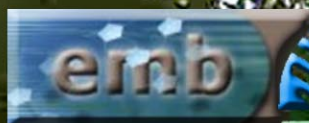


Strengthening the Environmental  
Performance Monitoring & Evaluation  
System of the Philippine Environmental  
Impact Statement System  
(SEPMES-PEISS)

## **Multi-Stakeholder Participation Handbook**





EMB-DENR



The World Bank

**STRENGTHENING THE  
ENVIRONMENTAL PERFORMANCE  
MONITORING & EVALUATION SYSTEM  
OF THE PHILIPPINE ENVIRONMENTAL  
IMPACT STATEMENT SYSTEM  
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**Multi-Stakeholder Participation  
Handbook**

**Institutional Development Facility (IDF) Grant No. TF050534**  
January 2005

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## Foreword

*Multi-stakeholder participation has long been an important feature of the Philippine EIS System. The usual post Environmental Compliance Certificate (ECC) requirement of establishing a Multi-partite Monitoring Team (MMT) since 1992 is a classic example of such mechanism. However, the effectiveness of the scheme in contributing to the overall EIS System goal of minimizing negative environmental impacts or keeping it to a manageable level remains to be discerned either because of the lack of assessment or the effect of such are not highlighted. Separate reports on the assessment of the implementation of the MMT requirement under the Philippine EIS System and the overall assessment of the existing EIS Monitoring and Evaluation (M&E) System are among the outputs of the SEPMES-PEIS Project. As a result of such assessments, piloting, and consultations, an enhanced EIA M & E Model which strengthens MMT participation is proposed.*

*This Multi-stakeholder Participation Handbook is intended to guide MMTs in the accomplishment of their tasks under the proposed Enhanced Monitoring and Audit System.*

JULIAN D. AMADOR

*EMB Director and  
SEPMES-PEISS Project Director*





## Acknowledgment

*The preparation of this handbook is the result of the collaborative efforts of several individuals to whom we would like to extend our gratitude.*

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*This is also to acknowledge the active participation of the pilot Multi-Stakeholder Monitoring Teams (MMTs): the Makban Geothermal Power Plant MMT, especially For. Luis L. Awitan of Batangas PG-ENRO and For. Edmund A. Guillen, Provincial Government Environment and Natural Resources Officer of Laguna and the Mirant Pagbilao Coal-fired Power Plant MMT, especially Quezon Provincial Administrator Evelyn S. Abeja and Ms. Ma. Elisa O. Robles.*

*It is also with deepest sincerity that we extend our heartfelt appreciation to Dr. Maya G. Villaluz of the World Bank for her invaluable support in the completion of this handbook.*

*And last but not the least, to the stakeholders of the Philippine EIIS and M and A to whom this undertaking is primarily dedicated.*

**JULIAN D. AMADOR**

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The publication of this handbook evolved from a series of pilot-testing activities on the environmental monitoring and audit scheme. The following have actively shared in carrying out this project:

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# List of Acronyms

<b>ADB</b>	Asian Development Bank
<b>AO</b>	Administrative Order
<b>AWFP</b>	Annual Work and Financial Plan
<b>BIR</b>	Bureau of Internal Revenue
<b>CDO</b>	Cease and Desist Order
<b>CENRO</b>	Community Environmental and Natural Resources Officer
<b>CMVR</b>	Compliance Monitoring and Verification Report
<b>CO</b>	Central Office
<b>COA</b>	Commission on Audit
<b>CoC</b>	Chain of Custody
<b>DAO</b>	Department Administrative Order
<b>DBM</b>	Department of Budget and Management
<b>DENR</b>	Department of Environment and Natural Resources
<b>DOH</b>	Department of Health
<b>ECC</b>	Environmental Compliance Certificate
<b>ECP</b>	Environmentally Critical Project
<b>EGF</b>	Environmental Guarantee Fund
<b>EIA</b>	Environmental Impact Assessment
<b>EIAD</b>	Environmental Impact Assessment Division
<b>EIS</b>	Environmental Impact Statement
<b>EM&amp;A or EMA</b>	Environmental Monitoring and Audit
<b>EMAF</b>	Environmental Monitoring and Audit Fund
<b>EMAP</b>	Environmental Monitoring and Audit Plan
<b>EMAP/M</b>	Environmental Monitoring and Audit Plan/Manual
<b>EMB</b>	Environmental Management Bureau
<b>EMB-RO</b>	Environmental Management Bureau Regional Office
<b>EMF</b>	Environmental Monitoring Fund
<b>EMP</b>	Environmental Management Plan
<b>ENRO</b>	Environmental and Natural Resources Office(r)
<b>EQPL</b>	Environmental Quality Performance Limits
<b>ExeCom</b>	Executive Committee
<b>FGD</b>	Focus Group Discussion
<b>GA</b>	Government Agency
<b>GO</b>	Government Office
<b>GOCC</b>	Government Owned and Controlled Corporation
<b>IEC</b>	Information, Education, and Communication
<b>IRG</b>	Implementing Rules and Guidelines
<b>KII</b>	Key Informant Interview
<b>LGU</b>	Local Government Unit
<b>LLDA</b>	Laguna Lake Development Authority
<b>M&amp;A</b>	Monitoring and Audit
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MACOM</b>	Monitoring and Audit Committee
<b>MGB-DENR</b>	Mines Geosciences Bureau - Department of Environment and Natural Resources



<b>MMDA</b>	Metro Manila Development Authority
<b>MMT</b>	Multi-Stakeholder Monitoring Team
<b>MOA</b>	Memorandum of Agreement
<b>MOO</b>	Manual of Operations
<b>NGO</b>	Non-Government Organization
<b>PAB</b>	Pollution Adjudication Board
<b>PD</b>	Presidential Decree
<b>PEIS or PEISS</b>	Philippine Environmental Impact Statement System
<b>PEMAPS</b>	Project Environmental Monitoring and Audit Prioritization Scheme
<b>PENRO</b>	Provincial Environment and Natural Resources Office(r)
<b>PG-ENRO</b>	Provincial Government-Environment and Natural Resources Office(r)
<b>pH</b>	Measure of acidity or basicity of a liquid
<b>PM&amp;E</b>	Participatory Monitoring and Evaluation
<b>PO</b>	People's Organization
<b>PP</b>	Project Proponent
<b>PRO</b>	Public Relations Officer
<b>Prodoc</b>	Process documentaion
<b>QA/QC</b>	Quality assurance/Quality control
<b>RA</b>	Republic Act
<b>RevCom</b>	Review Committee
<b>RO</b>	Regional Office
<b>SAMP</b>	Sampling and Measurement Plan
<b>SDP</b>	Social Development Program
<b>SEC</b>	Securities and Exchange Commission
<b>SMR</b>	Self-Monitoring Report
<b>SRU</b>	Sectoral Regulatory Unit
<b>TA</b>	Transportation Allowance

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# 1 Introduction

Compliance monitoring is an integral component of the environmental impact assessment (EIA) process. It follows the major tenets of participatory monitoring and evaluation (PM&E)<sup>1</sup> where relevant stakeholders and interest groups collaborate in gathering, processing, and evaluating information. PM&E is used for many purposes.

- 1 It is a way of becoming more accountable, by giving intended beneficiaries the chance to speak out about localized impacts.
- 1 At the community level, PM&E is used to help motivate people to sustain local initiatives and manage conflicts.
- 1 Banks and other large commercial enterprises employ similar approaches to assess their ethical and environmental performance, for instance, through social audits.

Within the PEISS-M&A context, PM&E aims to:

- 1 Determine whether or not the project proponent (PP) complies with the terms and conditions of the Environmental Compliance Certificate (ECC);
- 1 Establish actual environmental impacts of the project; and
- 1 Provide a quality measure indicating areas for improvement of the Environmental Impact Assessment (EIA) conducted for similar projects or areas.



## A. The Nature and Concept of Participation

What is participation?

Participation<sup>2</sup> is the process through which stakeholders influence and share control over priority setting, policy-making, resource allocations and access to public goods and services. Another definition<sup>3</sup> is that participation is a voluntary process in which people, including marginal groups, come together with project authorities to share, negotiate and control the decision-making process in project design and management.

The concept of participation takes on different shades as setting, project type, and purposes contextualizing it. It allows for information exchange with other stakeholders thereby providing the necessary transparency for decision making. Transparency in turn improves government accountability to the people and, as a result, increases the overall governance and economic efficiency of development activities.

Participation involves transferring of power to people enabling them to negotiate with development delivery systems, and deciding and acting on what is essential to their development.

There are four salient features of participation.

1. Joint dialogue

Participation is a process of joint dialogue, sharing and analyzing situations to attain consensus towards action and change.<sup>4</sup>

2. Active process

Participation is an active process by which beneficiaries or client groups influence the direction and execution of a development project with a view to enhancing their well-being in terms of income, personal growth, self-reliance, or other values they cherish.<sup>5</sup>

3. People involvement

Participation allows for people involvement in the decision-making process and in implementing programs, as well as their sharing in the benefits of development programs, and involvement in efforts to evaluate such programs.<sup>6</sup>

4. People empowerment

Participation involves transferring of power to people, enabling them to negotiate with development delivery systems, to decide, and to act on what is essential to their development.

## B. Types of Participation

What are the types of participation?

There are several types<sup>2</sup> or forms of stakeholder participation that could range from shallow, or simply being informed, to deep, or actively participating to be responsible for their own actions and development pathways<sup>3</sup>.

### 1 Information Sharing

This is at the passive or shallow end of the participation scale and it involves information dissemination about an intervention or merely asking stakeholders to provide information to be used for project planning or evaluation. Communication is one-way rather than interactive.

### 1 Consultation/Seeking Feedback

Consultation usually connotes that people are being asked for their opinion about a subject matter while development professionals listen. More often, people involved cannot make commitments or are not accountable regarding what is being consulted about and development professionals are under no obligation to incorporate their views. Many consultative processes focus solely on passively securing information for an already planned activity, or prescribed policy or program. Consultation processes that primarily seek feedback to a predefined plan or strategy fall near the shallow end of the participation continuum.



On the other hand, consultation can evolve into collaboration or shared control if people are involved in defining a desired change, or in identifying a problem and its solution. This can lead to consultation that further leads to greater networking and a sense of ownership of the project or policy being discussed.

### 1 Collaboration/Decision-Making

Collaboration/joint decision-making represents genuine participation. Stakeholders are actively engaged and sustained results are achieved. What makes this distinct from empowerment and shared control is that stakeholders are invited by outsiders to meet about a pre-determined objective. The development professional or organization identifies problems or issues to be discussed, and calls a group together to



collaborate on that topic. Stakeholders may not have initiated the collaboration, but they significantly influence the results. The stakeholders' ideas change the project design or implementation plan, or contribute to a new policy or strategy. Most importantly, the development professional or organization that solicited stakeholder involvement takes the peoples' perspectives seriously and acts on them.

### 1 Joint Empowerment/Shared Control

Shared control involves deeper participation than collaboration. Stakeholders are empowered by accepting increasing responsibility for developing and implementing action plans. These very stakeholders become accountable to others for either creating or strengthening local institutions. Development professionals are mere facilitators of a locally driven process. Stakeholders assume control and ownership of their component of the project or program, and make decisions accordingly. At this level, local participation is most sustainable because the people concerned have a stake in maintaining structures or practices.

Participatory monitoring—in which citizens, groups, or organizations assess their own actions using procedures and performance indicators they selected when finalizing their plans—reinforces empowerment and sustainability. A complement to, rather than a substitute for, external monitoring, it has been dubbed the “capstone” of participatory development.<sup>2</sup>

## C. Rationale for Participation

### Why the need for participation?

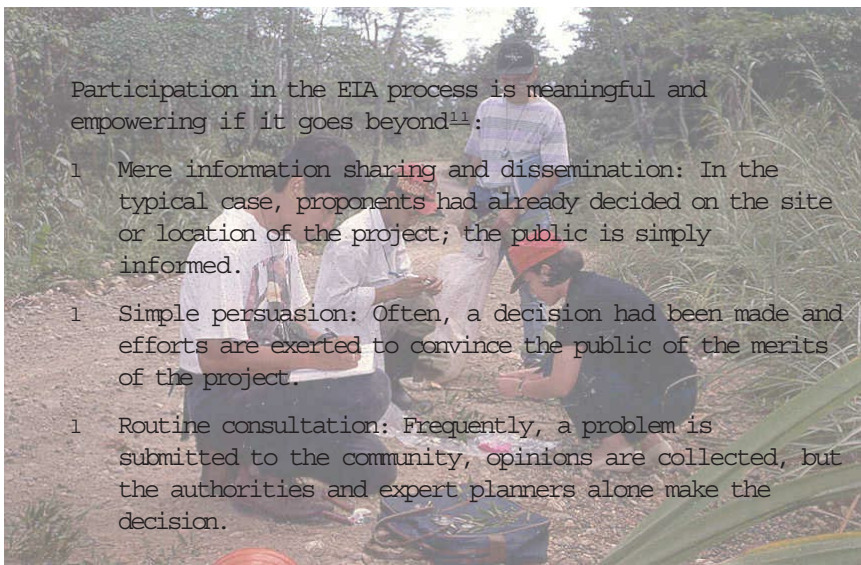
People are integral to the whole environmental development spectrum. Their participation in projects/activities affecting their lives is very important. In development projects, the local communities are at the most risk, have the least power to influence the system or influence the project, and have the least benefits. The EIA process addresses this in view of environmental protection and increased public equity.

