAL on the date and at the place above written.

NOTARY PUBLIC

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

Until _____
PTR No. _____
Issued at _____
on _____

Annex C

WORK PLAN TEMPLATE (MMT START UP)

No.	Function/Activities	Performance Indicator	1st QTR	2nd QTR	3rd QTR	4th QTR
1.0	Organizational Meeting, election/designation of officers /Exec Com and *Sectoral* / Committee members	Officers elected and Committees formed	✓	✓	✓	✓
2.0	Training-Workshop on the Preparation of the MMT Manual of Operations (MOO)	MMT MOO		✓		
3.0	Training-Workshops on the preparation and use of the customized MMT Compliance Monitoring and Validation Report (CMVR)	Customized CMVR Format for MMT Trained MMT Members on preparation of CMVR		✓		
4.0	Preparation of Annual Work and Financial Plan (AWFP) – fully operational MMT	AWFP			✓	
5.0	Initial Compliance Monitoring and Reporting Activities	CMVR for submission to EMB				✓

FINANCIAL PLAN TEMPLATE (MMT START UP)

No.	Cost Item Per activity in the work plan	Unit Cost	Qty	Days/ No	1st QTR	2nd QTR	3rd QTR	4th QTR	TOTAL
1.0	**Organizational Meetings, election/designation of officers /Exec Com and *Sectoral* / Committee members**								
1.1	Meals/venue								
1.2	Transportation Cost/ Allowance								
1.3	Materials								
2.0	**Training-Workshop on the Preparation of the MMT Manual of Operations (MOO)**								
2.1	Meals/venue								
2.2	Transportation Cost/ Allowance								
2.3	Materials								
2.4	Honoraria for Resource Persons								
3.0	**Training-Workshops on the preparation and use of the customized MMT Compliance Monitoring and Validation Report (CMVR)**								
3.1	Meals/venue								

No.	Cost Item Per activity in the work plan	Unit Cost	Qty	Days/ No	1st QTR	2nd QTR	3rd QTR	4th QTR	TOTAL
3.2	Transportation Cost/ Allowance								
3.3	Materials								
3.4	Honoraria for Resource Persons								
4.0	**Preparation of the next year's Annual Work and Financial Plan (AWFP) – fully operational MMT**								
4.1	Meals/venue								
4.2	Transportation Cost/ Allowance								
4.3	Materials								
5.0	**Compliance Monitoring and Reporting Activities**								
5.1	Document Review Mtg. Meals/Venue								
5.2	Document Review Mtg. Transportation Cost/ Allowance								
5.3	Site Validation Per Diem								
5.4	Report Preparation Mtg. Meals/Venue								
5.5	Report Preparation Mtg. Transportation Cost/ Allowance								
	TOTAL								

The *Environmental Monitoring Fund (EMF)* is a fund that a Proponent shall commit to establish in support of the activities of the MMT for the compliance monitoring. The EMF will be established as agreed upon and specified in the MOA between DENR-EMB and the Proponent, with conformity of the MMT members. An EMF is required for all MMTs of EIS-based projects.

The initial determination of the EMF is included as part of the Environmental Management and Monitoring Plan and as established in the ECC for a particular project or undertaking. However, the actual amount to be allocated for the EMF shall be determined on the basis of the Annual Work and Financial Plan (AWFP) that would be agreed upon by the MMT, derived from the Proponent's Environmental Monitoring Plan (EMoP).

An appropriate basis for the determination of the EMF would be the cost of monitoring activities and environmental information programs as proposed by the Proponent in the Environmental Management Plan. The rates or amounts that will be used in the preparation of the Work and Financial Plan shall be in accordance with the rates agreed upon and within the limits set herein or as prescribed in pertinent government guidelines.

A. Management and Administration of EMF

The EMF, which is provided by the Proponent, shall be managed and administered by the duly organized MMT Officers/EC or an equivalent Fund Management Committee in accordance with the annual monitoring work and financial plan submitted by the MMT , duly reviewed and concurred with by the Proponent, and finally affirmed/approved by EMB.

The Proponent shall release the amount of funds necessary in order to make available the funding required by the approved Annual Work and Financial Plan at the start of each quarter.

