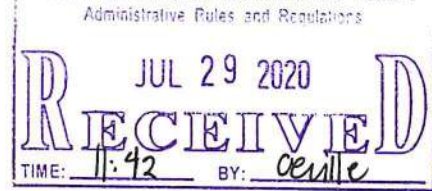




Republic of the Philippines
 Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU

DENR Compound, Visayas Avenue, Diliman, Quezon City 1116
 Telephone Nos.: (632)927-15-17, 928-37-25; Fax No.: (632)920-22-58
 Website: <http://www.emb.gov.ph> / Email: mail@emb.gov.ph

EMB CENTER
 OFFICE of the NATIONAL ADMINISTRATIVE REGISTRAR
 Administrative Rules and Regulations



EMB MEMORANDUM CIRCULAR
 No. 2020 - 30

SUBJECT: INTERIM GUIDELINES ON PUBLIC PARTICIPATION IN THE IMPLEMENTATION OF THE PHILIPPINE ENVIRONMENTAL IMPACT STATEMENT SYSTEM (PD 1586) DURING THE STATE OF NATIONAL PUBLIC HEALTH EMERGENCY

SECTION I. RATIONALE

This Memorandum Circular is pursuant to Republic Act No. 11469 or the Bayanihan to Heal as One Act and the IATF Resolution No. 11, item B2, "Mass gatherings, defined as a planned or spontaneous event where the number of people attending could strain the planning and response resources of the community hosting the event, shall be prohibited during said period". The new normal of physical distancing shall continue to be adopted as a precautionary measure for handling COVID -19 pandemic. Likewise, as provided in the Omnibus Guidelines on the Implementation of the Community Quarantine by the IATF, the new normal mode includes actions that will become second nature to the general public such as ban on large gatherings that will continue to remain in force.

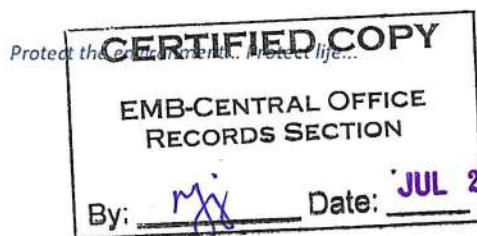
In order not to hamper the economic development of the country, the review and evaluation of all developmental projects within the purview of the Philippine EIS system shall continue to be implemented through the issuance of an Environmental Compliance Certificate (ECC). The Environmental Impact Assessment (EIA) process, including public participation, shall be undertaken with precautionary measures in adherence to DOH Administrative Order Nos. 2020-015 and 2020-016 which prescribe the minimum Public Health Standards for COVID – 19 Mitigation Risk of the Department of Health.

SECTION II. OBJECTIVE

The objective of this Memorandum Circular is to provide alternative modes of public participation specifically for public scoping, public consultation and public hearing in the EIA process without endangering the life, health and safety of the stakeholders concerned during COVID-19 pandemic.

SECTION III. COVERAGE

This guideline on public participation specifically for public scoping, public consultation and public hearing required under PD 1586 for application for an ECC is only



applicable during the State of National Public Health Emergency for the prevention of COVID-19 transmission in the locality.

SECTION IV. ALTERNATIVE MODES ON PUBLIC PARTICIPATION

In order to gather opinions/comments from the public, the following alternative modes of public participation shall be undertaken by the proponent with the projects' major concerned stakeholders.

1. Public Scoping (PS) Requirements

The proponent shall undertake consultations with the projects' major stakeholders concerned through any of the following:

1. Focus group discussions (FGDs) by sector following social distancing; and/or
2. Consultation through online channels such as video conferencing, webinar, etc.

