



Republic of the Philippines
Department of Environment and Natural Resources
ENVIRONMENTAL MANAGEMENT BUREAU
DENR Compound, Visayas Avenue, Diliman, Quezon City 1116
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Visit us at <http://www.emb.gov.ph>

22 SEP 2015

ECC-CO-1503-0007

HON. ROGELIO L. SINGSON
Secretary
DEPARTMENT OF PUBLIC WORKS
AND HIGHWAYS (DPWH)
Bonifacio Drive, Port Area
Manila

SUBJECT: ENVIRONMENTAL COMPLIANCE CERTIFICATE

Dear Hon. Singson:

This refers to your application for the Environmental Compliance Certificate (ECC) of the proposed Southern Mindanao Economic Corridor (Davao City Bypass Construction) Project that will traverse Davao City and Panabo City, Davao del Norte.

After satisfying the requirements and upon evaluation and assessment of the Environmental Impact Assessment Review Committee (EIARC), the Department of Environment and Natural Resources (DENR) through the Environmental Management Bureau (EMB), hereby grants the ECC in favor of the above-mentioned project.

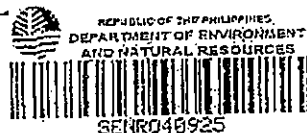
With the issuance of the ECC, the proponent is expected to fully implement the measures presented in the Environmental Impact Statement (EIS), particularly in the Environmental Management and Monitoring Plans, which are intended to protect and mitigate the Project's adverse impacts on community health, welfare and the environment. Environmental considerations shall be incorporated in all phases and aspects of the Project. The proponent shall only proceed with the Project implementation after securing all the necessary permits from other pertinent government agencies. This Office shall be strictly monitoring the Project to ensure strict compliance with all stipulations cited in the attached ECC.

Please be guided accordingly.

Very truly yours,

By the Authority of the Secretary

ATTY. JUAN MIGUEL T. CUNA
DENR Assistant Secretary
and concurrent EMB Director



cc: DPWH Region XI
EMB Regional Office XI
LGU - Davao City, Davao del Norte

LGU - Panabo City, Davao del Norte.
DOLE
DOH.



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ENVIRONMENTAL COMPLIANCE CERTIFICATE
 (Issued under Presidential Decree No. 1586)
ECC-CO-1503-0007

THIS IS TO CERTIFY THAT THE PROPONENT, *Department of Public Works and Highways*, as represented by its Secretary, *Hon. Rogelio L. Singson*, is granted this Environmental Compliance Certificate (ECC), for its proposed *Southern Mindanao Economic Corridor (Davao City Bypass) Construction Project* that will traverse Davao City and Panabo City, Davao del Norte, by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau (EMB), subject to the conditions and restrictions set out herein labeled as Annexes A and B.

PROJECT DESCRIPTION

The proposed Project will start at Barangay Sirawan, Davao City and ends at Barangay J.P. Laurel, Panabo City, Davao del Norte. The Project will traverse 21 barangays located within the following cities:

<i>Davao City</i>		<i>Panabo City</i>
1. Sirawan	11. Waan	21. J.P. Laurel
2. Marapangi	12. Tigatto	
3. Bato	13. Cabantian	
4. Lubogan	14. Communal	
5. Alambre	15. Indangan	
6. Bangkas Heights	16. Mudiang	
7. Mulig	17. Tibungco	
8. Mirital	18. Mahayag	
9. Tacunan	19. San Isidro	
10. Magtuod	20. Lasang	

The proposed route/alignment will enclose an easement or road right-of-way (RROW) limits of 60 meters across and will have a total length of 44.58 km as presented in the submitted Environmental Impact Statement (EIS). The project will have the following components:

- Road section with total length of 37.17 km.
- (1) Tunnel section with length of 2.28 km.
- (45) Bridge sections and structures with total length of 5.13 km.