In the case of individual EMF, the Proponent shall establish a separate bank account to cover the amount of EMF. The signatories shall be the EMB RD and the Proponent.

In the case of merged or integrated MMT, the individual EMF may likewise be integrated under the management of the MMT Officers/EC/Fund Management Committee. The authorized signatories shall be the DENR-EMB RD and another member designated by the Committee.

B. Guidelines for the Disbursement of EMF

The EMF shall be disbursed based on the following guidelines:

- EMF will be disbursed according to the approved Work and Financial Plan. Each disbursement must be supported by official receipt, properly approved and received disbursement voucher, or any other proof or document to support the expense incurred.
- The Fund Management Committee or MMT Officers/EC shall undertake accounting of all expenses by the MMT.
- Any unexpended balance of the EMF at the end of the year, shall be used to fund next year's Work and Financial Plan. In case of termination of the MMT operation, any unexpended balance shall be returned to the Proponent.
- An independent auditor may be hired charged to the EMF to undertake financial auditing. Financial reports are public documents and shall be provided by the MMT upon request.

- The Proponent may, at its sole discretion, conduct a separate audit on the expenditure/disbursement of EMF in accordance with applicable rules and guidelines.

C. Allowable Expenses under the EMF

The EMF shall be exclusively utilized to cover all costs attendant to the operation of the MMT. The operational activities are detailed in the MMT Manual of Operations (MOO) or equivalent documents. The EMF shall specifically be used to defray MMT expenses such as:

- cost of transportation, board and lodging
- MMT meetings rental of equipment – the Proponent may allow MMT members to use its equipment. If necessary, the EMF may include provisions for the rental of equipment. In cases where the EMF is sufficient to purchase equipment, such equipment may be acquired only when a clear and distinct system of accountability (e.g., possession, custody, storage, use, etc.) has been formulated.
- documentation (photos, video, etc.)
- sampling, shipment or transport of samples including laboratory analysis
- hiring outside experts or subcontracting of a monitoring work to a neutral party
- training of the MMT
- preparation of monitoring reports and distribution
- public information campaign/dissemination – to lessen unnecessary expenses, activities related to public information campaign/dissemination shall be undertaken using the existing or local offices/units of the PIA, KBP and similar agencies as well as the public information/affairs office of the local government units.

1. Cost of Transportation

Only two (2) types of transportation costs may be charged to the EMF: 1) the costs incurred during monitoring and 2) the costs incurred in attending the MMT meeting. For transportation costs incurred in the conduct of monitoring, the basis of disbursement shall be the actual costs incurred through cash advance or on reimbursement basis. For transportation costs incurred in attending MMT meetings, actual costs incurred may be reimbursed or a fixed transportation allowance (TA) may be granted to official members of the MMT. For remote project sites where public transportation, meals and lodging may be unavailable, the Proponent may provide transportation, meals and lodging in lieu of reimbursements or fixed allowance.

2. Board and Lodging

In order to defray costs for food and accommodation of MMT members or monitoring team, a reasonable allowance or per diem may be granted to cover such costs.

The per diem or allowance shall only be granted for the duration of the fieldwork including provision for reasonable travel time. Such allowance should not be in excess of twice (2x) the existing government rate for such travel or fieldwork. At no instance should such allowance be granted for travel of less than fifty (50) kilometers in distance as reckoned from the place of work to the site of meeting or fieldwork. Furthermore, for remote project sites where public transportation, meals and lodging maybe unavailable, the Proponent may provide transportation, meals and lodging in lieu of reimbursements or fixed allowance.

3. Monitoring Costs

The basis of disbursement of costs for monitoring expenses (such as actual sampling, shipment, or transport of samples, rental or use of equipment, documentation (photos, video, etc.), laboratory analysis, etc.) shall be the annual work plan.

4. Allowances

Payment of allowance shall be commensurate to services rendered by the MMT members for actual MMT activities. The decision to receive allowances by other government officials or personnel is left to their discretion and judgment, keeping in mind, the appropriate civil service rules and anti-graft laws. ***Department of Budget and Management (DBM) guidelines*** on the granting of allowances shall serve as the guide.

