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EIA REVIEW MANUAL



**Environmental Impact Assessment
and Management Division (EIAMD)**



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MEMORANDUM CIRCULAR NO. 001
Series of 2007

TO : All EMB Regional Directors

All Division Chiefs and Section Heads
Environmental Impact Assessment and
Management Division

Members of the Environmental Impact Assessment
Review Committee (EIARC) and EIA Resource
Persons (Interagency)

FROM : The Officer In-charge
Office of the Director

SUBJECT : Environmental Impact Assessment (EIA)
Review Manual

DATE : MAR 6 9 2007

Per Section 8.1.2 of DAO 30 Series of 2003 which states that "The Manual of Procedures shall be updated as the need arises to continually shorten the review and approval/denial timeframes where feasible", this Office recognizes the need for the formulation of Manual of Review and Evaluation of EIA Reports for EIARC/EIA Resource Persons.

In this regards, to discuss the shortcomings such as vague provisions that cause future problems, define and delineate clearly responsibilities and scope of authority of the EIARC and Resource Persons in reviewing the technical aspects of the EIS as a study carried out simultaneously with the feasibility study as a planning tool, the attached EIA Review Manual is hereby adopted.

DR. ELY ANTHONY R. OUANO

EIA REVIEW MANUAL

Table of Contents

	Section Title	Page
	Introduction	1
1.0	What are the objectives of review to make the EIA process an effective environmental planning and management tool?	2
2.0	What are the considerations to focus the significant issues during the review process?	3
3.0	What is the relationship of EIA findings to the requirements of other agencies involved in the project?	6
4.0	What are the roles and responsibilities of the Case Handler, EIARC and the Resource Person?	7
5.0	What is the level of authority of the Case Handler, EIARC and the Resource Person?	10
6.0	What are the best practices the review team may consider in the review to effectively meet its objectives?	11
Figure 1. EIA and the Project Cycle		2
References		13
Manual Improvement Proposal		13
Appendix 1. Relationship of EIS Findings to the Requirements of Other Agencies Involved in the Project		14

LIST OF ABBREVIATIONS

AI	-	Additional Information
AO	-	Administrative Order
BFAR	-	Bureau of Fisheries and Aquatic Resources
CBA	-	Cost Benefit Analysis
CoWA	-	Certificate of Water Availability
CP	-	Certificate Precondition
ECC	-	Environmental Compliance Certificate
EGGAR	-	Engineering Geology and Geohazard Assessment Report
EIA	-	Environmental Impact Assessment
EIS	-	Environmental Impact Statement
EMB	-	Environmental Management Bureau
DA	-	Department of Agriculture
DAO	-	DENR Administrative Order
DAR	-	Department of Agrarian Reform
DENR	-	Department of Environment and Natural Resources
DOE	-	Department of Energy
DOH	-	Department of Health
DOLE	-	Department of Labor and Employment
DP	-	Development Permit
DPWH	-	Department of Public Works and Highways
EHIA	-	Environmental Health Impact Assessment
EIARC	-	Environmental Impact Assessment Review Committee
EPRMP	-	Environmental Performance Report and Management Program
EQD	-	Environmental Quality Division
FMB	-	Forestry Management Bureau
FPA	-	Fertilizer and Pesticides Authority
FPIC	-	Free and Prior Informed Consent
FS	-	Feasibility Study
HLURB	-	Housing and Land Use Regulatory Board
IEE	-	Initial Environmental Examination
IPDP	-	Indigenous People Development Program
LGU	-	Local Government Unit
LWUA	-	Local Water Utilities Administration
MGB	-	Mines and Geosciences Bureau
MMDA	-	Metro Manila Development Authority

MWSS	-	Metropolitan Waterworks and Sewerage System
NEDA	-	National Economic Development Authority
NEDA-ICC	-	Investment Coordinating Committee
NHA	-	National Housing Authority
NIA	-	National Irrigation Administration
NWRB	-	National Water Resources Board
OHSP	-	Occupational Health and Safety Program
PAMB	-	Protected Area Management Bureau
PAWB	-	Protected Areas and Wildlife Bureau
PMP	-	Pesticide Management Plant
PRA	-	Philippine Reclamation Authority
RA	-	Republic Act
RAP	-	Resettlement Action Plan
RP	-	Resource Person
TCP	-	Tree Cutting Permit
TMP	-	Traffic Management Plan

Manual of EIA Review

Introduction

The Manual of EIA Review supplements the guidelines provided in DAO 2003-30 Procedural Manual, with four main objectives: a) to heighten the effectiveness of the EIA review team in its intent to promote sustainable development of project environments; b) to facilitate the review process; c) to continually shorten the approval/denial timeframes; and d) to promote a community of best practice among EIA reviewers.