Participation gives the local community a voice to air their concerns and promote their active involvement in decision-making, widening the responsibility in safeguarding environmental integrity. Under this statement, social acceptability is a primary consideration that needs to be considered. Participation is the key to opening the doors of acceptance by the local community that will be affected, determining their level of affirmation with the project.



## Benefits from participation<sup>10</sup>

- 1 Helps identify and address concerns of stakeholders
- 1 Focuses planning on issues or concerns
- 1 Provides alternatives for consideration in planning
- 1 Provides added sources of expertise
- 1 Reduces level of misinformation and distrust
- 1 Improves decision-making
- 1 Empowers the citizens to take responsibility in environmental protection



## REFERENCES

<sup>1</sup> Guijt, Irene and John Gaventa, *Institute of Development Studies*, 1998 ISSN 1360-4724.

<sup>2</sup> [prsp\\_sourcebook@worldbank.org](mailto:prsp_sourcebook@worldbank.org)

<sup>3</sup> *World Bank definition of terms*

<sup>4</sup> *Participatory Rural Appraisal*. 1992.

<sup>5</sup> *Projects with People*. 1991.

<sup>6</sup> *Projects with People*. 1991.

<sup>7</sup> *Manual on Participatory Rural Appraisal*. 2001.

<sup>8</sup> Malvicini, Cindy F. and Anne T. Sweetser, ADB, 2003

<sup>9</sup> Robert Chambers, personal communication to A. T. Sweetser.

<sup>10</sup> *Procedural Manual of DAO 2003-30*.

<sup>11</sup> *Manual on Participatory Rural Appraisal*, 2001



# 2 Getting Started with Stakeholder Identification & Analysis

## A. Stakeholder Identification

### What are stakeholders?

**T**here are different types of stakeholders:

**Primary stakeholders** are those ultimately affected, either positively (beneficiaries) or negatively.

**Secondary stakeholders** are the intermediaries in a given operation or intervention process.

**Key stakeholders** are those who can significantly influence, or are important to, the success of the project.

The DENR (through DAO 96-37) defines stakeholders as persons who may be significantly affected by a project or undertaking, such as, but not limited to, members of the local community, industry, local government units (LGUs), non-government organizations (NGOs), and people's organizations (POs). It will be noted that agents of change are not included; only those who feel the impact of change are considered in the DAO as part of the stakeholder groups.

For purposes of this Handbook, ***stakeholders are persons who may be significantly affected by a project or undertaking, persons/entities effecting changes, as well as those accountable in crafting and operationalizing the M&A system.***



## Why conduct stakeholder identification?

**Stakeholder identification** is done to determine who will be directly or indirectly affected, positively or negatively, by a project (commonly called project-affected people or project-affected groups), and who can contribute to or hinder its success (commonly called other relevant stakeholders).

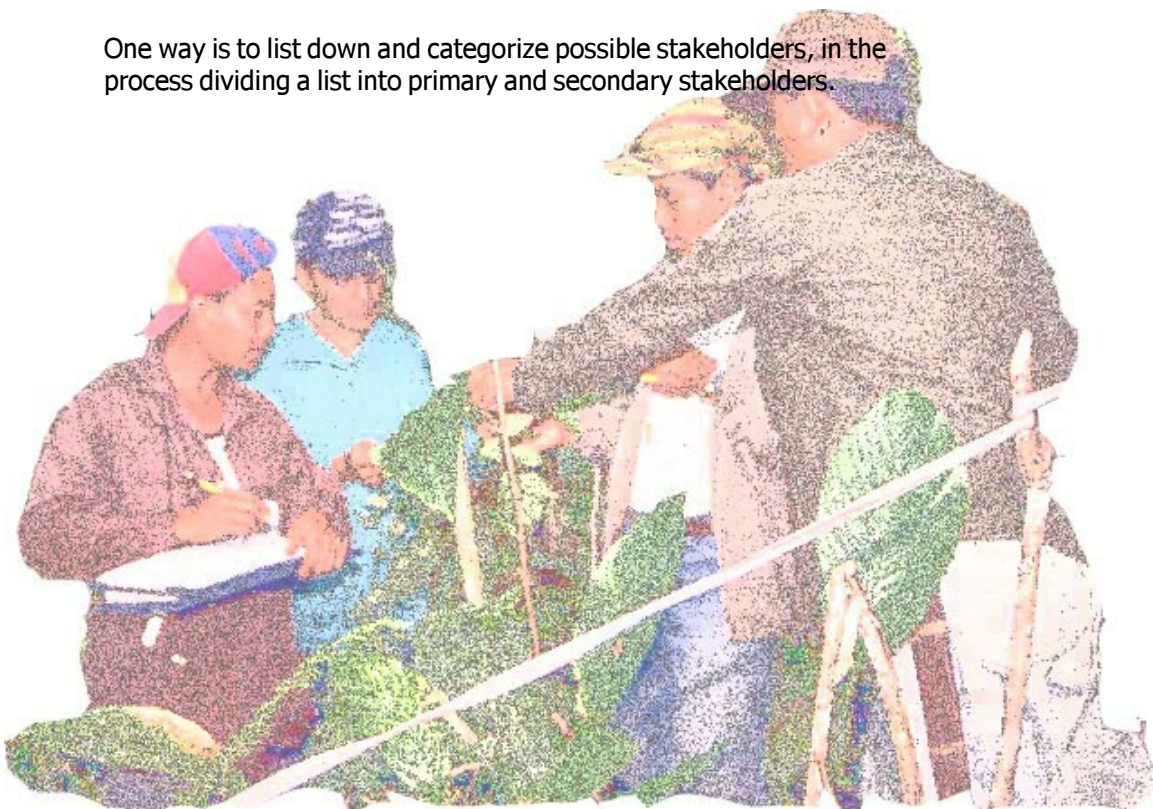
It is important for the project sponsor to be comprehensive in identifying and prioritizing all project stakeholders, including the disadvantaged and voiceless. Those identified will then need to be consulted in varying degrees, depending on level of impact, at strategic points during the life of the project.

Stakeholder identification and involvement are context-specific, therefore even planners and implementers can be perceived as stakeholders in themselves.<sup>1</sup>

## How do you identify stakeholders?

There are no hard or fast rules to tell us whom to involve and how. But one thing is sure: stakeholder involvement is context-specific.

One way is to list down and categorize possible stakeholders, in the process dividing a list into primary and secondary stakeholders.



**The following is a checklist for identifying stakeholders<sup>2</sup>:**

- Have all primary and secondary stakeholders been listed?
- Have all potential supporters and opponents of the project been identified?
- Has gender analysis been used to identify different types of female stakeholders (at both primary and secondary levels)?
- Have primary stakeholders been divided into user/occupational groups, or income groups?
- Have the interests of vulnerable groups been identified?
- Are there any new primary and secondary stakeholders who are likely to emerge as a result of the project?
- Who may be affected (positively or negatively) by the development intervention?
- Who are the “voiceless” for whom special efforts may have to be made?
- Who are the representatives of those likely to be affected?
- Who is responsible for what is intended?
- Who is likely to mobilize for or against what is intended?
- Who can make what is intended more effective through their participation? Or less effective by their non-participation or outright opposition?
- Who can contribute financial and technical resources?
- Whose behavior has to change for the effort to succeed?

## **B. Stakeholder Analysis**

**Stakeholder Analysis** is a technique that can be used to identify and assess the importance of key people, groups, or institutions that may significantly influence the success of any activity or project.



## Why use stakeholder analysis?

- To identify people, groups, and institutions that will influence the project (either positively or negatively)
- To anticipate the kind of influence, positive or negative, these groups will have on the project
- To develop strategies to ensure the success of the project and reduce possible obstacles to successful implementation of the project

## C. Stakeholders in the Enhanced PEIS-M&A System

A rationalized list of stakeholders in the enhanced PEISS-M&A System involves 11 stakeholders.

1. DENR, which includes the EMB and its regional units, and the CENRO/ PENRO - They are the ones directly involved in the issuance of the Environmental Compliance Certificate (ECC), project monitoring, evaluation, and management. The DENR in general is legally mandated to formulate policies and implement programs on natural resources and the environment.



2. Proponent or Investor - This entity refers to those who invest on or fund development projects, initiate consultation on project planning and design, participate in disclosure and have direct accountability (with the Preparers) in the preparation of the Environmental Impact Statement (EIS) and project monitoring.
3. Preparer and other professionals - They are certified by the DENR to prepare Environmental Impact Statements and as such provide technical expertise, assist in initiating consultation on project planning and design, directly accountable (with the Proponent) in the preparation of the EIS, and in drafting the project-based M&A System
4. Review Committee members - They are contracted by the DENR to review and assess the EIA Statement submitted by the Proponent and Preparer. Further, they are tasked to attend scoping and public

consultations, and with the Proponent and Preparer assess the EIS which includes monitoring systems. They likewise share responsibility with Proponent and Preparer as regards disclosure and accountability in the assessment of the EIS.

5. Vulnerable/marginalized groups – they are those with the least capacity to absorb social, economic and environmental shocks, often do not receive equal benefits from development, and generally are excluded from development processes that affect them. These include children and the aged, indigenous people, ethnic minorities, poor squatters and illegal settlers, disabled people, and segments of society at the lowest levels of social structures.
6. Local Government Units (LGUs) including Barangay Leaders - They are the primary decision-makers and implementors of policies and projects. The Local Government Code of 1992 stipulates LGUs to be responsible for planning and implementation of devolved functions at the local level.
7. Non-Governmental Organizations (NGOs) and People's Organizations (POs) – They are entities that provide development services or conduct advocacies within project sites. They can be locally based or only acting within a specified time frame in the area. This group likewise provides the necessary local technical expertise.
8. Other Government Agencies (GAs) – These are government offices vested by law to formulate and implement policies, plans and programs for the welfare of geopolitical constituents, to include but not limited to the health and population sector, e.g., DOH, MGB-DENR, LLDA-DENR, MMDA, and other public offices. They can also be the source of advisory technical expertise tapped to provide development support in project monitoring and implementation.
9. MACOM – These are members of the Review Committee who at post ECC transpose their functions as a Monitoring & Audit Committee tasked to review revised EMAP and EMA Reports.
10. Independent Environmental Checkers (Auditors) – They are optional third-party entities responsible for validation of M&A Reports and Performance Audits.
11. The wider public and the host local communities – By and large, they constitute a fluid entity that may review/comment on the EIS, including the enhanced M&A requirements. They lobby for societal and community welfare and rightful share in the fruits of development.

## REFERENCES

<sup>1</sup> *Stakeholder Identification, The World Bank (www.worldbank.org).*

<sup>2</sup> *Overseas Development Administration. 1995.*



# 3

## Considerations in the Formation of the Multi-Stakeholder Monitoring Team (MMT)

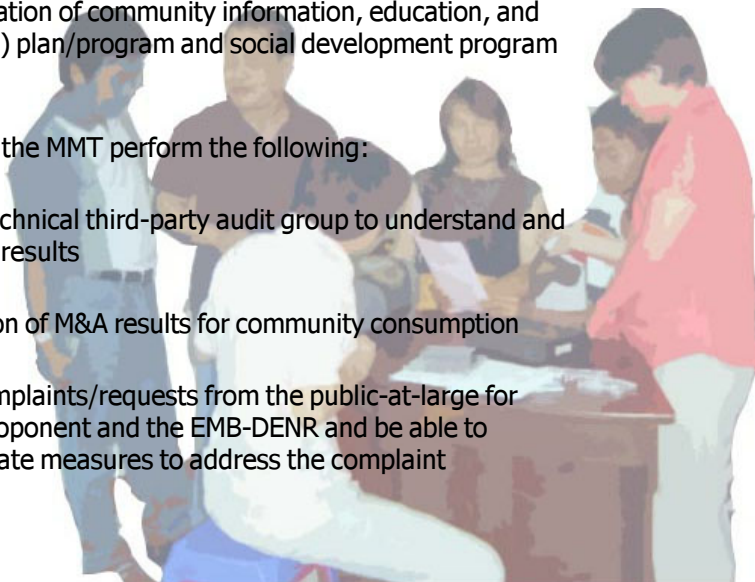
One of the most important considerations in participatory monitoring work is the membership in the so-called Multi-Stakeholder Monitoring Team (MMT). It is the active involvement and participation of team members that is the core of multi-stakeholder monitoring. Their cooperation and commitment determine the effectiveness of the monitoring process. On the other hand, the credibility of the monitoring results, the objectivity of the findings, and the effectiveness of the recommendations strongly depend on the perceived transparency and technical quality of the whole process.