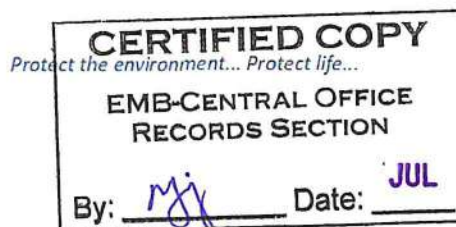
The proponent shall submit the list of major stakeholders/sectors to the EMB prior to the conduct of consultations. This will not preclude the EMB from requiring other stakeholders/ sectors that should be included in public scoping. The following stakeholders may be considered:

- a. Local Government Units (Provincial, Municipal/City and Barangay Level)
- b. Government Agencies with a mandate to the project (ie. DOE- Power Project, MGB - Mining, PRA – Reclamation, etc.)
- c. Local NGOs/POs with advocacy/missions related to the proposed project
- d. Business Associations (ie. PCCI, MCCI)
- e. Vulnerable groups such as youth (thru Sangguniang Kabataan), Elders (thru Senior Citizen Association), IPs, if projects are within the ancestral domain (thru Tribal Leaders), Womens' Group, etc.
- f. Local Institutions (i.e. head of schools, church, hospital/health care unit)

Issues and concerns from the projects' major stakeholders concerned shall be fully documented using the format/table below and the documentation (i.e. recording/s, attendance of stakeholders) shall be submitted to EMB (Central Office or Regional Office) as compliance with the public scoping requirements.

Issues and Concerns raised on the following Modules	Sector or Persons who raised the Issues/Concerns	Proponent Respond to Issues/Concerns
Project Description		
Land		
Air		
Water		
People		

Copy of the Project Description (PD) using template in Annex 2-6 of the Revised Procedural Manual of DENR Administrative Order No. 2003-30 shall be provided to all major stakeholders before the consultations.



2. Public Consultations/Public Hearings (PH) Requirements

There are two (2) options for the proponent to comply with the public consultation/public hearing requirements during Community Quarantine period. The proponent is required to conduct consultation for the projects' major stakeholders by selecting one of or a combination of these two (2) options:

Option 1

In lieu of public consultation/hearing as provided in DAO 2017-15, the proponent is allowed to conduct consultations with the projects' major stakeholders through video conferencing (sectoral) or through other similar digital technology.

The video conference shall be conducted for not less than two (2) hours, with sufficient time for an open forum and discussion wherein the proponent shall be required to present to the concerned stakeholders the findings of EIA including the impacts and mitigating measures as provided in its Environmental Impact Statement study or Environmental Performance Report and Management Plan document.

Other individuals/parties/stakeholders not identified by the proponent may still request consultation through videoconference. The request shall be filed with the EMB Office that has jurisdiction over the processing of ECC application, within seven (7) days from posting of the notice of consultation in the EMB website.

Option 2

The proponent shall undertake stakeholder consultation by sector in small groups following the minimum health standards recommended by the IATF and which shall be submitted to EMB office concerned.

The proponent shall collate all findings and address all issues and concerns as part of the EIA documentation. Full documentation of consultations shall be submitted to concerned EMB office, and which shall include, among others, the attendance of stakeholders and copy of the video conference recording.

SECTION V. GENERAL REQUIREMENTS PRIOR TO THE CONDUCT OF CONSULTATIONS

The proponent shall ensure that the stakeholders concerned are informed about the project through Information Education Campaign (e.g. distribution of brochures, local radio information dissemination etc.) before the scheduled consultations during scoping stage. Physical distancing shall be observed in the conduct of IEC at all times.

Notice of consultations shall be posted by the proponent in conspicuous public places where the project is proposed to be located, LGU Offices, public markets, barangay halls, schools and other public institutions being frequently visited by the public. The EIS or EPRMP



shall be made available in respective LGU offices (municipal and barangay level) where the project is located. The general public may join for the sectoral consultations to be conducted by informing the EMB, through email of the intention to join the consultations via videoconferencing.

The following documents shall be posted at the EMB website and official EMB Facebook:

EIA Documents	Timeframe for Posting and Receiving of Comments/Feedback from General Public
Project Description	Ten (10) days prior to consultation/s for the public scoping
EIS/EPRMP	Fifteen (15) days prior to consultation/s for the public consultation/public hearing

SECTION VII. EFFECTIVITY

This Memorandum Circular shall take effect immediately after its publication in a newspaper of general circulation and upon acknowledgment of receipt of a copy thereof by the Office of the National Administration Registrar (ONAR), UP Law Center.

Issued this 28th day of July 2020.

ENGR. WILLIAM P. CUÑADO
OIC - Director

Publication : **THE MANILA TIMES**

Wednesday, 29 July 2020

Acknowledgement : **U.P. LAW CENTER**

Wednesday, 29 July 2020