Membership in MMT or other such group is considered as public service. Such membership is not supposed to be used as an excuse for income augmentation. The participation of the private sector will concretize their concern for the environmental impacts of the project, and their subsequent commitment to safeguard their community. The involvement of the public sector is in line with their commitment to serve the public. However, considering government guidelines as reference, private individual members of the MMT shall receive reimbursement, upon showing of receipts or any legally-accepted document, to the extent that the member will not have any personal cash out for travel, board and lodging expenses and shall receive honoraria for services and time spent for actual participation in MMT activities.

5. Other Costs

Costs for hiring outside experts or subcontracting of monitoring work to a neutral party, training of the MMT, preparation of monitoring reports and distribution, public information campaign/dissemination, and other such activities relating to the operation of the MMT may be charged to the EMF provided allocation for such purposes was included in the annual work plan and is not explicitly prohibited.

In the case of merged or integrated MMT, the management fee, administration and other such costs may be charged to the EMF.

In areas declared by the Proponent or DENR as hazard/hardship sites, the MMT shall be covered by reasonable insurance for the duration of the short-term activity.

An Environmental Guarantee Fund (EGF) shall be established for all co-located or single projects that have been determined by EMB to pose a significant public risk or where the project requires rehabilitation or restoration. It should be noted that a separate guidelines govern the creation of a fund similar to EGF under the MGB for mining projects, and under the DOE for offshore oil and gas development projects which are located in national waters and with no land-based components. In the case of mining projects, the MGB shall be the agency that has primary jurisdiction over the issues/aspects covered by the EGF including but not limited to the responsibility of ensuring that proponent/s undertake rehabilitation of abandoned mining sites as well as the prompt payment of claims by affected stakeholders. In the case of completely offshore petroleum development projects in national waters, the Philippine Coast Guard takes jurisdiction over the approval of an Oil Spill Contingency Plan and the requirements for setting up the equivalent of an Oil Spill Contingency Response and Compensation Fund based on the project's Oil Spill Risk Assessment. For other projects (land-based, in coastal waters or in national waters but with land-based components), the standard integrated MOA on the MMT-EMF-EGF shall be entered into between the EMB and the Proponent, with conformity by the MMT members.

The EGF is a fund that proponents shall commit to establish when an ECC is issued for projects or undertakings determined by EMB to pose significant risk to answer for damage to life, property, and the environment caused by such risk, or requiring rehabilitation or restoration measures. It shall also be used to implement damage prevention measures, environmental education, scientific or research studies, IEC, training on environmental risk or environmental accident-related matters.

A. Presumption of Public Risk

A significant public risk may be presumed by the DENR-EMB if any of the following condition exists:

1) Presence of toxic chemicals and hazardous wastes as defined in Republic Act No. 6969 under the PCL or CCO system;
2) Extraction of natural resources that requires rehabilitation or restoration;
3) Presence of structures that could endanger life, property, and the environment in case of failure; or
4) Presence of processes that may pose a *significant* pollution risk as defined under pollution laws.

B. Purpose of the EGF

The EGF shall be established and used for the following risk-management related purposes:

1) the immediate rehabilitation of areas affected by damage to the environment and the resulting deterioration of environmental quality as a direct consequence of project construction, operation, and abandonment;
2) the just compensation of parties and communities affected by the negative impacts of the project;
3) the conduct of scientific or research studies that will aid in the prevention or rehabilitation of accidents and/or risk-related environmental damages; or
4) for contingency clean-up activities, environmental enhancement measures, damage prevention program including the necessary IEC and capability building activities to significantly minimize or buffer environmental risk- related impacts.

C. Determination of the Amount to be Set-up for the EGF

There is no explicit provision under DAO 2003-30 requiring valuation of potential impacts that may arise as a result of changes in the use of natural and environmental resources. In some large scale projects however (such as power projects), estimation of the value of environmental impacts is already included in the EIA costs and benefits. Impact valuation is particularly crucial in estimating the EGF to derive estimates on the potential damage that may occur, and the corresponding amount to be set aside through the EGF for such purpose.

Procedures for arriving at such estimates in a more rational and systematic manner will have to be based on experiences that shall have been generated on Philippine examples and other developing countries.