### A. Functions of the MMT

- Monitors project compliance with the conditions stipulated in the ECC and commitments made in the EMP using checklist forms and mainly secondary technical information and primary observations
- Prepares, integrates, and disseminates simplified monitoring reports and submits recommendations to the DENR
- Monitors implementation of community information, education, and communication (IEC) plan/program and social development program (SDP)

It is also suggested that the MMT perform the following:

- Interface with the technical third-party audit group to understand and be updated on M&A results
- Initiate popularization of M&A results for community consumption
- Officially receive complaints/requests from the public-at-large for transmittal to the proponent and the EMB-DENR and be able to recommend immediate measures to address the complaint



As per technical specifications, however, the MMT is tasked to conduct the following:

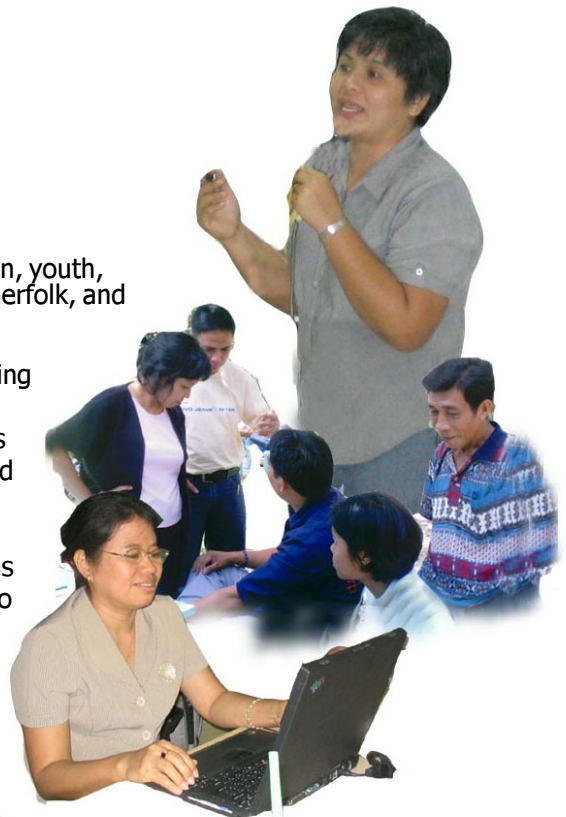
- Review of Proponent's Environmental Monitoring and Audit Plan/ Manual (EMAP/M)
- Review of Proponent's Self-Monitoring Reports (SMRs) and Third-Party Audit Report
- Confirmatory sampling and measurement activities
- Complaint verification and management

## B. MMT Composition

### Who will constitute the MMT?

The **MMT** is to be viewed as a third-party auditor, without the accreditation and licensing associated with environmental auditors but qualified by virtue of being stakeholders and training on the specific tasks. As a third-party auditor of sorts, there are less technical skills expectations. The following therefore are proposed as members of the MMT:

- LGU
- POs-NGOs
- Other GAs
- Academe
- Church groups
- Sectoral groups representing women, youth, indigenous people, farmers and fisherfolk, and other marginalized sectors
- Others as identified during the scoping process. (Scoping is a formal step within the EIS System which defines the range of action, alternatives, and impacts to be examined. It allows interested parties, such as stakeholders, to make their concerns known; their responsibilities are also taken up in the process.)<sup>1</sup>



Scoping documents often reveal the anxiety of stakeholder groups that are not recognized as an official body. It is best that these groups be legitimized prior to finalizing membership in the MMT to avoid later questions as to why they were not included at the outset as stakeholders and later as MMT members.

The notion of a third party is that it is independent. Hence the participation of the Proponent and the EMB-DENR is not required and they are therefore excluded from becoming MMT members.

The EMB-DENR supervises the operation of the MMT; it must always be informed which organizations or institutions are chosen/ elected to represent particular sectors to become members of the MMT. Heads of member-organizations must officially submit to the EMB the names of their respective representatives/alternate representatives to the MMT.

## C. MMT Leadership

### Who leads the MMT?

Leadership can be entrusted to the LGU, the PG-ENRO-MENRO in particular.

Such a move can also satisfy the clamor of LGUs to have greater involvement in the PEISS-M&A, lessen the load on the EMB-DENR, and shield the Proponent from insinuations of manipulating M&A results. The presence of NGOs/ POs and other civil society groups, academe, and vulnerable and marginalized groups can provide the necessary checks and balances in creating a politicized MMT that is dictated on by patronage politics.

Should there be cases of having multiple LGUs, leadership may be by rotation. Scheduling of who sits as chair during the first term will be by agreement among the member-LGUs.





## D. Criteria for MMT Selection

### Who can join the MMT?

Membership in the MMT is an important consideration in participatory monitoring work. While expansive representation in the team appears proper, team composition should not override the immediate concerns in team management. To avoid pitfalls, the various parties must agree on a set of selection criteria that will meet the minimum requirements in forming the MMT. A documentation process should be included in selecting MMT members.

Members chosen for a Multipartite Monitoring Team must:

- Be able to regularly attend meetings, orientations/trainings, and actual monitoring and reporting activities;
- Read, write, and learn the various aspects of the monitoring program and project activities;
- Be duly nominated by a concerned party or sector (e.g., local communities, NGOs, academe, other GOs, including LGUs);
- Be credible to the larger community, with good moral character and conduct (i.e., no record of criminal indictment or conviction);
- Show strong interest and commitment to the project; and
- Possess other criteria mutually agreed upon.



## E. Multi-Stakeholder Roles and Responsibilities in MMT Operations

### What are the roles and responsibilities of key players?

#### As MMT Members

- Suggest most effective (locally popular methods) means of disclosing information to the rest of the community, as well as receive feedback/complaints from other community members
- Initiate/attend meetings, community consultations, briefings, and other activities to inform various publics of project activities and M&A results, as well as for complaints management
- Through other forms of IEC, disseminate pertinent information on the project activities, M&A results, and complaints management
- Be present or have a representative in all meetings and deliberations regarding project development as initiated by either the Proponent or the DENR-EMB
- Make available to the community at large relevant data and information about the project and MMT operations
- Volunteer as resource persons to interpret to the community the implications of M&A findings
- Represent complainants during negotiations/discussions during MMT sessions or with Proponents/DENR-EMB along with proper documentation



## What are the roles and responsibilities of support actors?

### MMT Non-Members

#### ***Project Proponent:***

- Provide funds for MMT operations through the EIA Monitoring and Audit Fund or EMAF
- Regularly inform MMT about project development
- Respond to questions or complaints raised by the community through the MMT
- Make M&A activities and results (especially through accredited third-party entities) transparent, open, and accessible to MMT members



#### ***EMB AND DENR:***

- Initiate and supervise the formation of the MMT and oversee its operations
- Regularly update MMT on policy updates affecting PEISS-M&A System

- Provide resource persons to answer questions about the project
- Provide MMT with updated information about the project, particularly copy furnish MMT with official actions/responses to M&A reports
- Maintain an updated list of the official members and officers of all MMTs



## **F. Procedure in the Formation of the MMT**

### **Procedure in determining stakeholder identification for possible representation in the MMT**

1. Determine impact areas as stipulated in the Environmental Monitoring and Audit Plan/Environmental Monitoring and Audit Manual.
2. Using EMAP, determine risk pathways and receptors.
3. Overlay impact areas, pathways, and receptors with geopolitical boundaries of LGUs.
4. With established boundaries, refer to Scoping and EIS in identifying stakeholder groups and validate with concerned LGUs.

### **MMT formation**

1. ECC is issued to proponent.

The EMB issues an ECC to the proponent and with it the clearance for the proponent to commence organizing an MMT.

2. Proponent initiates organization of MMT with due consideration to stakeholders identified in the EIS.

The proponent then issues invitations to key stakeholders identified during the pre-ECC stage, with due respect to LGU officials and NGOs/POs active at the time. Heads of offices are notified.

3. Offices to be represented in the MMT should be identified in the MOA.

A pro-forma MOA is utilized, using the existing EMB-DENR format. In principle, the principals of identified offices/institutions agree to the formation of the MMT.

#### **BEAR IN MIND!**

**The pro-forma MOA serves only to facilitate MMT formation, if not yet formed.**

4. Identified offices designate official representatives.

The signatory to the MOA may select an alternate to regularly attend to MMT needs and activities.

5. EMB Regional Office acknowledges official MMT organizations and their representatives.

Upon submission to EMB of the official list of MMT members by the Proponent, along with the signed pro-forma MOA, the EMB acknowledges constitution of the MMT. This now signals the legitimacy of the MMT.

### **Rationalizing NGO-PO participation or representation in the MMT**

If there are many NGOs-POs within a project area, MMT organizers are advised to:

1. As a rule of thumb, refer to Environmental Monitoring and Audit Plan/ Environmental Monitoring and Audit Manual with regard to priority parameters for monitoring.
2. Prioritize NGOs-POs based on how they are significantly affected by ranked parameters as identified in the Environmental Monitoring and Audit Plan/Environmental Monitoring and Audit Manual.
3. When parameters cut across all stakeholder groups, cluster NGOs-POs ( i.e., environmental group, civic-religious group, farmer-fisherfolk group, etc.). The MMT may thus have multiple NGO-PO representatives. Representation is processed in each cluster among the NGO-PO members themselves.



#### **REMEMBER!**

**Only those with organized groups can be represented in the MMT; otherwise, the EMB-DENR has to assist in facilitating the organization of stakeholders at large.**

## **Procedure in selecting NGO-PO representative**

1. Upon issuance of the ECC, the Proponent requests for a list of accredited NGOs-POs within/adjacent to the project area from concerned LGU officials.
2. LGU officials identify accredited NGOs-POs and furnish the Proponent with an official copy of such.
3. Proponent extends invitations to those in the official list issued by the LGU and provides the venue for selection of NGO-PO representatives.
4. The DENR facilitates the selection of NGO-PO representatives.

## **REFERENCE**

<sup>1</sup>"Implementing Rules and Regulations," DAO 2003-30





# 4 Operationalizing the MMT

## A. Reviewing the Environmental Monitoring and Audit Plan/Manual

Once the MMT is formed, the very first activity is for the members to become acquainted with the project they are tasked to monitor. A significant facet of orientation is familiarizing the MMT with the Environmental Monitoring and Audit Plan (EMAP) as all monitoring activities will always refer to this document.

The EMAP establishes the following:

- Prioritized and critical parameters for monitoring
- Monitoring methods
- Location of monitoring stations
- Monitoring frequencies and schedules

The Proponent initiates this training cum orientation in the presence of the EMB-DENR.



## **B. Preparation of the Substantive Memorandum of Agreement**

The **Memorandum of Agreement** (MOA) serves as the covenant among MMT members as led by the LGU (Third Party), Proponent (Second Party), and the DENR-EMB (First Party) to diligently perform the MMT's functions in line with the expectations set for the PEISS-M&A System.

### **Salient Features of MOA**

#### **Rationale**

The rationale captures the general, as well as specific goals, of a certain project and contains vital information about the different parties involved in all of the project's development stages.

#### **Legal Basis for Creation of the MMT**

There should be a comprehensive account and bases as to how and why a Multi-partite Monitoring Team should be created.

#### **Organizational Structure of the MMT**

The organizational structure of a certain MMT should be well thought out and discussed to avoid ambiguity. It should be easily understood.

#### **MMT Functions**

Specific functions, not only of the MMT as a whole but also of its different members, should be well laid out to facilitate smooth flow of operations.

#### **Institutional Arrangements and Responsibilities**

Appropriate institutional arrangements, based on mandate, must be clearly spelled out. It further includes the corresponding tasks/responsibilities assigned to the participating entities (First Party, Second Party, and Third Party).

#### **MMT Operations and Procedures**

MMT Operations and Procedures must be carefully planned out and discussed under this section as it specifically addresses valid issues and concerns in the field.

## **Documentation, Reporting, Public Disclosure, and IEC**

Documentation, reporting, public disclosure, and IEC should be properly administered to reflect transparency.

### **MMT Skills Enhancement**

MMT members should be encouraged to undergo MMT relevant trainings, attend seminars and symposia to enhance whatever skills they possess, and update themselves on recent technologies and findings. Hence this could form part of the benefits that accrue to the members.



