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**DENR ADMINISTRATIVE ORDER
NO. 2022 - 02**

SUBJECT : GUIDELINES FOR PUBLIC PARTICIPATION UNDER THE PHILIPPINE ENVIRONMENTAL IMPACT STATEMENT SYSTEM (PEISS) FOR PROPOSED RIVER RESTORATION PROJECT THROUGH DREDGING ACTIVITIES PURSUANT TO SECTION 5.4 OF DENR-DPWH-DILG-DOTR JOINT MEMORANDUM CIRCULAR 2019-01

In response to the urgency of river restoration projects under DENR Administrative Order Nos. 2019-13, 2019-14, 2020-01, 2020-07 as amended by 2020-15, 2020-12 Rationalizing Dredging Activities in Heavily – Silted River Channels pursuant to DENR-DPWH-DILG-DOTR Joint Memorandum Circular No. 2019-01 or the Guidelines on the Issuance of Clearance and/or Permit for Dredging Within Waterways or Other Inland Bodies of Water, these guidelines on public participation pursuant to Presidential Decree 1586 for dredging projects shall be adopted.

SECTION 1. Rationale. The DENR Administrative Order No. 2017-15 provided guidelines on public participation for projects covered under the Philippine EIS System. Considering the urgency of river restoration projects under DAO Nos. 2019-13, 2019-14, 2020-01, 2020-07 as amended by 2020-15, and 2020-12 and since the same are considered as environmental enhancement projects under the Philippine Environmental Impact Statement System (PEISS), guidelines on public participation specifically for this type of project shall be issued.

SECTION 2. Objectives. This Order shall provide guidelines for the identification of the public participation procedures for the individual Environmental Impact Assessment (EIA) Study required to be undertaken by contractors pursuant to Part V, Section 3 of DAO No. 2019-13 and Part IV, Section 3 of DAO Nos. 2019-14, 2020-01, 2020-07 and 2020-12. The following are the specific objectives of this Order:

1. Establish the specific requirements and procedures for public participation of proposed dredging projects; and
2. Identify the key stakeholders for public participation activities during the review and evaluation stage of the EIA process for dredging projects.

SECTION 3. Scope and Coverage. This DAO covers the public participation process under the PEISS for the restoration of heavily silted river channels through dredging projects pursuant to Section 5.4 of DENR-DPWH-DILG-DOTR Joint Memorandum Circular No. 2019-01.

SECTION 4. Definition of Terms. As used in this Order, the following terms shall be defined as:

4.1 Focus group discussion (FGD) is a rapid assessment, semi-structured data gathering method in which a purposively selected set of participants gather to discuss and deliberate on a specific topic. It normally has a small number of participants, just enough to generate rich discussion.

4.2 Inter-Agency Committee – a committee created under DAO Nos. 2019-13, 2019-14, 2020-01, 2020-07 as amended by 2020-15, and 2020-12 that will serve as oversight for the implementation of the said Orders and monitoring of the dredging operations; recommend the suspension and/or cancellation of permits and/or clearances; and propose policies and programs to rationalize the dredging operations.

4.3 Multi-partite Monitoring Team (MMT) - an independent entity whose membership represents primarily the stakeholders/public that is intended to assist the DENR in monitoring environmental impacts and compliance with the Philippine EIS System requirements and other environmental laws. The MMT scheme is intended to enhance participation and transparency at the post-ECC issuance stage of the EIA Process.

4.4 Public Consultation refers to dialogue or communication between and among the project proponent, the EMB-DENR, relevant government agencies, LGUs, and other stakeholders for the purpose of exchanging information and views on the environmental impacts assessment, management, and monitoring for proposed dredging projects as part of the review of the ECC Application.

4.5 Public Participation — is an element of a process that gives citizens, particularly stakeholders, the opportunity to influence major decisions that may affect their community and their environment. In the EIA Process, the goal of public participation is to enable citizens to take responsibility for environmental protection and management through active involvement in the process.

4.6 Public Scoping involves the gathering of information, concerns, opinions, and suggestions from the public that will be included in the terms of reference for the EIA study of the dredging project.

