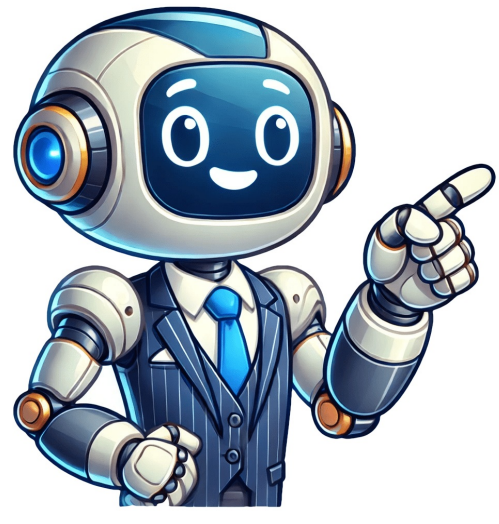


Click Here





BY THE PRESIDENT OF THE PHILIPPINES MALACANANG PALACE MANILA WHEREAS there is a need to balance economic growth and environmental protection; WHEREAS the government aims to protect the environment through proper planning and assessment of projects; NOW, THEREFORE, I, FERDINAND E MARCOS by virtue of the powers vested in me do hereby decree as follows: Section 1 It is the policy of the State to achieve a balance between economic development and environmental protection. Section 2 An Environmental Impact Statement System shall be established all projects that significantly affect the environment. This system will require all government agencies and private corporations to prepare environmental impact statements for their proposed projects. The National Environmental Protection Council will review and evaluate these statements. Section 3 The Minister of Human Settlements shall designate lead agencies for environmentally critical projects and areas. These agencies shall be responsible for preparing environmental impact statements and submitting them to the National Environmental Protection Council. Section 4 The President may declare certain projects or areas as environmentally critical through a proclamation. Any person, partnership, or corporation undertaking such projects must secure an Environmental Compliance Certificate from the President or his representative. For proper management of these critical projects or areas, the President may reorganize government offices and agencies, of Human Settlements shall: (a) prepare the proper land or water use pattern (b) establish ambient environmental quality standards (c) develop a program of environmental enhancement or protective measures against calamitous factors such as earthquake, floods, water erosion and others, (d) perform other functions Section 5. Environmentally Non-Critical Projects. All other projects, undertakings and areas not declared by the President as environmentally critical shall be considered as non-critical. The National Environmental Protection Council thru Ministry of Human Settlements may however require additional environmental safeguards for non-critical projects. Section 6. Secretariat. The National Environmental Protection Council is authorized to administer the Environmental Impact Statement System and evaluate statements. Section 7. Management and Financial Assistance. Ministry of Human Settlements provides management and financial support to government offices and instrumentalities under its supervision from existing appropriation or budget augmentation as necessary. Section 8. Rules and Regulations. National Environmental Protection Council issues necessary rules and regulations for implementation consistent with P.D. No. 984. Section 9. Penalty for Violation. Violators face suspension, cancellation of certificate or fine not exceeding Fifty Thousand Pesos. Section 10. Environmental Revolving Fund. Proceeds from penalties and other fines are automatically appropriated to support the National Environmental Protection Council and National Pollution Control Commission operations. The decree outlines the rules for utilizing a specific fund managed by the Ministry of Human Settlements. It requires the ministry to submit these guidelines to the President for approval. Meanwhile, an Inter-Agency Advisory Council created under another law is abolished and its responsibilities transferred to the National Environmental Protection Council. This change aims to streamline environmental governance in the country. Environmental assessment (EA) has become a crucial tool in development projects worldwide. It's a process that evaluates potential short-term and long-term effects on both the environment and society, ensuring proposed actions are environmentally sound and sustainable. The concept of EA originated from the US National Environmental Policy Act (NEPA) introduced in 1969 and later adopted by Principle 17 of the Rio Declaration in 1992 as a national instrument for sustainable development. In the Philippines, environmental protection is enshrined in the 1987 Constitution, which emphasizes the importance of maintaining a balance with nature. The State recognizes its responsibility to protect the environment through assessment systems and policies that promote sustainable development. The Philippines has a comprehensive environmental system, known as the Environmental Impact Statement (EIS) System, which aims to protect not only industrial pollution but also the entire environment and local communities' rights. Established in 1977 with Presidential Decree (PD) 1151, this policy provides a legal framework for environmental assessments, requiring projects with significant impacts on human welfare and ecological integrity to undergo evaluation. The policy focuses on protecting the environment while promoting sustainable development and intergenerational responsibility. It encourages the use of all practicable means to exploit natural resources without harming the environment or human life. The law also preserves historic cultural aspects, achieves a rational balance between population and resource use, and improves the utilization of renewable and non-renewable resources. Government corporations and private entities must prepare and submit an Environmental Impact Statement (EIS) for any project affecting the environment. The EIS should include details on the proposed action's environmental impact, potential adverse effects, alternative solutions, and short-term resource use implications. When using depletable resources, a determination is needed to justify their commitment. A committee of government departments will lead policy implementation. PD 1511 establishes