



Republic of the Philippines
Department of Environment and Natural Resource
ENVIRONMENTAL MANAGEMENT BUREAU
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March 3, 2020

ECC-OL-R4B-2020-0052

Engr. Josefina T. Panaligan
District Engineer

Department of Public Works and Highways
DPWH Bangangalon, Boac, Marinduque

Subject: **ENVIRONMENTAL COMPLIANCE CERTIFICATE**

Dear Engr. Panaligan;

This refers to the Environmental Compliance Certificate (ECC) application for the Construction of 8.032 km Boac - Mogpog By Pass Road including ROW, Marinduque to be located at Barangays Capayang and Bantad, Boac, Marinduque.

After satisfying the requirements of the said application, this Bureau has decided to grant an ECC for the above-mentioned project.

With the issuance of this ECC, you are expected to implement the measures presented in the Initial Environmental Examination Checklist (IEEC), intended to protect and mitigate the project's adverse impacts on community health, welfare and the environment. Environmental considerations shall be incorporated in all phases and aspects of the project.

This Certificate does not create any right nor be used as an authorization to implement the project, you may proceed with the implementation only after securing all the necessary and relevant permits from other pertinent Government Agencies. This Office shall be monitoring the project periodically to ensure strict compliance with the stipulations cited in the attached ECC.

Please be guided accordingly.


Atty. Michael Drake P. Matias
Regional Director



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ENVIRONMENTAL COMPLIANCE CERTIFICATE
(Issued under Presidential Decree 1586)
ECC-OL-R4B-2020-0052

THIS IS TO CERTIFY THAT THE PROPONENT, **Department of Public Works and Highways**, represented by its **District Engineer**, Engr. Josefin T. Panaligan, is granted this Environmental Compliance Certificate (ECC), for the Construction of 8.032 km Boac-Mogpog By Pass Road including ROW, Marinduque located at Barangays Capayang and Bantad, Boac, Marinduque, by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau (EMB).

SUBJECT ONLY to the conditions and restrictions set in this ECC and in the attached document labelled as Annexes A and B.

This Certificate is issued with the following details:

PROJECT DESCRIPTION


This Certificate shall cover the **Construction of Boac - Mogpog By Pass Road including ROW, Marinduque** having a total length of **8,032 linear meters** (2018 project = 1.945 km; 2019 project = 2.250 km; 2020 project = bridge 1 (60 l.m w/ 130 l.m approach); and bridge 2 (50 l.m w/ 94.0 l.m approach); 2021 project = 3.503 km) located at Barangays Capayang and Bantad, Boac, Marinduque.

The project shall operate and maintain its facilities and amenities as contain in the submitted Initial Environmental Examination Checklist/Report (IEEC) and Environmental Management Plan (EMP).

This Certificate is issued in compliance with the requirements of Presidential Decree No. 1586, and in accordance to DENR Administrative Order (D.A.O.) No. 2003-30. Non-compliance with any of the provisions of this Certificate shall be a sufficient cause for the cancellation of this Certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (P50, 000.00) for every violation thereof without prejudice to imposition of fines and penalties under other environmental laws. The EMB, however, is not precluded from reevaluating and correcting any deficiencies or errors that may be found after issuance of this Certificate.

Issued at EMB-R4B, 1515 L and S Building, Roxas Boulevard, Pasay City this March 3, 2020.

Recommending Approval:


Engr. Buena Fe A. Rioflorido
Chief, Clearance & Permitting Division

Approved:


Atty. Michael Drake P. Matias
Regional Director




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SWORN ACCOUNTABILITY STATEMENT

I, Engr. Josefina T. Panaligan, District Engineer, representing Department of Public Works and Highways with office address located at DPWH Bangbangalon, Boac, Marinduque takes full responsibility in complying with all conditions in this Environmental Compliance Certificate (ECC).


Engr. Josefina T. Panaligan
Signature

TIN No. _____

Subscribed and sworn before me this MAR 05 2020, the above-named affiant taking oath presenting _____, issued on _____ at _____.


ATTY. IVY M. RIOFLORIDO
Notary Public
PUBLIC ATTORNEY II
PAGASAN, MARINDUQUE

Doc. No. _____
Page No. _____
Book No. _____
Series of _____



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ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, contained in the Initial Environmental Examination Checklist Report for the **Construction of 8.032 km Boac - Mogpog By Pass Road including ROW, Marinduque**, particularly in the Environmental Management Plan/ Environmental Monitoring Plan, including any modifications and/or additional information as approved by the EMB, shall be instituted to minimize any adverse impact of the project to the environment throughout its implementation, which shall include among others to wit:

1. The proponent shall ensure that the project implementation shall **NOT COMMENCE** unless all required/clearances from the concerned government agencies are secured. EMB shall be advised when all the permits/clearances are secured and when will be the actual date of project implementation.
2. That green buffer zones and tree planting shall be established within and along the periphery of the project site to help attenuate noise levels, abate heat and absorb some pollutant emissions.
3. To establish a reforestation and carbon sink program using endemic/indigenous species to mitigate greenhouse gas (GHG) emissions of the project in line with the DENR's thrust for GHG emissions reduction programs and National Greening Program. The program shall be submitted to EMB-4B (MIMAROPA Region) six (6) months prior to the project implementation.
4. That the proponent shall strictly manage all external, traffic problems, excessive surface runoff, dust, soil erosion, accidental spillage and health hazards identified in the **Initial Environmental Examination (IEE) Checklist Report** and, in case of emergency episodes, appropriate response activities shall be immediately undertaken for the protection of the workers/ personnel, host and nearby communities and the receiving environment.
5. To conduct an effective Information, Education and Communication (IEC) Plan to inform and educate all stakeholders, especially its contractors, workers, and local residents about the mitigating measures embodied in its IEEC, the conditions stipulated in this Certificate and the environmental and human safety features of the project for greater awareness, understanding and sustained acceptance of the project. The program shall be submitted to EMB-4B (MIMAROPA Region) on an annual basis.
6. To implement a Comprehensive Social Development Program (SDP) and submit a separate report together with the Compliance Monitoring Report (CMR) to the EMB-4B (MIMAROPA Region) on a semi-annual basis.
7. That the solid waste management scheme as provided in the Environmental Management Plan (EMP) shall be continuously implemented from the start of the project operation.
8. That the proponent including its contractors shall institute slope protection measures to mitigate potential soil collapse and to follow standard slope design of cut and fill as prescribed by the Department of Public Works and Highways.

GENERAL CONDITIONS

Further administrative conditions for the grant of this Certificate shall be strictly complied:

9. That the proponent shall religiously comply with the applicable provisions of P.D. 1586 (Philippine Environmental Impact Statement System), R.A. 9275 (Philippine Clean Water Act of 2004), R.A. 9003 (Ecological and Solid Waste Management Act of 2000), R.A. 6969 (Toxic Substances and Hazardous and



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Nuclear Waste Control Act of 1990) and R.A. 8749 (Philippine Clean Air Act of 1999) and the Sanitation Code of the Philippines (P.D. 856).

10. That preservation and easement retention of natural drainage/waterways shall be undertaken and should conform with the provisions of the DENR Administrative Order No. 97-05 (Procedures in the Retention of Areas within certain distances along the Banks of Rivers, Streams, and Shores of Seas, Lakes and Oceans for Environmental Protection). If disturbed, a replacement drainage system shall be constructed within two (2) months from the disturbance.

11. That the proponent shall set-up a competent Environmental Unit (EU) with a Pollution Control Officer, within sixty (60) days from issuance of this Certificate and shall be duly accredited by this Office in accordance with DAO No. 02, Series of 2014 (Revised Guidelines for Pollution Officer Accreditation). The Environmental Unit (EU) shall competently handle the environment-related aspects of the project. In addition to the monitoring requirements as specified in the Environmental Management Plan/ Environmental Monitoring Plan, the EU shall have the following responsibilities:

- 11.1 Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the Generic IEE Checklist Report;
- 11.2 Recommend revisions to the EMP/EMoP, whenever necessary subject to the approval of EMB-4B (MIMAROPA Region);
- 11.3 Ensure that data gathered during monitoring activities are properly documented, assessed, evaluated and reported to EMB-4B (MIMAROPA Region) in accordance with the standard formats;
- 11.4 Ensure that monitoring and submissions of reports to EMB-4B (MIMAROPA Region) are carried out as required;
- 11.5 Regular submission of a semi-annual ECC Compliance Monitoring Report (on or before January 15 and July 15 of each year the project is operational) provided with supporting documents and in accordance with the prescribed format stipulated in the Implementing Rules and Regulations of P.D. 1586;
- 11.6 Submit a quarterly monitoring report using the prescribed format of the Self-Monitoring Report (SMR) pursuant to DAO 2003-27;
- 11.7 Submit an Abandonment Plan two (2) months prior to the abandonment activities. It shall include rehabilitation measures/clean-up, costs, remediation of areas possibly contaminated with toxic/hazardous substances and presentation of options on proposed alternative projects in the area.

12. That the proponent shall allocate ample budget for the implementation of the proposed mitigating/enhancement measures during the operation and abandonment phases of the project.

13. That health and sanitation practices shall be observed in all phases of the project and safety & personal protection equipment/devices shall always be provided to all employees/workers within the premises of the project site to prevent health and occupational hazards.

