



Department of Environment and Natural Resources  
Environmental Management Bureau  
Regional Office No. IV – B MIMAROPA

**ENVIRONMENTAL COMPLIANCE CERTIFICATE**

(Issued under Presidential decree 1586)

ECC-R4B-0805-097-5011

THIS IS TO CERTIFY THAT PROPONENT **RED SUN BEACH RESORT**, is granted this Environmental Compliance Certificate (ECC), for their expansion project located at **Small Lalaguna, Sabang, Puerto Galera, Oriental Mindoro** by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau, Region IV-MIMAROPA.

This certification hereby supersedes ECC-4B-043-ORMIN-9690-2006 dated March 23, 2006 and is being issued for the Project, with the following details:

**PROJECT DESCRIPTION**

This Certificate shall cover the operation, construction and maintenance of RED SUN BEACH RESORT (Expansion Project) with a total land area of **Three Thousand Eight Hundred Forty Two (3,842) square meters**, covered by Transfer Certificate of Title TCT Nos. T- 94793 and T-131746 respectively located at **Small Lalaguna, Sabang, Puerto Galera, Oriental Mindoro**. Facilities and amenities enumerated to wit: Existing Facilities: Building 1 - two-storey with four rooms; Building 2 – three-storey with 17 rooms; Building 3 – six-storey with 23 rooms; restaurant; view deck; dive shop; rip rapped retaining wall; and swimming pool. Proposed Additional Facilities will consists of: ten (10) units two-storey building with 5 rooms per building; one (1) three-storey building with one bedroom for residence; one (1) unit three-storey building with 15 rooms; one (1) unit SPA and massage cottage; one (1) unit annex building to be located at the riprapped portion of the resort; expansion of the restaurant and kitchen; five (5) units room to serve as staff house; one (1) unit laundry area; one (1) unit generator set; one (1) unit concrete elevated tank; conversion of the rooftop of building 3 into four (4) units bedrooms; expansion of swimming pool; and a pier with restaurant and helipad.


This Certification is issued in compliance to the requirements of Presidential Decree No. 1586, in accordance to Department Administrative Order No. 2003-30. The Bureau, however, is not precluded from reevaluating, adding, removing, and correcting any deficiencies or errors that may be found after issuance of this certificate.

Issued at Manila, Philippines this **FEB 23 2009**, 2009.

Approved by:

**REYNALDO R. VILLAFUERTE**  
Regional Director

Recommending Approval:

  
**BUENA FE A. RIOFLORIDO**  
Chief, EIA Division

## SWORN STATEMENT OF OWNER/PROPONENT

Under the provisions of Presidential Decree 1586, I HEREBY CERTIFY that the information provided to the Department of Environment and Natural Resources (DENR) - Environmental Management Bureau (EMB), MIMAROPA Region pertaining to the **RED SUN BEACH RESORT(Expansion II Project)** located at **Small Lalaguna, Sabang, Puerto Galera, Oriental Mindoro** are true and correct to the best of our personal knowledge and based on the records in our possession.



**YOUNG SOO KIM**

President

**RED SUN BEACH RESORT**

TIN: \_\_\_\_\_

SUBSCRIBED AND SWORN TO before me this FEB 23 2009, the above-named affiant taking oath with Community Tax Certificate No. \_\_\_\_\_ issued on \_\_\_\_\_ at \_\_\_\_\_.

DOC. NO. 190;  
PAGE NO. 39;  
BOOK NO. 10;  
SERIES OF 2009;



**ATTY. EDELBERTO C. BINGUIN**

Roll No. 5990 **NOTARY PUBLIC**

Notary Public

Until December 31, 2010

Puerto Galera, Oriental Mindoro

PTR NO.: 2674257 / January 5, 2009

IBP LIFETIME NO. 07790 / Nov. 13, 2008



## I. CONDITIONS

### ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, especially those contained in the Initial Environmental Examination (IEE) Checklist, particularly in the Environmental Management and Monitoring Plans, including all their modifications as approved by the EMB R IV-B (MIMAROPA), shall be instituted to minimize any adverse impact of the project to the environment throughout its implementation, including the following:

1. Appropriate measures shall be undertaken for the avoidance of siltation of adjoining areas, noise and dust pollution during construction and operation activities;
2. The entire project site shall be provided with adequate drainage facilities to prevent excessive surface run-off;
3. Tree planting shall be conducted with appropriate tree species in an open space within the project site;