This Manual integrates the comments received during the Consultation Workshop on 15 February 2007 with EMB Case Handlers, some EIARC members, Resource Persons and representatives from EIA Preparer consultancy firms.

The Manual addresses in greater detail and clarity the following areas of concern in the EIA review process where problems have been encountered causing confusion and delays in the processing of ECC applications:

- a) *What are the objectives of review to make the EIA process an effective environmental planning and management tool?*
- b) *What are the considerations to focus the significant issues during the review process?*
- c) *What is the relationship of EIA findings to the requirements of other agencies involved in the project?*
- d) *What are the roles and responsibilities of the Case Handler, EIARC and Resource Person?*
- e) *What is the level of authority of the Case Handler, EIARC and Resource Person?*
- f) *What are the best practices the review team may consider in the review to effectively meet its objectives?*

The EIA reports covered by this Manual are the Environmental Impact Statements (EIS), Programmatic EIS, Environmental Performance Report and Management Program (EPRMP), Programmatic EPRMP, Initial Environmental Examination (IEE) and IEE Checklists.

The members of the review team referred to in this Manual are the following:

- a) EMB Case Handlers who undertake the internal review of the procedural and substantive merits of the EIA Report as provided under AO 42 and DAO 2003-30;
- b) EIA Review Committee (EIARC), commissioned by EMB to do the independent review of the EIA Report ; and
- c) Resource Persons, who may be invited by the EMB or the EIARC Committee to present technical information or clarify certain legal, policy or procedural issues related to the development proposal.

This Manual is intended to be used as early as the Scoping Stage after the EIARC has been formed by EMB.

1.0 What are the objectives of review to make the EIA process an effective environmental planning and management tool?

Proponents are directed under Executive Administrative Order No. 42 (issued November 2002 by President Macapagal Arroyo) "to conduct simultaneously the environmental impact study and the project planning or feasibility study". Consequently DAO 2003-30 defined the timing of the EIA study in relation to the project cycle as shown in **Figure 1**. Further, the EIA process is undertaken with the premise that pursuit of socio-economic development has equally important consideration for environmental protection (Section 1 of DAO 2003-30) at the earliest stages of project planning and throughout the project cycle.

