

SEP 27 2010

MEMORANDUM CIRCULAR

No 2010 - 004

SUBJECT : **Guidelines for Use of Screening and Environmentally Critical Area (ECA) Map Systems**

Consistent with the Department's thrust towards increased efficiency and transparency, this implementing guidelines for DAO 2009-15 on Project Screening and determining Environmentally Critical Areas (ECAs) pursuant to Presidential Proclamation 2146 through the use of Geographical Information System (GIS) is hereby promulgated with the following objectives:

- To provide an automated system for screening projects for Environmental Compliance Certificate (ECC) requirement and corresponding establishment of database
- To provide a more precise tool for delineating Environmentally Critical Areas (ECAs)
- To provide a system of consolidating and updating ECA data
- Provide a scientific decision making tool in the form of GIS map for impact assessments

1. **Applicability**

The use of the Screening and ECA Map System is required for Non-ECPs that are within the threshold of coverage and those that are unclassified. It is optional for those which are clearly within the ECP type threshold of coverage and those applying for CNC that are clearly outside the threshold of coverage.

EIA Studies conducted for ECC applications shall include a discussion of impacts and management measures for encroachment of the project in identified ECAs.

2. **ECA Screening Guidelines**

2.1 Upon screening showing that the proposed project is non-ECP but within the threshold of coverage, a 1-page request form for ECA Screening shall be accomplished by the proponent and the corresponding database management fee equivalent to the Schedule of Fees provided in Annex 2 of DAO 2003-30 shall be settled with the EMB Cashier. Attached **Annex A** is a Users' Guide for the implementation of the Screening and ECA Map System

2.2 Two types of ECA Maps are provided:

- Actual ECA Maps reflect the actual geographic coordinates comprising the boundaries of an ECA, at varying scales and as provided by the appropriate authority.
- Indicative ECA Maps indicate the general location (barangay or city/municipality) of an ECA.



2.2.1 Projects found to fall within any one (1) of the ECAs plotted in the Actual Maps shall be immediately required an ECC.

2.2.2 The following proposed project locations shall be subject to further verification and assessment by the EMB Regional Office concerned:

- Along the boundaries of any of the ECAs plotted in the Actual Maps.
- Within any of the barangays or cities/municipalities indicated as having an ECA present (as plotted in the Indicative Maps).
- Affected by the stated limitations of the ECA Maps as detailed in the provided User's Guide.

Decisions made on the basis of the EMB RO's judgment shall be properly documented. The particular ECA plotted as indicative shall be upgraded to actual through the submission to the EMB Central Office of geographical coordinates taken from site verification conducted by the EMB RO not later than the end of the following month.

2.3 The following guidelines shall apply in the EMB ROs exercise of judgement in item 2.2.2:

2.3.1 Proposed project locations along boundaries of ECAs plotted in actual maps shall be declared within ECA in the presence of threats of serious or irreversible damage in consideration of the vulnerability of the type of ECA

2.3.2 Proposed project locations within the five (5) meters radius measured from the perimeter of the identified ECA shall be considered to be within ECA except for archeological sites;

2.3.3 The whole barangay from which archeological relics have been found shall be considered an ECA;

2.3.4 Proposed project locations affected by the stated limitations of the ECA Map as detailed in the Users' Guide shall be considered within an ECA based on documented local data proving that the location falls within the definition of the ECA;

2.4 The screening results shall be issued within 1 day for those which does not need site verification and within 6 days for those which need site verification.

### 3. Project Locations without Geographic Coordinates

3.1 Proponents of Non-ECPs that are within the threshold of coverage, with an initial project investment of less than PhP250,000 and who cannot provide the geographic coordinates of their proposed project location which are necessary for ECA Screening shall proceed to applying for an ECC by signing a waiver of rights to be exempted by virtue of the project location using the proforma attached as **Annex B**.

3.2 During the ECC application process, for projects described in item 3.1, the EMB RO shall obtain the geographic coordinates using a GPS during the site inspection and the location shall be subjected to ECA screening. If the proposed project location is not an ECA, a CNC shall be issued instead of ECC. The processing fee for the ECC application shall be non-refundable and shall be considered as the processing fee for the CNC.



#### **4. ECA Map System Updating and Maintenance**

- 4.1 The EMB Central Office shall immediately update the ECA Map to reflect any new data from the various official sources and establish linkages with concerned government agencies for continuous updating of the ECA Map.
- 4.2 The EMB Regional Offices shall provide the EMB Central Office with updates and additional GIS data of ECAs within their respective areas of jurisdiction for review and uploading in the Official ECA Map System.
- 4.3 The authority to issue ECA Certification given to the CENRO based on the DENR Manual of approval has been superseded by DAO 2009-15. The determination of whether the proposed project location is within ECA may be done through Screening and ECA Map System.

#### **5. Implication of additional identification of ECAs/Non-ECAs to CNCs/ECCs issued based on ECA Map prior to updating**

- 5.1 Projects that have been issued CNCs are not required to apply for an ECC after an ECA MAP update is issued identifying the project location as ECA. However the project proponent/ implementor shall be required to institute necessary measures for the protection of the recently identified ECA in the course of its project implementation.
- 5.2 The proponent may request for relief from ECC if a project that was issued an ECC is determined outside of the identified ECAs.

#### **6. Access to ECA Maps**

The Maps shall be made accessible to the public for reference and information. The EMB Regional Office shall regularly apprise the concerned LGU regarding the identified ECA in their areas of jurisdiction

All EMB Regional and Field Offices are hereby instructed to conduct Information, Education and Communication (IEC) campaign on this matter.

Further, all related previous instructions and other issuances, shall be reviewed and made consistent with this circular.

  
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