In the absence of such information, more recent experiences of projects of similar nature with provisions for EGF may be utilized. The amount to be allocated for the EGF shall be determined through negotiations between the proponent and the EMB (EMB-CO or EMB-RO). It should take into consideration the following factors in determining the appropriate amount for specific projects:

- the EIS committed programs
- the degree of environmental risk involved (based on number and extent of potential damage)
- valuation of resources that would most likely to be affected
- the proponent's ability to provide funds for the EGF

In case the available fund in the EGF is not sufficient to pay for compensable claims the proponent shall provide additional funds to cover the cost of rehabilitation, restoration or other activities for which the EGF was established. As such, the proponent shall replenish the EGF whenever the amount falls below 50% of the agreed level.

At the end of the project life, a sufficient amount should be left from the EGF to ensure that rehabilitation, restoration, decommissioning, or abandonment shall be adequately financed. Such amount may be increased during the project life span to insure that the balance shall be sufficient for the abandonment phase. In such case, the EGF Committee may require an adjustment of such amount to cover inflation and other factors. The required submission to the DENR-EMB of the project's Abandonment Plan shall have a corresponding fund commitment subject to the approval of the DENR or the lead government agency with direct approving authority on the Abandonment/Decommissioning Plan of the project, e.g. DOE for

In general, the EGF shall have two (2) major components as follows:

- Trust Fund

  The trust fund is a form of guarantee instrument, which will be used to compensate aggrieved parties for any damages to life or property, undertake community-based environmental programs, conduct environmental research aimed at strengthening measures to prevent environmental damage and to finance restoration and rehabilitation of environmental quality caused by the project. This could be in the form of insurance, letters of credit, trust fund, other financial instruments and other similar guarantee instruments. Unless extreme circumstances warrant, surety or performance bonds are not acceptable forms of EGF trust fund.

- Environmental Guarantee Cash Fund

  This component of the EGF shall be earmarked for immediate rehabilitation and compensation of affected communities in case of damage or accidents. It shall also be used to cover the administrative costs of managing the fund by the MMT-authorized fund manager. The part of the fund for emergency response may be placed in a government bank guarantee, withdrawable within a 24-hour or other short-term notice by the proponent or the MMT. The rest of the Cash Fund may be placed in an interest-bearing account. The interest shall accrue to the Cash Fund. The funds shall be replenished when it reaches a certain level agreed upon by the MMT, which should not be lower than 50%.

D. Procedure for the Establishment of EGF

Once it is determined by the EMB that an EGF is necessary, the following procedures for the negotiation and establishment of the EGF shall be followed:

1) The proponent shall prepare a Memorandum of Agreement (MOA) for the establishment of the EGF that shall be negotiated and agreed upon by the proponent and DENR in consultation with the LGUs (province, municipality, barangay) and NGO/PO representatives.

The MOA should contain agreements on the following:

- the specific amount of the fund to be set-up and in what form
- the mode of distribution, allocation, and disbursement of funds
- the terms of reference for fund operationalization with respect to the implementation of environmental programs
- terms and conditions for the payment of relevant parties

2) Establishment of the Fund Management Committee, hereinafter referred to as the EGF Committee. For MMTs with MMT EC, the MMT EC shall serve as the EGF Committee.

The Chairman of the EGF Committee shall not vote on any matters except to break a tie. Any determination or approval by the EGF Committee shall require a majority vote, provided there is a quorum. A quorum shall require the presence of more than half of the members including, at all times, the representative/s of DENR and the proponent. Elected officials shall serve in the Committee only during their terms of office. The lead government agency that has direct mandate over the project may be invited as a member of the Committee, as deemed necessary.

In case the project area and its corresponding impact area is significant, the manner of representation to the EGF committee members shall be determined on a case-to-case basis. It should be noted that sectoral representation in the EGF shall be based on the key issues and risks against which the EGF is being set up. Delays in the appointment or selection of representatives to the EGF committee shall not impair the basic objective of the EGF to provide timely and quick relief for environmental repair activities.

In cases when an MMT does not have an MMT EC, the MMT may select a Fund Manager following administrative and management guidelines spelled out in the MMT's Manual of Operations, or any equivalent guidelines the DENR-EMB has formulated in the interim that the MMT is yet formulating its MOO.