### **Environmental Monitoring and Audit Fund (EMAF) Administration and Management**

The Proponent shall commit to provide the fund for the operation of the MMT through the Fund Administrator, who may already be named in the MMT MOA or designated at a later date. A separate MOA will be executed between the Proponent and the selected Fund Administrator, witnessed by the EMB and by at least one elected officer, preferably the Chairperson, of the MMT.

The MMT shall be responsible for the proper utilization of the EMAF even with the designation of the EMAF Fund Administrator who shall actually administer or manage the EMAF. Arrangements on the operationalization of the EMAF with the Fund Administrator, remittance and reportorial requirements will be specified in this MOA and reiterated in the Fund Administrator MOA with the Proponent.

### **Amendments**

Amendments may be made to improve or change ambiguous and seemingly inferior provisions and statements. This section must, however, indicate the manner by which amendments are legitimized.

### **Effectivity and Duration**

Effectivity and duration of the MMT are made explicit under this section. The MOA may be subject to renewal for a specified period. This must coincide with the term of membership or office of the set of officers and Fund Administrator, as set or specified in the MOO.

## Signatories

It is suggested that signatories be limited only to four: the MMT Chair (LGU); designated Fund Administrator; and representatives of the First (DENR-EMB) and Second (Proponent) Parties. At most, it is advisable that the MMT convene and agree as to who and how many will officially sign for the Team.

By and large, the substantive MOA preparation serves as:

- Guide for EIA-EMB to review current MOA of existing MMTs and provide them with the necessary leeway to improve on their MOA as a living document based on prevailing conditions; and
- Guide for EIA-EMB to facilitate establishment of new MMTs.

## C. Preparing the MMT Manual of Operations

The **Manual of Operations** will serve as the “bible” for MMT operations and must include, though not limited to, the following salient features.

### What are included in the Manual of Operations?

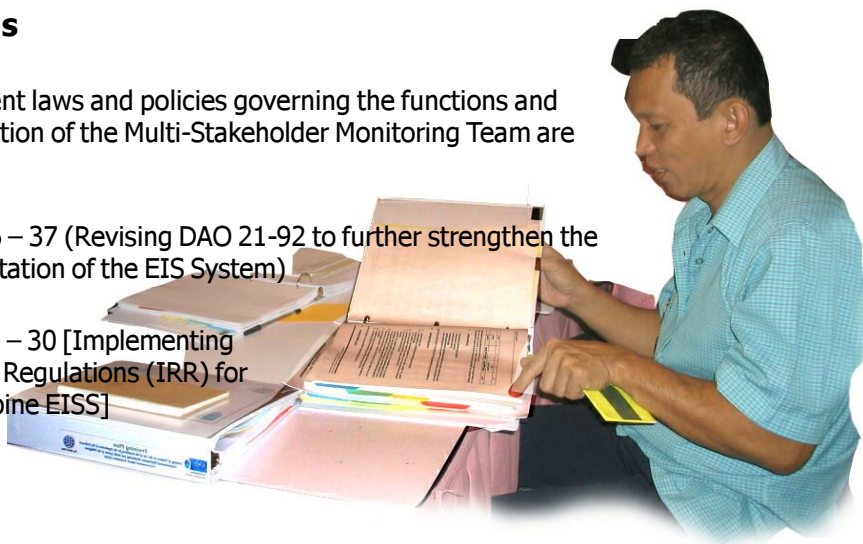
#### Project Background

A simplified description of the project needs to be discussed under this section to contextualize the operations of the MMT. The EIS document can be used as reference.

#### Legal Basis

The most recent laws and policies governing the functions and operationalization of the Multi-Stakeholder Monitoring Team are as follows:

- DAO 1996 – 37 (Revising DAO 21-92 to further strengthen the implementation of the EIS System)
- DAO 2003 – 30 [Implementing Rules and Regulations (IRR) for the Philippine EISS]





It is suggested that Republic Act 7160 or the Local Government Code of 1991 be highlighted to give emphasis to the important role of the local government units in environmental protection.

As such, it is most prudent for the members to begin with an orientation on the rationale and legal bases on how the MMT came into being, complete with its mandate through the DENR-EMB. Their understanding of their mandate must be put to writing.

## **Mission-Vision and Objectives**

Stakeholders generally are heterogeneous in nature with dissimilar hopes and aspirations, belonging to different socioeconomic clusters, contending with multiple issues and concerns. These stakeholder groups would have to arrive at a consensus about a common vision and goal.<sup>1</sup>

Provided with the necessary mandate and the sample Code of Ethics, the MMT will develop a mission-vision of how the members foresee their roles as guardians of the environment through the specific project that they will oversee. With the vision statement and objectives as guides, a clear and concise set of objectives can be developed.

A one-day session could be designed for members' familiarization with the MMT legal mandate, along with development of the MMT mission-vision and objective/s.

## **General Functions**

The Manual of Operations must explicitly enumerate the general functions of the MMT under the enhanced system as follows:

1. Monitors project compliance with conditions stipulated in the ECC and commitments made in the EMP by:
  - a) Reviewing and validating Proponent's SMR and Third-Party Audits and submitting Compliance Monitoring and Validation Report to DENR-EMB



- b) Preparing, integrating, and disseminating simplified monitoring reports and recommendations to the DENR
  - c) Validating the implementation of community IEC and SDP
  - d) Interfacing with Proponent's external auditors or possibly hiring other experts it deems necessary for validation and auditing
  - e) Initiating popularization of M&A results for community consumption
2. Prepares the MMT Manual of Operations and Work and Financial Plan based on the Proponent's EMP and SMR
  3. Institutionalizes best practices for EMAF management and administration
  4. Initiates/attends meetings, community consultations, and briefings to enable them to inform and help the community/public understand project activities
  5. Officially receives complaints/requests from the public-at-large for transmittal to the proponent and the EMB-DENR, and prepares to recommend immediate measures pertaining to the complaint

## **Selection and Criteria for MMT Membership**

MMT membership must be specifically stated in the Manual of Operations. The bases for selection and selection process have to be spelled out. Sections under Section 3 of this handbook may be used as guideline/reference. It must be stressed that MMT membership does not include DENR-EMB and the Proponent. There should be a documentation process for the selection.

### **Disqualification of Member**

Members may resign from the team and the reasons and effectivity for possible resignation from the MMT must be presented in the Manual of Operations.

### **When can a member be suspended or removed?**

It is possible to suspend and/or remove a member. The causes for suspension and/or removal of an MMT member must specifically be enumerated under this section. Factors must be supported by

administrative actions such as: 1) documentation of cause, i.e., letter of complaint or legal/administrative case brought against the member; 2) special meeting called for the purpose and after due notice; and 3) the number of votes necessary to suspend/remove the member. Procedure for replacement of the member must likewise be stated.

It is suggested that any member shall be suspended and/or removed from the MMT upon the conviction of culpable violation of the Code of Ethics, negligence of duty, excessive absences, and grave misconduct. The Executive Committee or set of Officers, whichever the case may be, shall deliberate and discuss any charges leading to suspension and/or removal of an MMT member prior to the submission to the body for judgment. The Executive Committee or Officers would be responsible for enacting the suspension and/or removal order.

The Executive Committee or set of Officers has the right to decide on, formulate, and implement guidelines in all cases of suspension and/or removal of MMT members.

### **Replacement of a Member**

A procedure for replacement of disqualified/ resigned members should also be included.

Specific responsibilities of MMT members must be explicitly stated in the Manual of Operations. These should not greatly deviate from the general functions; rather, these should provide substance to the general functions, particularly with regard to the day-to-day operations of the MMT.

### **Organization**

The MMT as a whole shall be organized as a committee tasked to make decisions on monitoring issues, plans, and strategies with sub-committees to perform specific functions. An Executive Committee may be formed if necessary; otherwise, a simple structure with functional committees will suffice. These committees must be identified and rationalized in the Manual of Operations.

An Executive Committee (ExeCom) that may be created shall be composed of members to be decided by the members themselves. The creation of an ExeCom is only advisable if the MMT membership is rather large. In particular, MMTs that cover more



than *two* municipalities have the option to form an ExeCom; otherwise, a straightforward MMT structure is advised. The functions of the ExeCom may be as follows:

1. Organize compliance monitoring
2. Review and endorse for EMB approval the work and financial plan
3. Administer and manage the Environmental Monitoring and Audit Fund
4. Resolve issues arising from monitoring activities
5. Facilitate review of Environmental Monitoring and Audit Plan/Manual (EMAP)
6. Facilitate review of Self-Monitoring Report

The MMT shall create and elect among them Officers as they may deem necessary. Officers may include Chair, Vice Chair, Secretary, Treasurer, Auditor, and Public Relations Officer (PRO). These officers shall be responsible for orderly and effective operations of the MMT as a group or organization and will perform the functions of the ExeCom in case of its non-creation or in the case of a simply structured MMT. Their roles and responsibilities as officers of the MMT organization must be distinguished from their roles and responsibilities as members of Committees formed to perform specific monitoring tasks of the Team. At the minimum, there should be officers who shall:

1. Call and preside over MMT meetings;
2. Direct and implement the MMT decisions or resolutions;
3. Review and approve EMAF disbursements;
4. Represent and speak for the MMT in official activities, such as meetings and consultations with DENR-EMB, Proponent, and other community members; and
4. Record or document MMT meetings and activities and safe-keep such official records and documents.

## Selection and Designation of Fund Administrator

Consistent with the concept of MMT as a third-party auditor and with the exclusion of the EMB and Proponent in the MMT, the MMT will have to be responsible and accountable for the utilization of EMAF. Independent action of the MMT will be ensured only if the MMT can undertake monitoring activities without requesting funds from EMB and/or the Proponent before any activity is undertaken. Inasmuch as the MMT is composed of member-organizations, a member- organization will have to be selected to administer the EMAF.





The Fund Administrator of the EMAF is a qualified member-organization of the MMT which will accept, disburse, and report on the utilization of the EMAF to the MMT, Proponent, and EMB. The Fund Administrator will have to enter into a Memorandum of Agreement or contract with the Proponent whereby the Proponent agrees to release to the Fund Administrator the amount for or in consideration of the MMT's performance of the monitoring activities and submission of reports specified in the Annual Work and Financial Plan (AWFP) approved by the EMB. The manner or interval of fund releases must ensure that the MMT has sufficient funds to undertake all activities necessary to review, validate, and report on the Proponent's monitoring report and other planned activities until the next release, which will be based on the acceptance/approval of the MMT's report by the EMB. Non-performance or questionable activities of the MMT can be a reason for the Proponent, with the concurrence of the EMB, to hold the next release of funds to the Fund Administrator. Details of EMAF mechanism are discussed in Section E.

The MMT shall specify the process of selecting and replacing, if necessary, the Fund Administrator of the EMAF. A set of criteria to be used to select a reliable Fund Administrator may include the following:

1. With institutional support or authorization from the Governing Board or Sanggunian, to accept the responsibilities and perform the functions of the EMAF administrator;
2. The institution or organization has been in existence for at least three years prior to its membership in the MMT;
3. The institution or organization has acceptable and operational financial accounting system and regularly complies with reportorial requirements (audited annual financial statements) of concerned regulatory agencies such as SEC, BIR, or COA;
4. Willing to maintain separate bank accounts and books of account for the EMAF and prepare required financial reports;
5. Willing to be audited by external auditor who may be commissioned by the MMT, Proponent, or EMB; and
6. Reputed to have reliable and responsible officers and staff (especially for NGO or PO).

## **Activities and Corresponding Guidelines for Inclusion in the MOO**

### **Meetings**

Meetings may be called by the MMT Chairman to be conducted on a regular basis. However, other meetings may be called in emergency cases or special occasions and shall be considered special meetings.





***Voting rights of members*** – One member shall be entitled to one vote.

***Voting Proxy*** - Proxy voting may be allowed to facilitate smooth flow of elections or decision-making. Specific rulings on this process, however, should be thoroughly discussed and strictly enforced.

***Notice of Meeting*** - Notices may be sent using whatever media to inform members of the specifics and nature of meetings. Timely issuance of notices has to be strictly observed.

***Quorum*** - Any decision or approval of the Committee shall require a majority vote, provided there is a quorum. A quorum may require the presence of more than half of the members, including, at all times the Chairman of the MMT, 50 per cent plus one (50%+1), two-thirds (2/3) of the set of members, or any number prescribed and decided upon by the members.