14. That a billboard containing this message: **“Notice To The Public, THIS CONSTRUCTION OF 8.032 km BOAC-MOGPOG BYPASS ROAD INCLUDING ROW, MARINDUQUE, has been issued an Environmental Compliance Certificate (ECC-OL-R4B-2020-0052) by the Department of Environment and Natural Resources Environmental Management Bureau MIMAROPA Region on March 3, 2020.”** shall be installed at all entry and exit points and in the perimeter of the project site facing the road to inform the general public within thirty (30) days from receipt of the ECC.

15. That a copy of the ECC shall be posted in a conspicuous location at the field office of the project site clearly visible to the public and shall be adequately framed or otherwise protected against damage and at the barangay bulletin board of the host barangay(s) within thirty (30) days from receipt of the ECC.

16. That any authorized DENR-EMB personnel, with proper identification card and travel/mission order, shall be allowed unconditional access to conduct an on-the-spot inspection and monitoring to the project without the need for prior notice to the proponent to oversee compliance to the ECC.



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II. RESTRICTIONS

1. That no other activities should be undertaken other than what was stipulated in the **Initial Environmental Examination (IEE) Checklist Report**. Should there be an expansion of the project beyond the project description, construction of other structures beyond those stated in the **Initial Environmental Examination (IEE) Checklist Report**; or any change in the activity or location, shall be made subject to a new Environmental Impact Assessment (EIA) requirements.
2. That no trees shall be affected in all phases of the project, or if there is any, necessary documents such as "Tree Cutting Permit", "Balling Permit" and other permits/clearances, shall be secured from the concerned DENR sector pertaining to the implementation of the project;
3. That the surplus, spoils, unsuitable soil and waste materials during construction shall be dumped/disposed properly at pre-determined spoil banks and sites;
4. That all sand and gravel materials to be used in the project shall be from legitimate sources with issued Environmental Compliance Certificate (ECC);
5. That in case of transfer of ownership/management of this project, these same conditions and restrictions shall apply and the transferee shall be required to notify this Office concerned within fifteen (15) days as regards to the transfer of ownership/management; and
6. That the proponent (**DPWH REGION IV-B**, represented by its District Engineer, **Engr. Josefina T. Panaligan**) shall be accountable for any misrepresentation and failure to state material information in the submitted documents.

The conditions stipulated in this Certificate shall be deemed final within fifteen (15) days from receipt hereof and all conditions and restrictions set forth above shall be complied with by the herein grantee. This ECC is deemed expired if not implemented within five (5) years from the date of issuance and the proponent shall have to apply for a new ECC if it intends to pursue the project.

Non-compliance with any of the provisions of this certificate shall be a sufficient cause for the cancellation or suspension of this certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (Php50,000.00) for every violation thereof.



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PROJECT ASSESSMENT PLANNING TOOL

For the assistance of the Proponent, LGUs and other concerned government agencies (GAs) in the management of the project and for better coordination in mitigation on the impacts of the project on its surrounding areas and to the environment.

By way of recommendation, the following have been taken notice of by this Office and are providing these recommendations to the parties and authorities concerned for proper action and integration into their decision making-process.

Regulatory Conditions	
<p>1. The proponent shall comply with, but not limited to the following:</p> <p>1.1 P.D. 856 or the Sanitation Code of the Philippines;</p> <p>1.2 P.D. 442 or the Labor Code of the Philippines including occupational health and safety;</p> <p>1.3 R.A. 6541 or the National Building Code of the Philippines including adequate storm drainage system and other flood control measures and compliance to the Fire Safety and Emergency Preparedness;</p> <p>1.4 P. D. 705 or the Forestry Code of the Philippines</p>	<p>DOH DOLE-Bureau of Working Condition Municipal Planning & Dev't. Office/Building Official/BFP/LGU Concerned Forest Management Service MIMAROPA Region</p>
<p>2. That all appropriate construction, operational and resource-use permits/clearances from other national and local government agencies concerned shall be secured pertaining to the implementation of the project. Likewise, the proponent shall notify this Office of the reckoning date of project operation.</p>	<p>(i.e. PMRB, PNP, LGUs, DPWH, DOH, NWRB, HLURB, MGB, DA, DAR, DOLE, DTI, etc.)</p>
Environmental Planning Recommendations for the Proponent	
<p>1. Holistic approach to the implementation of Environmental Management Plan (EMP) of the project.</p> <p>2. Close monitoring of the project should be undertaken by the proponent to maintain a high level of safety and efficiency at all phases of the project and to immediately address any environmental hazard that may take place.</p>	

For dissemination and proper action of the parties concerned.

Engr. Buena Fe A. Rioflorido

Engr. Buena Fe A. Rioflorido
Chief, Clearance & Permitting Division

Atty. Michael Drake P. Matias

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