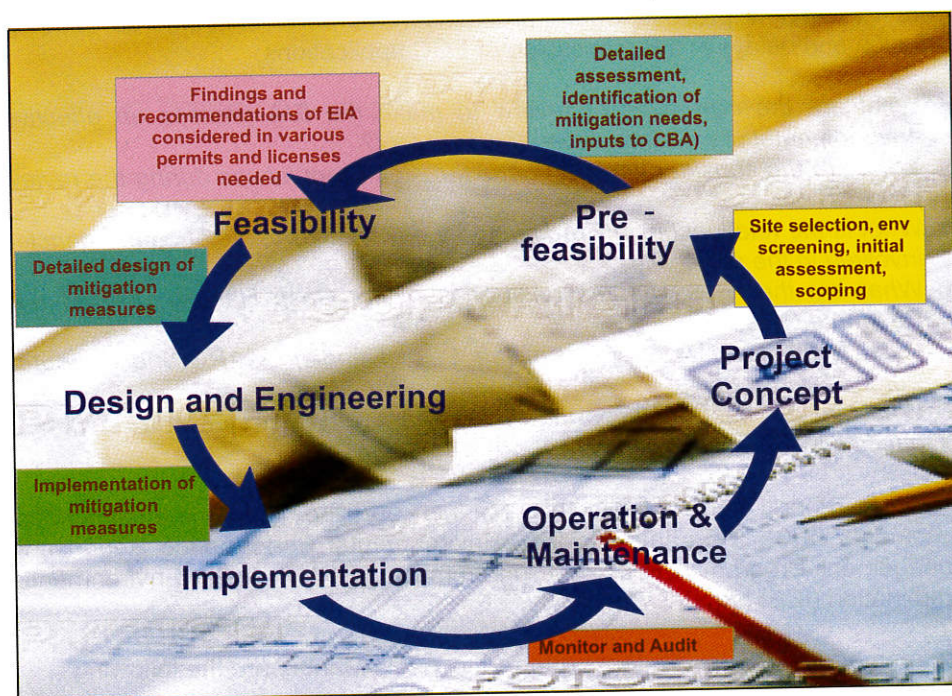


Figure 1. EIA and the Project Cycle (Source: DAO 2003-30 Procedural Manual, 2004)

Thus, the review of the EIA report aims to achieve the following key objectives:

- 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.

"A feasibility study is a preliminary study undertaken before the real work of a project starts to ascertain the likelihood of the project's success. It is an analysis of possible alternative solutions to a problem and a recommendation on the best alternative." – Wikipedia

- b) To advice 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.

"The review of the EIS 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 social acceptability is based on informed public participation." --Sec. 1.2 of the DAO 2003-30 Procedural Manual)

"Proponents are directed under AO 42 to conduct simultaneously the environmental impact study and the project planning or feasibility study. EMB may validate whether or not the EIS was integrated with project planning by requiring relevant documentary proofs, such as the terms of reference for the feasibility study and copies of the feasibility study report." – Section 7 of DAO 2003-30

2.0 What are the considerations to focus the significant issues during the review process?

"Environment" - surrounding air, water (both ground and surface), land, flora, fauna, humans and their interrelations" -- Section 1.3 of DAO 2003-30

- 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 is 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.*

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.*

- 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.
- c) The EIARC shall have preference over accumulated historical and recent environmental data over one-time short-term collection of data (say, 2 weeks to a month, dry and/or wet season). If there is available and relevant secondary data to a development proposal, the EIARC may not require additional primary sampling. Baseline data are usually obtainable from government, academe and other entities.
- 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. (Note for next steps: Need to draft specific scoping checklists for specific types of projects)

"EIA inputs in the feasibility studies shall include assessment of significant impacts, identification of mitigation needs, and cost/benefit analysis." -- Section 1.4C4 of DAO 3003-20 Procedural Manual.

- 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). Appendix 1 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.

3.0 What is the relationship of EIA findings to the requirements of other agencies involved in the project?

Government-issued documents such as permits, certificates, licenses, clearances, endorsements, resolutions, studies, MOA or other forms of approval under the mandate of other regulatory entities are required under current practices. This practice makes the EIA process ineffective considering the fact that those were issued without proper review of environmental and social concerns. The appropriate practice shall be for the findings of the EIA to be incorporated in the issuance of those documents. Hence, the EIA evaluation must be done prior to the issuance of such documents.

On the other hand, EIA preparer and/or project proponent anticipating negative findings in the EIA may pre-empt those findings by obtaining and including in their report the decision and permits from the relevant government agencies. The EIARC and EIA case handler should examine closely the intent and purpose of any permit and documentations normally obtained after the FS or will be affected by the EIA process.

Example #1: *A major proponent would like to construct a commercial center adjacent to a forest reserve. Anticipating that the EIA will recommend limiting any development in the area to agriculture and at most low density housing, the Project Proponent will include in its EIA submission permits and documentations from other government agencies classifying the area as commercial zone.*

Example #2: *If the EIA review finds a coral reef of ecological significance, it will recommend its exclusion from reclamation permit. If the reclamation permit has been issued before the EIA was evaluated, it will be difficult to amend the reclamation permit to exclude the ecologically sensitive area.*

Given these consequences, there is a need for the segregation of requirements of other government agencies from those within the EMB mandate. However, consistent with the intent of the EIS System as a planning and decision-making tool, the EIARC is encouraged to provide guidance to the Proponent and other government agencies in integrating critical EIA findings and recommendations in the project plans and other government requirements.

4.0 *What are the roles and responsibilities of the Case Handler, EIARC and Resource Person?*

The review team is composed of the EMB Case Handler, EIA Review Committee (EIARC) and/or Resource Person/s.

The team 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.