## **Monitoring**

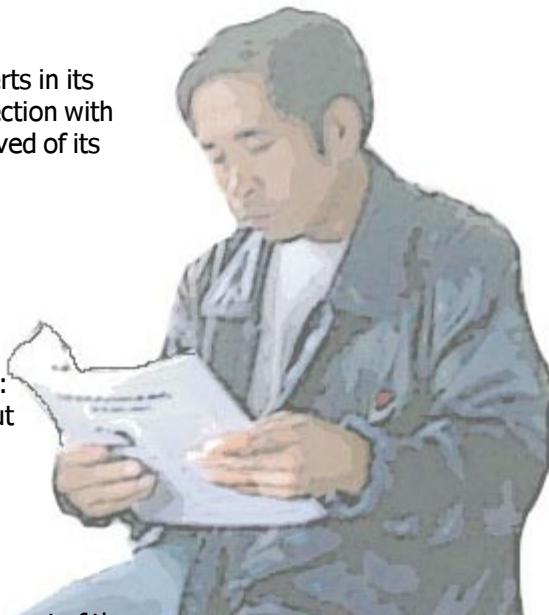
Periodic monitoring of project activities, particularly with regard to covenants made as embodied in the ECC and the EMAP, will be conducted and described in the Manual of Operations. Procedures in the conduct of compliance monitoring should be discussed under this section. For example, is Proponent present and have protocols and exit conferences been made?

Another significant entry to this section is the manner by which the MMT familiarizes itself with the Proponent's EMAP/M and monitors the project based on SMRs and results of third-party audit.

Cases when the MMT may seek assistance of experts in its monitoring activities have to be projected in this section with the understanding that the MMT shall not be absolved of its responsibilities under the MOA.

### **Information Dissemination**

The manner by which information is disseminated outside the membership of the MMT should be indicated in this section. Information types include: 1) M&A results; 2) MMT activities; 3) updates about the project; and 4) DENR-EMB messages. Information should be in simple form.



### **Annual Planning Workshop**

An annual planning workshop results in the assessment of the previous year's accomplishments vis-à-vis plans and targets, as well as in the enumeration of the project activities/work that the MMT is slated to conduct for the next regular working year. Details indicate the rationale per activity/task, schedule, human resources involved, logistics (administrative and other requirements), and financial requirements. (Please refer to Chapter VI of Prototype Handbook for the detailed discussion on activities required for compliance monitoring of the MMT).

The planning results are normally plotted in Gantt chart form. The output is a Work and Financial Plan submitted to the DENR-EMB and the Proponent for approval. Section G details the Work and Financial Plan as an instrument of the MMT.

### **Public Disclosure and Complaints Management**

This section highlights how the MMT documents and verifies complaints made by the public at large. It should include the manner by which the MMT prepares the necessary recommendation/s to the complainant/s about complaints that are within their capacity to address, as well as those that may be redirected to another responsible agency for immediate action.

Often, complaints from communities are brought to the concerned local government unit (LGU). Since LGUs have a mandate to protect their constituents, they usually conduct their own investigation and provide solutions to the complaint. However, since there are MMT members from LGUs, a report can automatically be furnished to the MMT for evaluation. Should such protocols be present, a proper description must be stipulated in the MOO.

## Training

MMT members, whenever appropriate and feasible, should discuss in this section how they may be trained on the different aspects of monitoring work to equip them with the necessary understanding/knowledge to undertake their tasks. Aside from the expected rigors of compliance monitoring, training topics may include, but not be limited to, skills enhancement for the required tasks and value formation. Updates or refresher courses on IEC, public disclosure, complaints management and developments in the field of environmental management (especially on the project being subject to M&A) and policy may also be considered as areas for training.

Time and effort must be exerted, especially on complaints management, as the MMT is tasked to address complaints at its level. Hence training to focus on possible complaints and, using conflict resolution techniques, "what to do or suggest" to the complainant must be built in this section. It would be best if the MMT can at this point identify/provide a checklist of possible areas where complaints normally arise.

This section must likewise incorporate how new skills/knowledge will be re-echoed to other MMT members and the community at large.

## Records Keeping

MMT shall anthologize relevant records, data, and technical references and compile monitoring reports. These documents may be used for:

1. Documenting violations of proponent and recommendation for the issuance of a cancellation or suspension order, or order of revocation of the ECC;
2. Building the data base for different project types to strengthen the accuracy of impacts prediction; and
3. Improving the preventive and mitigating measures provided under the EMP.



## D. Drafting the MMT Code of Ethics

A **Code of Ethics** will be adopted by MMTs to ensure a common frame by which integrity of all will be maintained in the performance of M&A functions. It would be best if the Code of Ethics is translated in the local dialect and processed with the Proponent and the EMB for common understanding, especially with regard to technical terms used and translated in the vernacular. A sample guide for drafting a Code of Ethics is given in this section.

### **SAMPLE CODE OF ETHICS FOR MMT MEMBERS**

The norm of ethical standards that shall govern the personal and professional conduct of the MMT members is important to maintain the integrity of the EIS System, as well as ensure objectivity in the monitoring and evaluation process of the EIS and promote public interest.

#### **Section 1: Principles**

- 1.1 Shall be committed to the service of God, country, and humankind (services/endeavors – in accordance with the rhythm and harmony of nature)
- 1.2 Shall be committed to the highest degree of professionalism, excellence, and integrity in the practice of profession
- 1.3 Shall uphold and obey all relevant laws, rules and regulations, and legal orders; observe fairness, courage, honesty, and sincerity (mindful of role in attaining ecological balance, public order, safety, and convenience at all times)
- 1.4 Shall be transparent in dealings and avoid activities which will create a situation/condition of “conflict of interest”
- 1.5 Shall devote attention to the physical, economic, and social problems and needs of the stakeholder groups, as well as the identification of the positive cultural and social values and economic assets to be preserved
- 1.6 Shall render competent credible service within the context of the PEIS-M&A System

#### **Section 2: Moral Responsibility of MMT Members**

- 2.1 Shall not accept “bribe” in any form in exchange for a favorable recommendation on the monitoring report
- 2.2 Shall not promote any form of misinterpretation, or mislead the public by providing false or inaccurate information about the project





### **Section 3: Responsibility to Co-MMT Members**

- 3.1 Shall share results of experiences on M&A and public disclosure/IEC and address complaints, which could contribute to the efficient administration of the PEIS-M&A System
- 3.2 Shall not give opinion which will tend to destroy credibility of colleagues except upon lawful order from the Court or on subpoena issued by the Environmental Management Bureau
- 3.3 Shall endeavor to increase and broaden range of opportunities for PEIS-M&A System involvement/competence/ development

### **Section 4: Relationship to DENR and/or Proponent**

- 4.1 Shall observe candor and fairness in actual M&A
- 4.2 Shall conduct monitoring in accordance with the standards set forth in the Code and in the Multi-Stakeholder Participation Handbook and/or MMT Manual of Operations
- 4.3 Shall render competent credible service within the context of the PEIS-M&A System
- 4.4 Shall make timely and appropriate recommendations regarding the results of monitoring project operations decision-making and undertakings
- 4.5 Shall render timely and appropriate advice, especially on hearing complaints
- 4.6 Shall exercise utmost confidentiality of information and related documents obtained until the time is proper for effective disclosure

### **Section 5: Responsibility to Public and to Country**

- 5.1 Shall have special concern for long-range consequences of present actions and pay close attention to the inter-relatedness of decisions and opinions
- 5.2 Shall plan for and implement the appropriate means of addressing informational needs of the disadvantaged, disabled, vulnerable, and underprivileged groups or persons who will be affected by the development project
- 5.3 Shall devote attention to the physical, economic, and social problems and needs of the larger stakeholder groups, as well as the identification of the positive cultural and social values and economic assets to be preserved



## **E. Environmental Monitoring and Audit Fund Mechanism and the MMT Work and Financial Plan**

The EMAF is a fund that a Proponent shall commit to establish in support of the activities of the MMT for compliance monitoring. The EMAF will be established as agreed upon and specified in the MOA between and among EMB, Proponent, LGU, and MMT representatives. The EMAF will be administered and managed according to the general policies discussed in the following paragraphs.

### **Designation of an Entity or Officer as the Administrator of the EMAF**

The Administrator will be any of the stakeholders – - MMT members other than the EMB-RO and Proponent. This is consistent with the recommendation that the EMB-RO and Proponent are non- MMT members and in keeping with the spirit of independent monitoring. The Fund Administrator can be any one of the participating private sector entities, LGUs, or NGOs (This will apply to individual or cluster/integrated MMT).

The Fund Administrator should get and present authority to act as such from their respective Boards (NGOs) or Sanggunian (LGUs). Such authority shall indicate that the entity accepts the responsibilities of the EMAF Administrator and shall be liable for any misapplication or inappropriate disbursements allowed to be charged against the EMAF. The Fund Administrator shall open an account with a government accredited bank in the name of the MMT, with the elected Chairperson or Treasurer as signatory **AND** the representative of the Fund Administrator as counter signatory (especially if the latter is not one of the signing officers).

The Proponent shall execute a complementary MOA with the Fund Administrator specifying among others:

- the responsibilities of the Fund Administrator to the MMT, Proponent, and EMB;
- mutually acceptable manner or schedule of release of funds required by the approved Work and Financial Plan;
- reportorial responsibilities of the Fund Administrator;
- right of the Proponent, with the concurrence/approval of the EMB, to hold succeeding release of funds in case of non-performance or questionable activities;
- disposition of interest income, if any, and unexpended balance of the

EMAF at the end of the period; and

- liability of the Fund Administrator in case of misuse of the EMAF. The MMT and EMB official representatives shall sign as witnesses to the MOA.

For Proponents, which are Government-Owned-and Controlled Corporations or GOCCs, the manner of release of funds may be based on submission of reports that are approved or received/accepted by the EMB RO/CO. Initial release of funds may be based on the submission of approved Work and Financial Plan and official acceptance of the MOA with the Fund Administrator (through a resolution) by the MMT. The Fund Administrator and the MMT must ensure that the amounts, intervals of releases, and the manner or conditions of succeeding releases will not in any way hamper scheduled monitoring activities.



The rates or amounts that will be used in the preparation of the Work and Financial Plan shall be in accordance with the rates prescribed in the DAO 96-37 or DAO 2003-30 Procedural Manual. *The MMT officers or ExeCom shall not be allowed to prescribe amounts higher than those indicated in the Procedural Manual of DAO 96-37 or DAO 2003-30.*

EMAF will be disbursed according to the approved Work and Financial Plan and within the limits prescribed in the Procedural Manual of DAO 96-37 or DAO 2003-30. 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 Administrator will keep updated books of accounts or accounting records of the EMAF together with the corresponding supporting documents. The Fund Administrator shall provide the EMB-RO and Proponent quarterly financial reports.

Any unexpended balance of the EMAF 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.

The Fund Administrator may charge 5 -10 per cent of the annual EMAF amount as administrative fee. The administrative fee will be based on actual amount utilized for the year.

An independent auditor may be hired to undertake financial auditing. His/her fee may be charged against the EMAF. Financial reports are public documents and shall be provided by the MMT or Fund Administrator upon request.

## **Allowable Expenses under the Environmental Monitoring Fund (EMAF)**

Per DAO 96-37 Procedural Manual, EMAF may be used to defray MMT expenses, such as:

1. Cost of transportation
2. Board and lodging
3. MMT meetings
4. Sampling
5. Shipment or transport of samples, equipment, documentation (photos, video, etc.), laboratory analysis
6. Hiring outside experts or subcontracting of a monitoring work to a neutral party
7. Training of the MMT
8. Preparation of monitoring reports and distribution
9. Public information campaign/dissemination, etc.



### **Cost of Transportation**

Only two types of transportation costs may be charged to the EMAF:

1. Costs incurred during monitoring; and
2. 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.

### **Board and Lodging**

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.

### **Monitoring Costs**

The basis of disbursement of costs for monitoring expenses [such as actual sampling, shipment, or transport of samples, equipment, documentation (photos, video, etc.), laboratory analysis, etc.] shall be the annual work plan.

### **Honoraria**

Payment of honoraria using the amount allocated for EMAF is not allowed unless otherwise prescribed in this manual (e.g., transportation, board and lodging). **Department of Budget and Management (DBM) guidelines on the granting of honoraria may be used as a guide.**

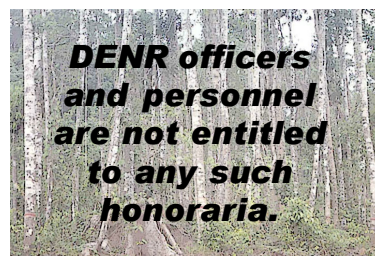
Membership in MMT or other such group is considered as public service. Such membership is not supposed to be used as an excuse for income augmentation. The participation of the private sector will concretize its concern for the environmental impacts of the project, and its subsequent commitment to safeguard communities. The involvement of the public sector is in line with its commitment to serve the public.

### **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 operations of the MMT may be charged to the EMAF -- provided allocation for such purposes was included in the annual work plan and is not explicitly prohibited.