E. Functions of the EGF Committee

The Committee shall undertake the following functions:

1) manage, control, and operate the EGF in accordance with agreed internal procedures established regarding the mechanisms for fund disbursement, processing, validation, accounting and documentation.
2) resolve issues involving rehabilitation and compensation for damages that may be brought before it.
3) decide issues on complaints/questions involving the implementation of the rehabilitation program between the proponent and the aggrieved party.
4) designate entities or individuals in the event that an independent body must resolve the issues and cases.
5) hire credible experts to conduct independent studies and research on the environmental and socio-cultural impacts of the project in order to assist the EGF in making judicious decisions about environmental issues related to the project.
6) undertake damage control or preventive measures.

F. Fund Management

1) Claims/Withdrawals to the EGF

Claims to the EGF shall be classified into: emergency; compensatory; and/or operating costs:

Emergency Claim

A claim is considered for emergency purposes if it is intended to:

- prevent loss of life or serious damage to property and environment;
- immediate rehabilitation of affected areas;

- provide immediate correction of or prevention against the spread of accident or disaster or the effect thereof;
- evacuate and temporarily relocate affected residents.

The causes of the above should be due to the pollution and/or environmental degradation arising from the activity (ies) of or violation(s) environmental laws and regulations by the project. The failure of the proponent to comply with obligations set forth in the EIS and the ECC is another ground for such claim.

Compensatory Claim

A claim is considered compensatory if it is intended to pay for pecuniary loss or damage suffered by a party, person or entity as a consequence of the project.

The EGF Committee should come out with guidelines to be approved by its members on how to access the EGF for compensatory claims. The guidelines should specify the following:

- Procedures for filing a claim for compensatory damages?
- Required (valid) proofs or evidence to support claim for compensation
- Basis for computation of compensatory damages

Claim for Operating Costs

This is a claim whose purpose is to support the operations of the EGF Committee. The EMF guidelines on allowable expenses and other such provisions shall be adopted for such purposes.
Claim for operating costs shall likewise include expenses for preventive activities, environmental education, scientific or research studies, training, and other activities duly provided for in the MOA or as approved by the EGF Committee.

2) Withdrawals by the Proponent from the EGF

Withdrawal of the Proponent from the Environmental Guarantee Cash Fund

The cash fund may be drawn in the following instances:

- respond to an event of emergency in accordance with the guidelines to be approved by all members of the EGF Committee;
- claims for compensatory damages subject to written approval by the EGF Committee and concurrence of the proponent; or
- operating costs incurred or approved by the EGF Committee.

Withdrawal of the Proponent from the Trust/Guarantee Fund

The trust fund can only be drawn upon:

- approval in writing by the EGF Committee for emergency claims that can no longer be accommodated by the cash fund;
- in cases where the cash fund is insufficient to pay for duly approved/concurred compensatory claims by the EGF Committee;
- in cases where preventive or control measures have to be done by the proponent that were not identified in the EMP.

3) Processing of Claims

Written complaints or claims must be filed with the EMB-Regional Office with accompanying evidence within one (1) month after damages have occurred, after which no other complaints may be entertained.

Written complaints or claims must be filed with accompanying evidence. Complaints for compensation filed with the EMB-RO are subject to verification and certification by EMB-RO.

The claimant's request for compensation must include the following:

- evidence of livelihood source;
- evidence of ownership or stewardship and location of the property;
- nature/extent of the damages based on assessment by the claimant

In cases where such supporting documents or evidence/s are not applicable (e.g., claims for damages while fishing in municipal waters), other similar evidences or supporting document must be included. The proponent shall exercise due diligence and prudence in validating or assessing compensation for such claims. The EGF Committee shall affirm such validation taking into consideration issues on social equity, health, opportunity costs, and other such factors. If necessary, field evaluation or investigation may be conducted by the MMT, by the DENR or by the lead agency with direct mandate on the project.

Any claims approved by the EGF committee and certified by the EMB or EMB regional office are paid to the claimant within thirty (30) days after the receipt of notice by the proponent.

Interest charges are assessed, as agreed in the MOA, for late payment. In the absence of specific provisions in the MOA on interest charges, the most recent published T-bills rate (for 90 days) shall be used as a guide.

The EGF committee arbitrates any dispute between the claimant and the proponent. Their decision is final and executory. Interested parties (including proponents) may only resort to court on issues involving abuse of discretion or authority.