SECTION 5. Requirements and Procedures of Public Participation for DENR River Restoration through Dredging Activities

A. Review and Evaluation Stage

1. Identified Public Participation Activities for Proposed Dredging Project

a. Public Scoping

The proponent is required to conduct a public scoping to gather issues and concerns that can be integrated with the EIA through any of or a combination of the following:

1. Focus Group Discussion (FGD) with key stakeholders; and/or
2. Interview with Key Stakeholders

The proponent shall submit results of the FGD and/or interview with stakeholders that should include a list of issues and concerns and attendance of stakeholders to EMB concerned prior to the technical scoping. The EMB shall issue an enhanced Environmental Impact Statement (EIS) screening checklist to be used in the technical scoping.

b. Public Consultation

The proponent shall conduct public consultation after the first deliberation of the Environmental Impact Statement (EIS) document to inform the public of the results of the EIA study. It shall be conducted through a meeting or series of meetings with key stakeholders to be participated in among others by those who

were duly notified/invited and/or present during the conduct of the public scoping activity. Written invitations from the proponent shall be provided to key stakeholders seven (7) days prior to the scheduled consultation. Within the same period, the proponent shall provide the concerned EMB Office a notice of meeting for posting at the EMB Regional Office website for at least seven (7) days prior to consultation.

The representative/s from the EMB RO or DENR Field Office, or LGU concerned shall facilitate the public consultation.

A copy of the receipt of the invitations, proof of attendance of stakeholders in the meeting, as well as the list of issues and concerns of the key stakeholders on the EIA study shall form part of the EIA Report/EIS.

The conduct of public scoping and public consultation can be conducted virtually on any online platform available (i.e., Zoom, MS Teams, Google Meet, Cisco Webex). However, in the case of face-to-face activity, the health and safety protocols by Inter-Agency Task Force (IATF)/Local Government Unit (LGU) concerned shall always be observed.

2. Key Stakeholders for Public Participation Activities

At the minimum, the following stakeholders shall participate in the public scoping and public consultation:

- a) LGUs who have jurisdiction over the river to be dredged;
- b) Department of Public Works and Highways (DPWH) in the project area;
- c) Department of Environment and Natural Resources (DENR) Field Offices and Environmental Management Bureau (EMB) in the project area including Mines and Geosciences Bureau (MGB) and National Water Resources Board (NWRB);
- d) Regional and/or Provincial and/or City or Municipal and/or National Disaster Risk Reduction and Management Council;
- e) Bureau of Fisheries and Aquatic Resources (BFAR), if applicable;
- f) Mine Rehabilitation Fund Committee (MRFC) of the provincial government;
- g) National Irrigation Administration (NIA) in case the river system is being utilized for irrigation;
- h) People whose socio-economic welfare, business activities, industries that will be displaced or are projected to be affected as determined by LGU concerned; and
- i) Households that will be displaced (if any)
- j) Any person, entity, public, private corporations, affected directly or indirectly by the project

B. Monitoring Stage

The Inter-Agency Committee (IAC) shall have an option to establish a Multi-Partite Monitoring Team (MMT). The IAC shall identify the members of MMT as well as its monitoring activities to be undertaken during the dredging operation. The MMT shall prepare a monitoring report for endorsement of IAC to EMB Regional Office concerned for record of the project compliance as well as for validation of the MMT findings/observations.

The proponent shall provide funds for the monitoring activities of the MMT, the amount of which shall be based on the annual work and financial plan to be prepared by the MMT in consultation with the EMB Regional Office concerned.

SECTION 6. Separability Clause. If any provision of this Order shall be held invalid or unconstitutional, the other portions or provisions hereof which are not affected shall continue in full force and effect.

SECTION 7. Repealing Clause. All Orders and other similar issuances inconsistent herewith are hereby revoked, amended, or modified accordingly.

SECTION 8. Effectivity. This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon acknowledgment of the receipt of the copy thereof by the Office of the National Administrative Register (ONAR).


ROY A. CIMATU

Secretary



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