In the case of merged or integrated MMTs, the management fee, administration, and other such costs for the EMAF Fund Manager may be charged to the EMAF.

MMT members who participate in the MMT in their personal/private capacity/ies, may claim for "lost income" compensation for actual monitoring time plus reasonable provisions for travel. For example, a private medical practitioner representing his/her sector may claim for such compensation.



## Work and Financial Planning

Examples of MMT Work and Financial Plan for the enhanced M&A system are shown below:

### Sample Work Plan

No.	Functions/Activities	Performance Indicator	1 <sup>st</sup> QTR	2 <sup>nd</sup> QTR	3 <sup>rd</sup> QTR	4 <sup>th</sup> QTR
1.0	Organizational Meeting, election/ designation of officers (ExeCom) and <i>Sectoral</i> /Committee members	Officers elected and Committees formed	●			
2.0	Review of Proponent's EMAP/M	EMAP/M reviewed/ comments submitted to EMB & Proponent	●			
2.1	Meetings ≥ 4 times		●			
2.2	Individual assignments/hiring of expert to review EMAP		●			
3.0	Preparation of Compliance Monitoring and Validation Report and Manual of Operations (MOO) including Annual Work and Financial Plan (AWFP)	MOO (with AWFP) prepared and submitted to EMB & Proponent for approval	●			
3.1	Meetings ≤ 4 times		●			
3.2	Individual assignments/hiring of expert to prepare the MOO		●			
4.0	Witnessing of/Attendance in Proponent's monitoring activities	Self-monitoring activities attended		●		
4.1	Field Work					
5.0	Validation of Proponent's semi-annual SMRs and/or third-party Audit as deemed necessary	SMR review report prepared and submitted			●	
5.1	Individual assignment/hiring of expert to review SMR					
5.2	Meeting ≤ 3 times					
6.0	Confirmatory Sampling and Measurement Activities: part of validation of SMRs or third-party audit	Questionable items in the report/ audit resolved; Report on the sampling		○	○	○
6.1	Field work			○	○	○
7.0	Confirmatory Sampling and Measurement Activities: verification of complaints	Report to EMB on the complaint with observations		○	○	○
7.1	Field work			○	○	○
8.0	Conduct of community meetings/ communications re: findings and verified complaints	Meetings with community conducted	✓	✓	✓	✓
9.0	Training of MMT members on how to interpret Proponent's or third-party monitoring reports	Number of members trained; Subject of training course	✓	✓	✓	✓
10.	Administrative support	Financial reports				●
11.	Financial audit by external auditor	Auditor's report	✓			

✓ As may be scheduled – any quarter

○ Anticipate a number of samplings per quarter but conduct actual sampling only when necessary

● Regular schedule

### Sample Financial Plan

No.	Cost Item Per activity in the work plan	Unit Cost	Qty	Days/No	1 <sup>st</sup> QTR	2 <sup>nd</sup> QTR	3 <sup>rd</sup> QTR	4 <sup>th</sup> QTR	TOTAL
1.1	Meals/venue – MMT Meeting	200	A	1	XXX				
1.2	Transportation Cost/ Allowance	150	A	1	XXX				
2.1	Meals/venue – MMT Meeting	200	B	3	XXX				
2.2	Transportation Cost/Allowance	150	B	3	XXX				
2.3	Hiring of Expert (s)	3,000*	1	C	XXX				XXX
3.1	Meals/venue – MMT Meeting	200	B	4	XXX				XXX
3.2	Hiring of Expert (s)	3,000*	1	C	XXX				XXX
3.3	Transportation Cost/Allowance	150	B	4	XXX				XXX
4.1	Meals/venue – MMT Meeting	200	B	C		XXX			XXX
4.2	Transportation Cost/Allowance	150	B	C		XXX			XXX
4.3	Board and Lodging	≤ 600	D	C		XXX			XXX
5.1	Meals/venue – MMT Meeting	200	B	C			XXX		XXX
5.2	Transportation Cost/Allowance	150	B	C			XXX		XXX
5.3	Board and Lodging	400	D	C			XXX		XXX
6.1	Meals/venue – MMT Meeting (planning & report preparation for confirmatory sampling)	200	B	C	XXX	XXX	XXX	XXX	XXX
6.2	Transportation Cost/Allowance	150	B	C	XXX	XXX	XXX	XXX	XXX
6.3	Board and Lodging	≤ 600	D	C	XXX	XXX	XXX	XXX	XXX
6.4	Equipment/Supplies for sampling	E				XXX			XXX
6.5	Sampling Cost (per parameter)	F	F1		XXX	XXX	XXX	XXX	XXX
6.6	Honorarium (For resource person/ expert)	≤ 2,500	B	C	XXX	XXX	XXX	XXX	
7.1	Meals/venue – MMT Meeting (planning & report preparation for sampling/complaints verification)	200	B	C	XXX	XXX	XXX	XXX	XXX
7.2	Transportation Cost/Allowance	150	B	C	XXX	XXX	XXX	XXX	XXX
7.3	Board and Lodging	≤ 600	D	C	XXX	XXX	XXX	XXX	XXX
7.4	Sampling Cost	F*	F1			XXX	XXX	XXX	XXX
7.5	Honorarium (For resource person/ expert)	≤ 2,500	B	C	XXX	XXX	XXX	XXX	XXX
8.1	Communications	G				XXX		XXX	XXX
9.0	Training Cost:Meals, transportation cost, resource person(s), venue, and supplies and materials	G			XXX		XXX	XXX	XXX
10.	Administrative Fee	0% 1							XXX
11.	External Auditor	G				XXX			
12.	Supplies & Materials for reports	G			XXX		XXX		

A – Total number of MMT Members

B – Number of MMT Committee Members/Participants

C – As required

D– Number of members entitled, those whose work place is more than 50 kilometers from monitoring/meeting location  
E – Equipment deemed necessary for monitoring may be purchased and is expected to be kept and used over its useful life by the MMT (As such, equipment outlay is not expected to be a recurring item.)

F –Cost per sampling activity/parameter; F1 – Number of confirmatory sampling anticipated per quarter. Sampling cost will include cost directly related to the sample and its analysis, e.g., container bottles, chemicals and laboratory analysis of the samples (See *Estimating Sampling and Measurement - sample computation below*.) Estimate for confirmatory sampling is included but will be utilized only when the conduct of sampling becomes necessary.

G- Estimate, as may be required



Equipment and sampling supplies may include:

- Camera
- Measuring tape
- Ringlemann Chart
- Portable ion meters
- pH paper
- Bottles/containers of samples
- Field notebook (preferably a hardbound and waterproof engineer's field notebook)
- Black pen using no-blot permanent ink
- Other simple rapid analysis kits

### Estimating Sampling and Measurement (example only)

	Parameter	No. of Sampling Sites (a)	No. of Samples Site (b)	Total No. of Samples (c=aXb)	Sampling Cost per Sample (d)	Measurement Cost per Sample (e)	Total Cost of Sampling (f=cXd)	Total Cost of Measurement (g=cXe)	Total Cost (h=e+f)
1	ex. BOD	5	3	15	100	1,000	1,500	15,000	16,500
2	ex. TSS	5	2	10	50	500	500	5,000	5,500

**Note:** It is important to determine the sampling areas, number of MMT members who will join the undertaking, equipment, and the like to conduct confirmatory sampling.

## F. MMT Monitoring Under the Enhanced M&A System

This section addresses the two key mandates of the project-specific Multi-Stakeholder Monitoring Team (MMT) that is organized by EMB in coordination with the Proponent to assist EMB as an independent third-party monitoring entity. In certain cases, a cluster MMT may be created for several projects that are geographically integrated. This section is divided into two major sections: the preparation of the MMT Monitoring, Operations, and Validations Guidelines and Guidelines for the Preparation of MMT Compliance Monitoring Reports.

### What are the different monitoring activities?

The guidelines aim to provide the MMT with a step-by-step procedure in preparing/conducting its duties and responsibilities. These duties and responsibilities include:

1. Review of Proponent's Environmental Monitoring and Audit Plan/ Environmental Monitoring and Audit Manual (EMAP/M)

2. Review of Proponent's Self-Monitoring Reports (SMRs) and Third-Party Audit Report
3. Confirmatory Sampling and Measurement Activities
4. Complaint Verification and Management

The MMT assists the EMB in compliance monitoring based on the ECC and EMAP/M, reviews the Self-Monitoring Reports submitted by the Proponent, and when applicable, reviews the annual audit conducted by an independent and EMB-accredited third party. It is tasked to conduct confirmatory sampling activities for perceptible pollutants of air, water, and land.

The MMT should be able to perform basic data/information compilation, processing, and evaluation. The team must conduct these tasks collectively and in full transparency. Further, the MMT should adhere to agreed methods on processing and evaluating data.



After systematic data processing and due evaluation, the MMT should be able to formulate recommendations and finalize the report. While unanimity in findings and recommendations must be borne from the whole activity, disagreements are inevitable. The team should, however, fully explain unresolved disagreements in the report. With this proviso, the team members can come to a signed concurrence notwithstanding the unresolved items.

The MMT may join the Proponent in the conduct of monitoring. In cases when the MMT has doubts in the Self Monitoring Report (SMR) of the Proponent, it has the option to consult DENR personnel on technical aspects of the SMR or consult/hire technical experts preferably accredited by DENR or other equivalent bodies.

### **How do we review the EMAP/M?**

Although the EMAP/M is considered to be the "bible" for monitoring activities, it is a "living" document. At every anniversary of the EMAP or EMAM approval (to be agreed upon between EMB and Proponent), the EMAP/M will be reviewed to take into account the findings of the Proponent's self-monitoring reports, the MMT monitoring reports, and the third-party audit. The EMAP/M review should examine if the minimum requirements are met for each topic and scientific discipline (as determined by an expert in that specific discipline) included in the EMAP/M.

The MMT may review or question the setting of monitoring objectives, as well as the process in determining the significant impacts and parameters that will be monitored. The MMT can invite a qualified specialist if there is an indication that the determination process is flawed or does not address the concerns of specific stakeholders or the agreed monitoring objectives, in general.

The MMT can recommend additional monitoring parameters deemed critical to maintaining the environmental sustainability of the area. However, approval for such recommendations still rests with the review committee.

The MMT must review the Environmental Quality Performance Limits (EQPL). If the MMT feels that the EQPL set for the selected parameters are either too low or too high based on experience from the previous monitoring reports or other credible theoretical or practical reasons, the MMT can recommend amendment or resetting to the EMB.

The MMT may also review the Sampling and Measurement Plan (SAMP), as described in the EMAM, if there is sufficient technical competence within the team. If the MMT has inadequate capability, external experts with appropriate credentials may be commissioned to undertake the SAMP review. For this purpose, an EMB-accredited environmental auditor may be engaged. The MMT should ensure that SAMP adheres to proven, acceptable, scientific, and standard methods of sampling and measurement which must be observed during the actual monitoring.

The MMT may recommend partial or full cessation of monitoring activities, if warranted, on the the following grounds:

- full compliance with ECC and EMP commitments has been attained, and/or
- the proponent has set up a functional environmental management system (EMS), or
- an SRU or alternative entity can take over the remaining monitoring tasks, or
- an EMB-accredited environmental auditor has been hired and monitored to be performing satisfactorily, among others.

### **What is EQPL?**

Environmental Quality Performance Levels, or EQPL, are a main feature of the Environmental Monitoring Audit Plan and Manual prepared and submitted by the Proponent to the EMB. EQPLs standards or criteria are

set to measure and evaluate the environmental performance of the Proponent. EQPLs are based on the Precautionary Principle of environmental management which encourages decision in favor of the environment in cases where information may be lacking for decision-making or uncertainty in judgment may be high.

EQPLs are progressive numerical thresholds of parameters of ambient environmental quality that indicate if there is activity-related deterioration of the environment that in turn needs management action.

The EQPLs are chosen for each parameter to indicate the type and intensity of management action. There are ideally three EQPLs to be set for each critical environmental parameter as follows:

- (i) Alert Level – Management should investigate the possible cause of the deterioration while the deterioration is still early, mild and can be easily nipped in the bud.
- (ii) Action Level – Management should take positive measures to halt or reverse the environmental deterioration to avoid reaching critical levels, which tend to be harder and more expensive to arrest or reverse.



- (iii) Limit Level – Management should avoid reaching this stage at any or all costs inasmuch as irreversible and expensive damage to the environment and human health and welfare may be imminent or have already occurred and there is the threat of closure or stoppage of operations by regulatory authorities.

