



AUG 3 1 2004

**DENR  
MEMORANDUM CIRCULAR**

No. 2004- 14

**SUBJECT: Prescribing the Guidelines for the Review of EIS and Issuance of Environmental Compliance Certificates (ECCs) to the Sub-projects under the Laguna de Bay Institutional Strengthening and Community Participation (LISCOP) Project**

Pursuant to the Memorandum of Agreement dated October 9, 2002 entered into by and between the Laguna Lake Development Authority (LLDA), Department of Environment and Natural Resources (DENR) and the Department of Finance (DOF) relative to the implementation of the LISCOP Project and consistent with the provisions of Administrative Order No. 2002-42 dated 2 November 2002 and DAO 2003-30 dated 30 June 2003, "Implementing Rules and Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System" and the following guidelines for the review of Environmental Impact Statements (EISs)/Initial Environmental Examination (IEE) Checklists/Reports pursuant to the issuance of ECCs for LISCOP sub-projects, are hereby provided for the guidance of all concerned.

**ARTICLE I**

**Scope and Implementation Arrangements**

**Section 1. Scope and Coverage.** This Memorandum Circular shall govern the review of sub-projects to be implemented in the Laguna de Bay Region under the LISCOP Project.

**Section 2. Implementation Arrangements.** The operationalization of these guidelines shall be in the context of DAO 2003-30 and guided by the Environmental and Social Safeguards Framework for the LISCOP Project, and such other relevant orders and issuances of the Department and the LLDA. The implementing offices/units shall be guided by the following:

- 2.1 The Environmental Management Bureau Region IV-A shall be responsible for the review of all ECC applications for covered sub-projects under LISCOP in collaboration with the LLDA Thematic Groups for issuance of the ECC.
- 2.2 EMB Region IV-A shall designate a LISCOP Focal Person who will be coordinating within the Regional Office all related activities.
- 2.3 The EMB Region IV-A shall actively participate in the Laguna de Bay Watershed Environmental Action Planning (LEAP) process, particularly once the priority sub-project has already been identified by the stakeholders in the watershed during the LEAP.
- 2.4 The EMB Region IV-A and LLDA shall undertake joint sub-project screening based on DENR threshold to determine whether a sub-project is covered or non-covered under the Philippine EIA System.
  - a) Consistent with DAO 2003-30, non-covered sub-projects, or those outside the purview of the EIA System shall no longer be required to secure a CNC. Instead, they shall be required to submit their sub-project Environmental Management Plans (EMPs) with detailed cost requirements for internal review by the LISCOP Safeguards Team. EMB Region IV-A shall be furnished a copy of the EMP for non-covered subprojects by LLDA for information. The EMP

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will be required for all non-covered subprojects as part of the LISCOP approval process.

- b) Covered sub-projects will be required to submit the Initial Environmental Examination (IEE) Checklist or IEE Report, whichever is applicable, to the EMB Region IV-A for the issuance of ECC. The sub-project ECC and the IEE Checklist or report will be required for the approval of covered sub-projects.

## ARTICLE 2 Procedural Guidelines

**Section 1. Steps in the EIS Review and Issuance of ECC.** The following are the procedures for carrying out the EIS process for LISCOP sub-projects:

- 1.1 Once the feasibility study on the sub-project and its components is completed, the EMB Region IV-A and the LLDA shall jointly conduct individual sub-project screening based on DENR thresholds to determine environmental category (covered or non-covered).
- 1.2 If the sub-project is covered, the LGU submits the IEE Checklist or IEE Report, whichever is applicable, to EMB Region IV-A. If the sub-project is non-covered the LGU submits an EMP acceptable to LISCOP Safeguards Team, a copy of which shall be furnished to EMB Region IV-A.
- 1.3 The LLDA Thematic Groups and EMB Region IV-A shall conduct joint inspection of the covered sub-project site as part of the review process.
- 1.4 The EMB Region IV-A and LLDA jointly review and evaluate the submitted IEE Checklist or IEE Report for ECC issuance.
- 1.5 The ECC shall be drafted by EMB Region IV-A in coordination with LLDA and in consultation with the proponent LGU, before it is finalized and approved by the Regional Director, EMB Region IV-A and issued to the proponent.

**Section 2. Timetable for Review and Issuance of ECC.** The following shall be the prescribed timetable for review of IEE Checklist/IEE Report for issuance of ECC by EMB Region IV-A provided that all the documents are submitted by the proponent LGU: Upon the lapse of the agreed duration of the review and provided that the full documentations are submitted to EMB Region IV-A, the application is deemed automatically approved.

For EIS-covered sub-projects:	No. of working days
a) IEE Checklist	30
b) IEE Report	30

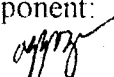
## ARTICLE 3 Responsibility and Accountability

**Section 1. Environmental Compliance and Monitoring.** The monitoring of LGU's sub-project compliance with the EMP and the conditionalities in the ECC will be the joint responsibility of the EMB, LLDA, LGU-proponent and concerned stakeholders in the micro-watershed where the sub-project is located.

**Section 2. Full Responsibility and Accountability of the LGU Proponent.** The LGU assumes full responsibility and accountability for implementing the ECC conditionalities and measures set forth in the EMP.

## ARTICLE 4 Required Payments

**Section 1. Payment of Fees.** The following fees shall be paid by the LGU-proponent:



- a) Standard processing fee amounting to P4,000.00 per sub-project ECC application;
- b) Technical Review Fee of P9,600.00 for IEE Report pursuant to DAO 2001-09 dated 16 January 2001.

**ARTICLE 5  
Penalty Clause**

**Section 1.** The penalties imposed under Administrative Order No. 2002-42 and DAO 2003-30 shall apply.

**ARTICLE 6  
Final Provisions**

**Section 1. Supplemental Rules and Regulations.** The EMB is hereby authorized to issue such supplemental or interpretative rules and regulations, as may be necessary, taking into account the uniqueness of sub-projects and/or the local conditions at the micro-watershed level, upon consultation and in agreement with LLDA.

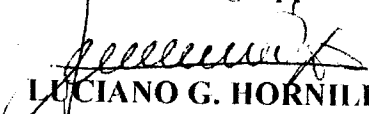
**Section 2. Repealing Clause.** Unless otherwise explicitly provided under these guidelines, all other DENR issuances, rules and regulations that are inconsistent herewith shall not be applied.

**Section 3. Separability Clause.** In the event that any provision of these guidelines is declared unconstitutional or null and void, the validity of the other provisions shall not be impaired by such declaration.

**Section 4. Effectivity.** These guidelines shall take effect immediately and the LLDA LISCOP Project Coordination Office shall undertake a systematic information/education campaign to ensure that all sub-project implementers and beneficiaries are fully aware of and can understand the provisions in these guidelines.

  
ELISEA G. GOZUN  
Secretary

**Recommending Approval:**

  
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