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 EIAD Chief
- iii) Coordinates with the 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 EIAD Chief

"The EIA Evaluation Section shall be in charge of screening projects for coverage under the EIS System, EIS Scoping, and evaluation of EIS's and IEE's submitted for ECC issuance...Further, continual improvement of the technical capability of the Staff of the EIA Division shall be undertaken" – Section 13.1 of DAO 2003-30

"... 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

"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." – Section 4.2 B.6. of DAO 2003-30 Procedural Manual

b) EIA Review Committee (EIARC)

"EIA Review Committee = 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." – Section 3 of DAO 2003-30

EIARC Chair

- i) Takes over-all lead in the EIARC's review ;
- ii) Presides EIARC meetings;
- iii) Reads through the entire EIA Report for wholistic 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 Person

- 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.

During a public hearing: "Resource persons may be invited to present technical information or shed light on certain issues" -- Section 5.4.B.3 of DAO 2003-30 Procedural Manual)

Areas where Resource Person may be needed are those where EMB and the EIARC may have to be guided by the expertise of individuals, e.g. professional design engineers or building officials, in relation to clarifications on concerns outside EMB jurisdiction, e.g. Building Code or Sanitation Code.

RP's may also be requested to shed more light on technology options and other aspects of the Project Description which may either be new or not so familiar such as processes in deep sea oil & gas production within Philippine waters.

RP's can also resolve concerns on nature of requirements where EMB has not set any standards on, e.g. toxicity of heavy metals to biota, effect of geothermal steam on plants.

The Resource Person need not be commissioned for the entire duration of the review but only as the need arises. There should be an attempt to identify the Resource Person before the Formal Scoping is held and after the Proponent has presented a Project Briefing to the EMB and the prospective EIARC members.

5.0 What is the level of authority of the Case Handler, EIARC and Resource Person?

a) The **Case Handler** is directly recommendatory to the EIA Evaluation Section Chief, or EIA 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.

b) 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, including the Chair, have equal voting power in resolving pending issues. The Chair has no veto powers.

The EIARC Chair or any member cannot directly interphase with the Proponent to discuss AI or other review concerns, unless in the presence or prior clearance of EMB.

c) 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 advise 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.

6.0 What are the best practices the review team may consider in the review to effectively meet its objectives?

- a) 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.*

- b) 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.
- c) 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.

- d) 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 expertise on.
- e) 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.
- f) 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.

REFERENCES

DENR Administrative Order No. 30, Series of 2003.
 DAO 2003-30 Procedural Manual. October 2004.
 Executive Administrative Order No. 42. November 2002.
 Internal EMB Memorandum on Streamlining the requirements in the application for an ECC. January 31, 2007.
 Sample Additional Information (AI) and Environmental Compliance Certificates (ECCs).
 Wikipedia on Definition of Feasibility Study.

MANUAL IMPROVEMENT PROPOSAL

INSTRUCTIONS: The Commenter on this form must complete Blocks 1 to 4. EMB must provide a reply within 30 days from receipt of the form.

NOTE: This form cannot be used to request copies of documents, nor to request waivers, nor to request amendments to issued ECCs nor 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:

3. COMMENTER

a. NAME

b. ORGANIZATION

c. ADDRESS

d. TELEPHONE

**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

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Appendix 1

Relationship of EIA Findings to Requirements of Other Agencies Involved in the Project

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	EKGAR (Engineering Geology and Geohazard Assessment Report)	Geologist, MGB	EKGAR approval	Require integration of FS-relevant geological parameters with the Geology Module ; No need for EKGAR 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 advise NM of the project for its guidance to the Proponent in cases of artifacts discovery.

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
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
	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.

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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 a 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