As a general rule, the Alert Level is set at that point where there has been a 10 per-cent significant negative change in the environmental quality as measured by a particular parameter. In this case, a reliable baseline or benchmark value of the parameter must have been set earlier to serve as reference to or

determine the significance of the negative change in environmental quality. The first move is to confirm if the sampling and measurement for that parameter are accurate. If so, the cause should be ascertained, including factors external to the operations. In any case, closer monitoring will be required. If the deterioration is confirmed, it must be estimated when the Limit Level might be reached and the Action Level validated.

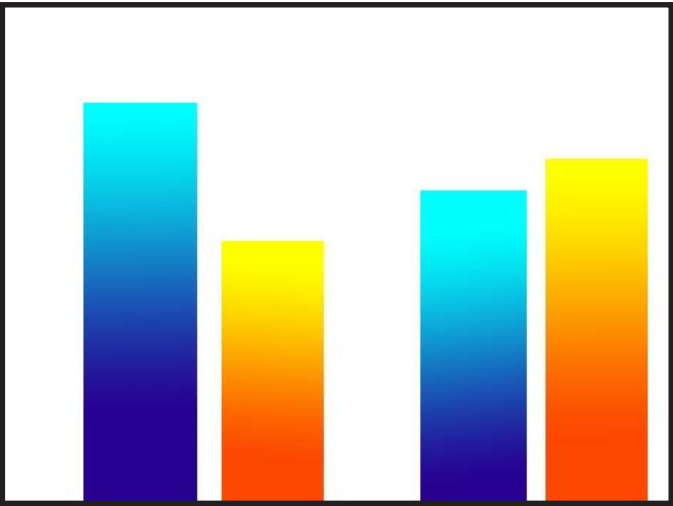
The Action Level is set at a point of deterioration that is lower than the Limit Level to give enough time to institute positive environmental measures. Generally, measures involving infrastructure require longer gestation periods and must be considered in setting the Action Level.

The Limit Level must be avoided by management as regulatory sanctions, penalties, and closure may be the consequence. Thus, the Limit Level of the various environmental quality parameters refers most often to statutory limits or ambient environmental standards, industry standards or best practices, or consensus among the key stakeholders. The Limit Level is thus bad for business and carries a lot of financial risks and bad publicity to the company.

**Why review the SMR and Third-Party Audits?**

The MMT will review the self-monitoring reports submitted by the Proponent, as well as the annual audit conducted by an independent and EMB-accredited third party. The main purposes of the review are:

- to validate the veracity of the Proponent’s and Auditor’s reports;
- to ascertain the compliance status of each ECC conditionality and EMP commitment; and
- to determine effectiveness of EMP measures and Proponent response to an environmental impact or action, such as non-compliance, valid complaint, environmental accidents, and the like.



The MMT should ensure the following in reviewing the monitoring reports. They may use the following table/checklist to simplify their work.

Checklist		
Responsibility/Item	Yes/No	Comments
Have the identified impacts and monitoring parameters listed in the EMAP been sampled and measured based on the agreed upon process, standards, and protocols described in the SAMP?		
Were the QA/QC procedures and Chain of Custody (CoC) strictly followed?		
Are there any exceedances in the agreed upon EQPLs of the impacts/monitoring parameters? (It is critical to ensure that the project is meeting the required regulatory standards and that there are no overall adverse impacts in the area as a whole, not necessarily from the project, but maybe from the other contributory factors.) Comment on the Proponent's handling of the exceedances, if any.		
Are mitigating measures in place to minimize the impacts?		
Were appropriate environmental management actions (i.e., fines, penalties, CDOs) enforced?		
Are recommendations for future reports and monitoring activities included?		
Are there any discrepancies or differences between third-party audit reports with Proponent monitoring reports and previous MMT reports? (If there are differences, between the monitoring reports and the audit report, these should be adequately explained in the audit report and recommendations provided on how to address the discrepancy.)		
Are there any valid complaints? Comment on the complaint management of the Proponent.		



To ensure that sampling and measurement protocols specified in the SAMP are met during actual field sampling activities, MMT members should accompany the Proponent's representatives during the field sampling activities. As an added benefit, it may promote transparency between the Proponent and the other stakeholders. In the event that there are deviations in the protocol, these should be justified (i.e., due to adverse weather conditions there was a change in the schedule). The MMT should ensure that the deviation is justified and will still result in valid data collected for that particular parameter.

### **Why should the MMT conduct Confirmatory Sampling and Measurement Activities?**

MMTs are not mandated to do sampling and measurement activities such as those described in the SAMP of the Proponent's EMAM. However, there are instances when an MMT must verify a suspicious data set or finding or validate a public complaint. In such cases, it may be prudent for the MMT to do Confirmatory Sampling and Measurement activities either on its own or through a hired expert.

The procedures in conducting Confirmatory Sampling and Measurement Activities are as follows:

1. Determine which data need confirmation, validation, or verification.
2. Identify the parameters needed for confirmation, validation, or verification.
3. Choose appropriate sampling and measurement protocol (or SAMP from EMAP).
4. Conduct sampling and measurement.
5. Process data.
6. Prepare and disclose report of confirmatory sampling and measurement.

Due to lack of technical knowledge and equipment of most MMTs in terms of environmental field sampling and measurement, sampling and measurement activities for MMTs should be limited to simple techniques, such as reading Ringlemann charts (used for grading the density of smoke), using pH paper (used to determine acidity/basicity), temperature changes, and visual observation/inspection (i.e., change of color in water, fish kills, loss of crops). However, if the MMT has the technical background (i.e., an MMT member is an academic institution like UPLB) in conducting field sampling and laboratory analysis, the members should strictly follow the SAMP in the EMAP.



MMT members should also accompany members of the monitoring team of the Proponent to ensure transparency of the field monitoring process. Additionally, the MMT can ensure that the SAMP is actually followed and will help in preparing the documentation for the MMT Compliance Monitoring Report.

Confirmatory Sampling is also necessary in verifying complaints, which is discussed further in the following section.

In conducting Confirmatory Sampling, MMT members should bring the necessary equipment (a checklist will be provided in the MMT Compliance Monitoring and Validation Operations Manual Annexes). Equipment may include:

- Camera
- Measuring tape
- Ringlemann Chart
- pH paper
- Field notebook (preferably a hardbound and waterproof engineer's field notebook)
- Black pen using no-blot permanent ink
- Portable meters for selected ions
- Other simple rapid analytical tools depending on parameters to be monitored



They should record their observations and all activities in as detailed a manner as possible in the field notebook. Data include the date and time of the different observations, diagrams showing position of landmarks, and receptors in relation to where the complaints were observed or the samples taken.

The team should only write on the right side of the notebook and leave the left side blank. Mistakes should not be completely erased but should only be struck out using one horizontal line (in the case of figures, an x mark will do). Permanent ink should be used, ideally one that does not blot when exposed to water.

Once the observations have been written, the individual team member should mark the end of his/her notes. This is to prevent other persons from adding information or misinformation to the notes.

All these precautions are necessary as the notebook can be used as evidence for litigation, as well as for Pollution Adjudication Board (PAB) proceedings.

## How do we handle complaints verification and management?

The MMT is the first line in the processing of complaints. Once a complaint is received, it should be properly recorded in a logbook. MMT members should immediately form a team to verify if the complaint is authentic. Verification may involve Confirmatory Sampling and Measurement Activities which are discussed in the previous section. Once a complaint is verified, it should be forwarded to EMB with the MMT's observations and other related paperwork. If there is a need for immediate action by the Proponent to prevent further or minimize environmental damage or threat to human health, the Proponent must be informed immediately.

## How do we prepare the MMT Compliance Monitoring Report?

This report aims to primarily validate the SMR that is being prepared by the Proponent and/or its auditor's report. It will serve as the main document that will affirm the role of the MMT as a watchdog of the project.

Compliance monitoring addresses essentially the compliance status of the ECC conditionalities and EMP commitments.

### a. Executive Summary

This section should contain a summary of the whole report. It should include a table showing the status of each conditionality/impact/parameter based on the findings of the report. A sample table is shown below.

"Present Actions" in the table heading describes what actions are being undertaken to comply with the Conditionality / Impact / Parameter / Commitment. Recommendations should present the steps needed to attain and maintain compliance.

Conditionality/Impact/ Parameter/ Commitment	Status*	Present Actions	Recommendations	Comments

\*Status can be either complied (meaning this is a one-time compliance requirement), complying, or not complying.

## **b. Introduction**

This will be based on a template with only the facility name, date, and location changing from report to report.

## **c. Methodology**

This section should cover the steps taken by the MMT that resulted in the current monitoring report.

Depending on the type of monitoring report [whether it is reviewing a Proponent's self-monitoring report (SMR), a third-party audit report, or preparing a complaint verification report and Confirmatory Sampling and analysis report], it should cover detailed steps taken by the MMT in preparing the monitoring report.

This section should be as detailed as possible, especially in conducting sampling and measurement activities and complaints verification. The MMT should also refer to the MMT Compliance Monitoring and Validation Operations Manual and the EMAP (specifically the Sampling and Measurement Plan). For sampling and complaints verification activities, a detailed map showing sampling locations and observed abnormalities or deviations in the environment must be included.

## **d. Results and Discussion**

This section should discuss the results of the monitoring process, which encompasses several activities.

### **Review of Monitoring Reports**

This section should compare the identified conditionality/impact/parameter with the set of environmental quality limits to determine if there are any exceedances or non-compliances. It should discuss the reasons for any exceedance (beyond acceptable limits or standards) or non-compliance and if the MMT agrees with the findings of the monitoring team.

It should also discuss if the SAMP was implemented to the letter. It is therefore critical for the MMT to accompany the Proponent's monitoring team during the sampling activities to verify adherence to SAMP. Should there be any deviations from the SAMP, it should also be discussed in this section along with the reason for deviation.

**a. Third-Party Audits**

For third-party audits, this section should include if the SAMP was followed. It should also include the discussion on the findings of the audit and if the MMT agrees with this.

**b. Confirmatory Sampling and Measurement Activities**

This section should present data gathered during the sampling activities. It should discuss what samples have high concentrations of pollutants compared to the limits. Data should be tabulated on a per parameter basis and should look like this:

Parameter	Date/Time Sampled	Location	Analytical Results	Limits		
				1	2	3

**c. Complaints Verification and Management and Reports on Accidental Spills and Releases**

For complaints verification, this section should discuss the complaint, the area where the complaint was located, detailed observations by the monitoring team highlighting anything out of the ordinary or having any adverse impact on the environment. For details on the methodology for sampling and measurement activities, refer to the previous section.

This section should also report any accidental spills or releases that have the potential to have an impact on the environment, people, and ecological health, although there may be no official complainant. The response or action undertaken by the Proponent should be explained.

**Recommendations**

This section should discuss the recommendations of the monitoring reports and the rationale behind it. The justification should be based on the findings and discussed in the results and discussion section. A summary of the recommendations should also be presented in bulleted format.





## Attachments

This section should include pictures, laboratory results, complaint letter/log, certifications, SRU acknowledgments, recommended alternative methodologies, summons, Notice of Violations (NOVs), etc.

## Process Documentation (Prodoc)



Monitoring reports are procedural in nature. For MMTs to fully capture the essence of monitoring, a substantive tool in report presentation is needed. **Process documentation** is a process-oriented data-gathering tool that aims to enhance understanding of the relationship between process and structure as inputs to institutional learning. **Prodoc** is used **selectively** to capture group dynamics, issues, and concerns affecting an innovation (for example, a model piloting exercise), a controversial project, or social dilemma. It is **selective** because it is meant to identify the facilitating and constraining factors and eventually the solutions to problems confronting a proposed intervention.

Process documentation is both a means to an end and an end in itself. The activity of capturing and recording the process stimulates reflection and self-analysis among participants – an important part of a continuous learning process.

Moreover, site-based process documentation is intended as a tool for decision-making, self-evaluation, and improvement efforts.

Since prodoc is time-consuming, time should not be wasted on very obvious or very established patterns just for the sake of having a prodoc.

### Why is ProDoc needed/relevant?

Process documentation is not a mere notation of an exercise but is more of a detailed description and analysis of different activities undertaken during a course of study. It analyzes significant observations and concerns and issues as articulated and addressed in different stages of the study. **Prodoc** allows for the recording and analysis of strengths and weaknesses, for instance, of multi-stakeholder participation.

Process documentation fosters reflection, analysis, and real-time learning. It also collects in-depth data on contextual factors that are hard to measure in other ways.



Process documentation is used to help understand and explain complex or long-term projects or activities. It looks at what happened to bring about change. It tells how different people look at what is happening. It provides information about why some things worked or did not work or were modified along the way.

### **What should be observed (Components) in doing Prodoc?**

Process documentation should focus on dimensions that are most likely to affect or influence the initiative's success. These may include: stakeholders' perceptions; roles and relationships; decisions and trade-offs; strategies; priorities; activities and events; investments and accomplishments; factors that shape the context in which any focus of study is operating including factors that help explain outcomes; implications; and lessons.