guidelines for projects that may harm the environment, ensuring public health through a healthy environment. PD 1586 designated certain projects and areas as environmentally critical, requiring an Environmental Compliance Certificate (ECC) for implementation or operation. Non-critical projects may still need to provide additional environmental safeguards. The law outlines penalties for violating rules, including suspension or cancellation of ECCs and fines up to PHP 50,000. Penalties will fund the Environment Revolving Fund. The Presidential Proclamation 2146 identified environmentally critical projects (ECPs) in heavy industries, resource extractive industries, infrastructure projects, and environmentally critical areas (ECAs). Golf course projects were later added as environmentally critical under PP 803. The Department of Environment and Natural Resources (DENR) administers the Environmental Impact Assessment (EIA) system through its Environmental Management Bureau (EMB) and regional offices. ECPs require an EIA and ECC submission, while ECAs are subject to Initial Environmental Examinations (IEE). The DENR determines whether a proposal is an ECP or an ECA project, requiring an ECC if either condition applies. Otherwise, the proposal may receive a Certificate of Non-Coverage (CNC) if it will not significantly affect the environment. Local Government Units (LGUs) also play a role in ensuring environmental compliance. The Department of Environment and Natural Resources plays a crucial role in ensuring that all development projects classified as ECPs or located in ECAs undergo Environmental Impact Assessment (EIA) reviews. They also facilitate community participation through public outreach and consultation. The Philippines Environmental Impact Statement System was formalized through the issuance of DAO 03-30, which streamlined its implementation to enhance planning and management. This system assesses project potential for environmental harm based on nature, sensitivity, and environmental resources. Key provisions include public participation, social acceptability, and risk assessment. The EIS is categorized into four groups: A (high-risk), B (moderate-risk), C (environmentally-enhancing), and D (low-risk). Procedural manuals serve as a reference for implementing the system, covering processes rather than technical aspects. These manuals cover topics such as documentation requirements, consultation procedures, and risk assessment guidelines. The implementation of the Philippine Environmental Impact Assessment (EIA) System has been marred by several challenges and issues, according to various reports. Key concerns include loose specifications on which projects are covered by EIA, inconsistencies in the Investment Rationalization and Reforms Act (IRR), and inadequate public participation and social acceptability procedures. Confusion arises from the lack of clarity in the Environmental Management Bureau's (EMB) operational definition of social acceptability, leading to uncertainty in the outcome of environmental impact assessments. The project-based approach tends to focus on procedural and regulatory aspects rather than technical ones, resulting in poor-quality environmental assessments with voluminous reports but a lack of depth and analysis. The EIA System overlaps with other laws, such as the Philippine Mining Act and Indigenous Peoples Rights Act, causing jurisdictional conflicts and confusion among project proponents. Limited participation from local government units (LGUs) also contributes to the inefficiency of the process. Furthermore, the centralized administration of environmental assessment policies vests authority in the Department of Environment and Natural Resources (DENR), which lacks sufficient human resources to meet the rigid requirements of EIA. The complexity of monitoring protocols under EIS further exacerbates these challenges, making it difficult for the government to effectively perform a complex monitoring system. The Philippine Environmental Impact Assessment System (EIS) has been instrumental in promoting sustainable development. However, despite its importance, several issues and challenges persist, including inadequate analysis of critical environmental concerns, overlapping implementation strategies among agencies, limited local government unit participation, and insufficient human resources. To address these concerns, it is essential to improve the quality of environmental assessments and revisit EIS policies to respond to changing times, particularly with regards to climate change. To achieve this, ongoing efforts to streamline and enhance the EIS System are crucial. Two proposed bills, House Bill No. 3637 and Senate Bill No. 684, aim to consolidate the system into a single legislative framework, provide penalties for non-compliance, create an independent environmental protection body, engage local government units, and strengthen public participation. These initiatives include institutionalizing a programmatic EIA System, mainstreaming EIA in national policy formulation, strengthening public participation, and creating an Environmental Protection Commission. By addressing these challenges and improving the EIS System, the Philippines can maximize the potential of environmental assessments to inform decision-making and prevent negative environmental impacts. Bank. (2003). Environmental Assessment Guidelines. Retrieved in April 2016, from DENR Administrative Order No. 96-37. Revising DENR Administrative Order No. 21, Series of 1992, to Further Strengthen the Implementation of the Environmental Impact Statement (EIS) System. Retrieved in April 2016, from 201996-37.pdf DENR Administrative Order No. 03-30. Implementing Rules and Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System. Retrieved in April 2016, from . Environmental Impact Assessment (EIA) System in the Philippines "Strategic Environmental Assessment Considerations of Cumulative and Induced Impacts Financial Mechanisms" [Powerpoint Presentation]. Retrieved in April 2016, from: %20etc%20060910%20final.PHI.pdf House Bill 3637. An Act Enhancing the Philippine Environmental Impact Assessment System, Strengthening Public Participation Therein, and For Related Purposes. Sixteenth Congress of the Republic of the Philippines. Retrieved in April 2016, from Interface Development Interventions, Inc. Assessing the Environmental Impact Assessment System: A Legal Review of the Philippine EIA System. Retrieved in April 2016, from ... King, P. (2013). Comparative Study of EIA Systems: Philippines and Other Countries. Paper presented during the First National Convention on the Philippines EIS System, Manila Hotel, Manila, Philippines, June 9-21, 2013. Retrieved in April 2016, from King, P. and Olsen, S.H. (2013). Quick Study of EIA Practices in some Asia-Pacific Countries and Beyond: Lessons for the Philippines. Institute for Global Environmental Strategies. Retrieved in April 2016, from 20convention/Comparative%20Study.pdf Letter of Instructions No. 422. Retrieved April 2016, from Lohani, B., J.W. Evans, H. Ludwig, R.R. Everitt, Richard A. Carpenter, and S.L. Tu. (1997). Environmental Impact Assessment for Developing Countries in Asia. Volume 1 - Overview. 356 pp. Retrieved April 2016, from 20web/linked%20files/2013/MEIF2013/03 DENR Procedures.pdf OVERSEAS. The Philippine Environment Impact Statement System and what it entails. March, 2002 Vol.5 No.3. Retrieved in March 2016, from: Presidential Given article text here No. 1151. Philippine Environmental Policy - This policy was retrieved in April 2016 from Presidential Decree No. 1586. Establishing an Environmental Impact Statement System Including Other Environmental Management Related Measures and for Other Purposes - Retrieved in April 2016 from Procedural Manual for DAO 2003-30. Retrieved in April 2016 from 202003-30%20Procedural%20Manual.pdf Proclamation No. 2146. Proclaiming Certain Areas and Types of Projects as Environmentally Critical and Within the Scope of the Environmental Impact Statement System Established Under Presidential Decree No. 1586 - Retrieved in April 2016 from Senate Bill 684. An Act to Enhance the Philippine Environmental Impact Assessment (EIA) System, To Strengthen Public Participation Therein, and For Related Purposes - Retrieved in April 2016 from .pdf The Philippine Environmental Impact Statement System: Framework, Implementation, Performance and Challenges. By J.B. Tuyor, et al. (2007) - Discussion papers, East Asia and Pacific Region. Rural Development, Natural Resources and Environment Sector. Washington, DC: World Bank. Advancing the EIA system in the Philippines. By M.G. Villaluz (2003). Studies of EIA practice in developing countries. The Economics and Trade Branch. United Nations Environment Programme, 237-260 pp Workshop Proceedings. EIA in the Philippines, Roads Taken, Lessons Learned: A Forum. World Bank Conference Room, Taipan Place, Emerald St. Pasig City, February 11, 2005 - Retrieved in April 2016 from 20Proceedings-EIA%20in%20the%20Philippines-Roads%20Taken-Lessons%20Learned.pdf A policy paper submitted to the Food and Fertilizer Technology Center (FFTC) for the project titled "Asia-Pacific Information Platform in Agricultural Policy". Government agencies responsible for environmental protection formulate policies, issue guidelines, and review Environmental Impact Assessments (EIAs) to ensure alignment with environmental priorities. They also recommend legislative changes and monitor development projects for compliance with environmental regulations. The Environmental Compliance Certificate (ECC) is a document issued by the Department of Environment and Natural Resources or Environmental Management Bureau (EMB), certifying that a project will not cause significant negative environmental impact. The ECC requires the proponent to comply with environmental requirements, implement an approved Environmental Management Plan, and undertake specific measures to mitigate environmental impacts. Environmentally Critical Projects (ECPs) are high-risk projects that may have significant negative environmental impacts. Environmentally Critical Areas (ECAs) are identified as sensitive areas where certain projects or programs could cause harm if implemented. The EIS document requires a comprehensive approach, including a summary, project description, impact assessment, and environmental management plan. The Certificate of Non-Coverage certifies that a project is not required to secure an ECC. The Multipartite Monitoring Team (MMT) monitors compliance with the ECC, EMP, and applicable laws. EIARC reviews EIS reports within 10 working days of submission, providing recommendations for an Environmental Classification Committee (ECC) review within the next five days. The organization may also conduct site visits, technical tests, and stakeholder consultations to ensure a comprehensive assessment. Additionally, EIARC establishes Environmental Management Plans (EMP), outlining compliance reporting requirements, institutional mechanisms, and financial arrangements to implement mitigation and monitoring measures by project proponents.

Environmental impact assessment philippines pdf. Environmental impact assessment law in india. Example of environmental impact assessment in the philippines. What law covers the environmental impact assessment in the philippines. Environmental impact assessment law. Environmental impact assessment philippines. Environmental impact assessment philippines guidelines.