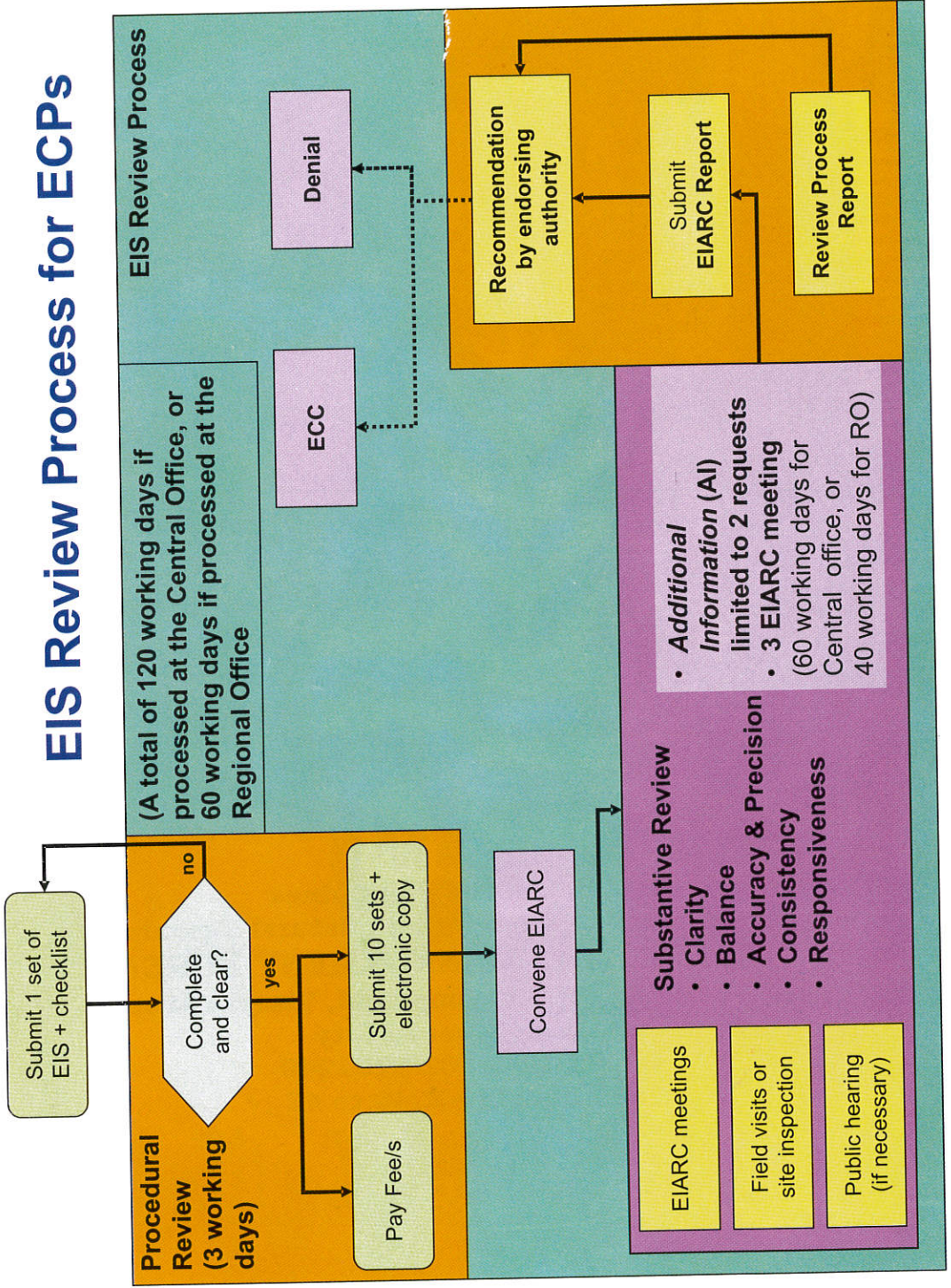
EIA Study Module	Current Areas of Overlap with EIS and Issues Relating to Other Mandates	Responsible Entity or Mandated agency on the Area of Overlap	Documents of Responsible Entity or Mandated Agency that will use EIA Findings and ECC	Sample Nature of Guidance/ Recommendations from EIARC or Review Team
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 Biology	Tree Cutting	Forester/Forest Mgt Bureau	Tree Cutting Permit (TCP)	FMB permit not necessary in the 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

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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 Politic 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

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	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
	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.

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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	<p>Workers' HIA component of the EHIA, while required to be submitted in the EIA by virtue of the DENR-DOH MOA, may not be reviewed by the EIARC or EMB during the EIA Review but endorsed to DOLE for the latter's consideration in its requirement of an Occupational Health and Safety Program from the Proponent.</p> <p>The Community's HIA component of the EHIA may be reviewed by a DOH member of the EIARC. The results of review will advise DOH of critical concerns on Public Health which is part of its regulatory function.</p>

EIS Review Process for ECPs





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