#### **REMEMBER!**

**Process documentation is a tool for decision-making, self-evaluation, and improvement efforts.**

In conducting prodoc, the following are noted:

1. Focus on activity objective/s.
2. Based on the objectives set, the prodocumentor observes both the process and content and notes are taken on the following:
  - Context of the gathering (reason for the activity; where, when, who were present) should be described.
  - Note how actors or key players relate with one another (protagonist, antagonist, supporting roles, pro, anti, etc.) within the context of the activity.
  - Identify what is being said, how it is said, and include non-verbal actions.
  - Note if politics, or the ability to influence others, comes into play. Determine the tactics or gimmicks employed.
  - Identify the major forces reckoned with, if any, and consider the possible entry points to deal with such force. Attempt to understand the psyche of that force if it involves a person or a group. This may be supplemented by other methods (for example, key informant interview).



Based on the above data gathered, sift and determine possible methods and techniques for eradicating or working through the barriers/constraints, as well as strengthening catalytic factors.

### **REMEMBER!**

**Thoroughness and focus are more important than volumes of details. Exhaustive descriptive information without synthesis or analysis is likely to frustrate both those creating it and those trying to use it.**

### **What are the attributes of a good process documentor?**

People doing process documentation are not merely notetakers or recorders – they are writers seeking to capture what it is that needs to be learned. Their role is to translate ideas and lessons into knowledge. Therefore, a prodocumentor requires skills in listening, quick mental processing, integrating, and psyche reading. Other attributes for someone doing prodoc include: the ability to work with local stakeholders; a long-term and big-picture perspective; and creativity in presenting data in various ways.

### **REMEMBER!**

**Those doing process documentation need to know who their audience is. This affects what to observe and how to present observations. It's really important to think 'why' and 'for whom' with process documentation.**

### **Process-Oriented Techniques**

Process documentation attempts to capture many different types of information, so it relies on a combination of methods that are repeated periodically. These methods include:

1. Interviews with individuals
2. Focus groups
3. Document reviews
4. Observation of selected events

### **Packaging Results of Prodoc**

Results of process documentation should provide information sufficient enough to support in-course corrections. Reports should be easy to use and relevant to users' interests. Products may include:

- Brief, informal memos explaining major issues uncovered through documentation activities
- Periodic summaries of themes or patterns in strategies, actions, and perceptions among core stakeholder groups or across all major collaborators
- Periodic in-depth examinations of issues that identify potential courses of action
- A comprehensive summary of participants, activities, strategies, accomplishments, obstacles, progress towards outcome goals, etc.

### **REMEMBER!**

**Results of process documentation should be prepared at useful intervals and in user-friendly formats.**

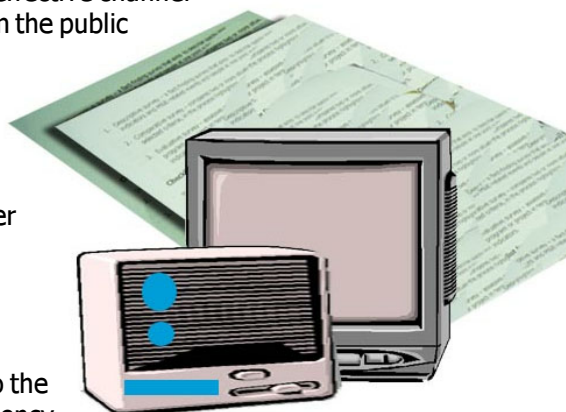
### **Submission of Prodocs**

Prodocs are produced for technical reports submitted to the EMB. These will be attached to all technical reports to form the substantive nature of the monitoring activity/activities.

## **G. PUBLIC DISCLOSURE AND IEC**

The multi-sectoral nature of the MMT makes it an effective channel for disclosing both information and complaints from the public at large to EMB/Proponent and vice versa. Public disclosure has been feared by those who do not know how to deal with it. Documentation, reporting, public disclosure, and IEC should be properly administered to reflect transparency. Complaints, when made, should undergo the proper process with due consideration of the time factor, avoiding red tape and bureaucracy.

The team must proactively seek feedback from the concerned public who may not have easy access to the usual communication channels of the regulatory agency or the project proponent. They must use new information in planning exercises for succeeding monitoring activities. Where they encounter valid complaints, they must refer this to a competent body, which may be defined by the MOA as a sub-team of the MMT.



Information may be disseminated through a number of available media in a certain locality. Findings reveal that the most convincing at the community level is the interpersonal type, which includes training, community consultation, barangay fora, house to house calls, and at some instances, participation in the monitoring process.

The following matrix manifests how public disclosure can be well complemented by IEC efforts.

Matrix of IEC Activities		
WHAT TO DISCLOSE	WHEN TO DISCLOSE	HOW TO DISCLOSE
1. M&A Results	After the submission of SMR	<ul style="list-style-type: none"><li>• Public Forum</li><li>• Distribution of IEC materials</li><li>• Local tri-media</li></ul>
2. MMT activities	Quarterly	<ul style="list-style-type: none"><li>• Newsletter in local dialect</li><li>• Community dialogues</li><li>• Public announcements (roving)</li><li>• Banners/ bulletin boards</li></ul>
3. Updates on the projects	When available	<ul style="list-style-type: none"><li>• Distribution of simplified version of the policies and information</li></ul>
4. DENR-EMB messages		<ul style="list-style-type: none"><li>• Public Forum</li></ul>
5. Issues and concerns arising from the community	As they come/arise	<ul style="list-style-type: none"><li>• Public forum</li></ul>

**Note:** Contents of documents to be released shall be discussed by the MMT with the Proponent.

REFERENCES

<sup>1</sup> *Stakeholder Identification, The World Bank (www.worldbank.org).*  
<sup>2</sup> *Overseas Development Administration. 1995.*

# 5 MMT Performance Audit

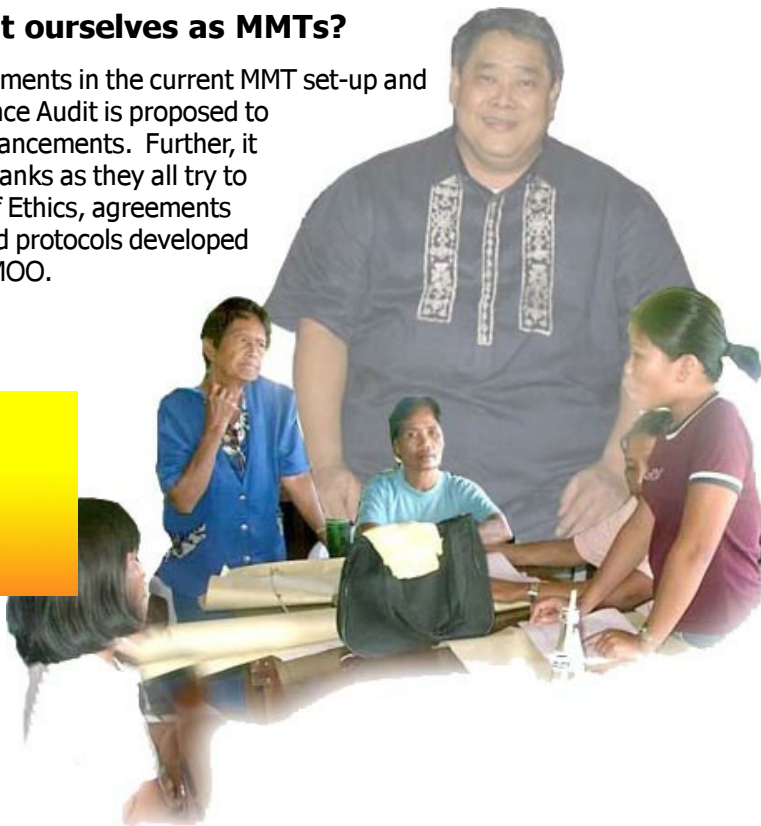
## A. Rationale for MMT Performance Audit

**T**he creation of a Multi-Partite Monitoring Team or MMT to assist the EMB in its conduct of compliance monitoring has been strongly institutionalized in the provisions of PD 1586 Implementing Rules and Regulations starting from DAO 21 in 1992 up to DAO 30 of 2003. However, to date, there exists no planned system of assessing whether or not the MMT as a public participation mechanism and as an EMB M&A partner has been effective in the execution of its mandated functions. The contributions of MMTs in promoting good environmental performance of project proponents have not been sufficiently evaluated.

### Why do we need to audit ourselves as MMTs?

In line with the proposed improvements in the current MMT set-up and its operations, an MMT Performance Audit is proposed to complement the M&A system enhancements. Further, it enables members to police their ranks as they all try to uphold the essence of the Code of Ethics, agreements entered into through the MOA, and protocols developed among them as stipulated in the MOO.

**The audit would allow for continual improvement of MMTs.**



Hence, all MMTs shall undertake an internal timely performance audit in order to address any deviations or non-conformances before these become major or gross violations.

## B. Scope of the MMT Performance Audit

The audit shall cover the MMT's administrative and financial management systems and technical operations. The scope of audit shall cover the following:

1. Documents containing the MMT's outputs in the implementation of its functions (CMVR, AWFP, IEC materials, Complaint Reports and Actions Taken); and
2. All procedures followed to formulate the documents, particularly the public participation process which was observed in the implementation of the MMT functions (using Prodoc reports, attendance, and the like).

## C. Audit Criteria and Schedule

At the outset, MMT performance audit shall include completeness of such documents as the MOA, Code of Ethics, and MOO. However, on an annual basis, performance audit will focus on expected annual outputs of the MMT as indicated in the AWFP. The AWFP will serve as the pre-defined targets for MMT operations and the MMT will be evaluated against these.

### REMEMBER!

**MMTs practice self-determination in establishing their targets for inclusion in the AWFPs as guided by the EMB and Proponent using the EMAP/M as major reference.**

MMTs therefore must agree on the performance criteria they will use to apply on themselves. Examples of criteria for MMT performance audit are as follows:

1. Timeliness in preparation and submission of reports (i.e., CMVR and SMR validation);
2. Completeness of reports produced;
3. Timeliness and appropriateness in addressing complaints;
4. Attendance in MMT activities;
5. Relevance, appropriateness, and timeliness of IEC material/s produced and trainings attended; and
6. Financial standing (disbursements).



## D. Audit Procedure

Once the MMTs shall have established the criteria for which they will be audited, they will submit the criteria to the EMB and Proponent for comments. The EMB will assist the MMT in developing an acceptable (READ: Simplified form in checklist style) set of forms for the performance audit. These forms will be most useful if aligned with the performance audit requirements that the EMB will conduct on the MMT.

### TAKE NOTE!

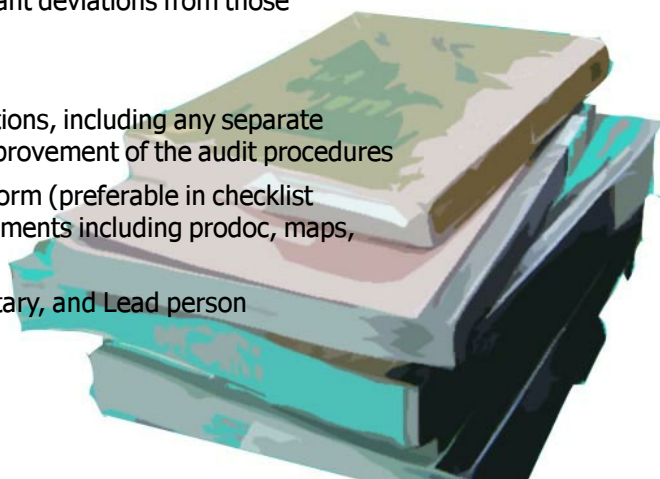
**Always bear in mind that this Handbook is anchored on the principles of participatory M&A. Hence, it is self-evolving and requires consensus, not external impositions, with the Handbooks and EMAP/M as guide.**

Agreements (MMT and its members, EMB, and Proponent) made on the criteria and forms indicate that the MMT is ready for self-performance audit. Any adjustments made on the applicability of the criteria or form will have to be coursed through the EMB.

## E. Contents of the Audit Report

The audit report shall contain, but will not be limited to, the following:

- Cover Transmittal Letter to EMB; copy furnished the Proponent
- Cover page
- Executive Summary
- Table of Contents, List of Figures (if any), and List of Annexes
- The Audit Objectives
- Major Findings (arranged by criterion)
- Explanations of the major or important deviations from those stipulated in the AWFP
- Audit Conclusion
- Recommendations for corrective actions, including any separate section on recommendations for improvement of the audit procedures
- The completed Performance Audit form (preferable in checklist format) along with necessary attachments including prodoc, maps, and photographs
- Signatures of the MMT Chair, Secretary, and Lead person



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