### GENERAL CONDITIONS

4. The proponent shall conform with the provisions of the following:
  - a. PD 1586 *Philippine Environmental Impact Statement System*, DAO 2003-30
  - b. RA 6969 *Toxic and Hazardous Waste Act of 1990*, DAO 29
  - c. RA 8749 *Clean Air Act of 1999*, DAO 2000-81
  - d. RA 9003 *Ecological Solid Waste Management Act of 2000*, DAO 2001-34
  - e. RA 9275 *Clean Water Act of 2004*, DAO 2005-10
  - f. PD 705 *Forestry Code of the Philippines*, DAO No. 15-1990
5. The proponent shall set up the following:
  - a. A **Memorandum of Agreement (MOA)** shall be entered into by the proponent with the **ECC Holders Association** to become part of their MMT and in setting up the corresponding **Environmental Monitoring Fund (EMF)** prior to project implementation;
  - b. A replenishable Environmental Monitoring Fund (EMF) to cover all costs attendant to the operation of the MMT such as conduct of meetings, training, sampling and analysis, hiring of technical experts, meals, accommodations, supplies and materials, communication, and transportation.

The amount and mechanics of the EMF, and the establishment of the MMT shall be determined by the EMB-MIMAROPA Region and the proponent in consultation with stakeholder-communities and other concerned agencies. This MOA shall be submitted to EMB-MIMAROPA within sixty (60) days upon receipt of this Certificate.

6. A Pollution Control Officer (PCO) shall be appointed by the proponent who shall continue to competently handle the environment-related aspects of the project. In addition to the monitoring requirements as specified in the Environmental Monitoring Plan, the PCO shall also:
  - a. Monitor actual project impact vis-à-vis the predicted impacts and management measures in the IEE;
  - b. Accordingly recommend revisions to the Environmental Management Plan (EMP) as necessary;
  - c. Ensure that the appropriate post-assessment permits are in place;
  - d. Ensure that monitoring and reporting are carried out as required; and
  - e. Assure compliance with the conditions of the approved ECC.
7. The proponent shall submit to this Office a summary of implementation of the project and proposed mitigating measures in the construction and operational phase. An accomplishment report on the implemented mitigating measures and the corresponding cost of the EMP activities shall also be submitted on a quarterly basis for monitoring;
8. Permits/clearances from concerned agencies shall be submitted to this Office within thirty (30) days upon receipt hereof;
9. **A Self - Monitoring Report** shall be submitted to this Office quarterly;
10. Any authorized DENR-EMB Region IV-B personnel can initiate an on-the-spot inspection and monitoring even without prior notice;
11. Should the implementation of the project cause adverse environmental impacts and pose nuisance to the public health and safety, as determined by the DENR-EMB and other concerned agencies, the operation shall be temporarily suspended after prior notice and due process until such time appropriate remedial measures are effected and any damage resulting from the same are properly compensated;
12. Any false ground for information misrepresentation or omission of material facts in the submitted documents shall be sufficient, the cancellation or suspension of this ECC;
13. In case of abandonment, the Proponent shall notify the EMB Regional Office concerned within three (3) months prior to the abandonment and the Proponent shall submit its abandonment mitigation plan;
14. A 2' x 4' billboard containing this message : "**Notice to the Public, This Resort Project of RED SUN BEACH RESORT has been issued an Environmental Compliance Certificate with ECC No. ECC-R4B-0902-037-9690 by the Environmental Management Bureau of the Department of Environment and Natural Resources, Region IV-B, on \_\_\_\_\_.**" This message must be installed at all entry and exit points and at all perimeters of the project facing the road to inform the general public within thirty (30) days from receipt of the certificate. A copy of the certificate shall also be posted by the Proponent at the barangay bulletin board of the affected barangays within thirty (30) days from receipt of the certificate. An accomplishment report which shall include picture verification of compliance to the posting of notices and the billboards shall be submitted to this Office within ninety (90) days from receipt of the ECC.



## II. RESTRICTIONS

15. No other activities should be undertaken other than what was stipulated in the Environmental Management Plan (EMP) submitted. Should there be an expansion of the project beyond the project description, construction of other structures beyond those stated in the EMP document; or any change in the activity, shall be made subject to a new Environmental Impact Assessment;
16. The project operation shall be limited to the project description; and
17. In case of transfer of ownership of this project, same conditions and restrictions shall apply and the transferee shall be
18. required to notify the EMB Regional Office concerned within fifteen (15) days as regards to the transfer of ownership.

*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 (50,000.00) for every violation thereof.*

## III. SUGGESTION TO THE PROJECT DESIGN, CONTRACTOR AND CONSTRUCTIONS

1. Compliance to occupational health and safety of the workers shall be ensured by the proponent by provision and use of Personal Protective Equipment (PPE) such as protective masks and other devices during operation phase;
2. Contingency measures shall be implemented in case of accidents, power failure, equipment malfunction and other emergencies; and
3. All designs and construction practices should be in accordance with rules and specifications as prescribed in the National Structural Code of the Philippines and/ or the National Building Code of the Philippines.