This Certificate is issued in accordance with the requirements of Presidential Decree No. 1586 and its Implementing Rules and Regulations. Non-compliance with any of the provisions of this Certificate shall be a sufficient cause for its cancellation and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (₱ 50,000.00) for every violation thereof without prejudice to imposition of fines and penalties under other environmental laws. The EMB, however, is not precluded from reevaluating


ENVIRONMENTAL COMPLIANCE CERTIFICATE
Southern Mindanao Economic Corridor (Davao City Bypass Construction) Project
 Department of Public Works and Highways (DPWH)
 Davao City and Panabo City, Davao del Norte
Protect the environment... Protect life...



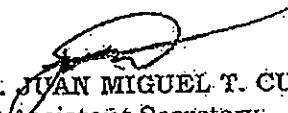
and correcting any deficiency or error that may be found after issuance of this Certificate.

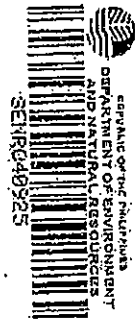
Issued at DENR, Quezon City, Philippines, this SEP 22 2015.

Recommending Approval:


ATTY. MICHAEL DRAKE P. MATIAS
OIC-Chief, EIAM Division

Approved by the Authority of the Secretary:


ATTY. JUAN MIGUEL T. CUNA
DENR Assistant Secretary
and concurrent EMB Director




SWORN ACCOUNTABILITY STATEMENT

I, Hon. Rogelio L. Singson, of the Department of Public Works and Highways (DPWH), proponent of this Southern Mindanao Economic Corridor (Davao City Bypass Construction) Project, that will traverse Davao City and Panabo City, Davao del Norte, take full responsibility in complying with all conditions set forth in this Environmental Compliance Certificate (ECC).

Department of Public Works and Highways
Office of the Secretary

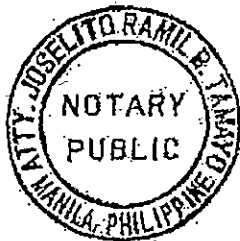
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ROGELIO L. SINGSON
Signature.

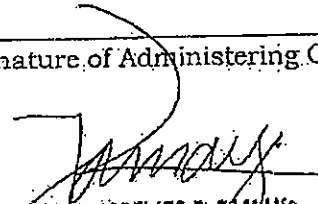
TIN _____

Subscribed and sworn to before me on this ___ day of 6 OCT 2015, the above-named affiant taking oath and presenting his/her _____ issued on _____ at _____.

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Series of W/A



Signature of Administering Office


ATTY. RAMIL JOSELITO E. TANYAYO
NOTARY PUBLIC TIN NO. 231430744000 ROLL NO. 48887
PTR No. 347374 Under 1-4-16 - BUREAU OF LAND MANAGEMENT, DENR
EXP. LIFE No. 54285. Commission No. 2814-218 Under 11-31-13 DENR
Office Address: National Power Grid Bldg., Department Drive, Marikina, Metro Manila 7

I. CONDITIONS.

ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures and monitoring requirements, contained in the Environmental Impact Statement (EIS) for the proposed Southern Mindanao Economic Corridor (Davao City Bypass Construction) Project, 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. Conduct an effective Information, Education and Communication (IEC) Program to inform and educate all stakeholders about the mitigating measures embodied in its EIS, 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 Central Office and EMB Regional Office No. XI on an annual basis;
2. Implement a Comprehensive Social Development Program (SDP) and submit on a semi-annual basis a separate report together with the Compliance Monitoring Report (CMR) to the EMB Central Office, copy furnished EMB Regional Office No. XI;

GENERAL CONDITIONS

3. The operations shall conform to any relevant provisions of RA 6969 (Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990), RA 8749 (Philippine Clean Air Act of 1999), RA 9003 (Ecological Solid Waste Management Act of 2000), and RA 9275 (Philippine Clean Water Act of 2004) and applicable provisions of P.D. 705 (*Revised Forestry Code of the Philippines*), R.A. No. 9147 (*Wildlife Resources Conservation and Protection Act*); and, R.A. 9072 (*National Caves & Cave Resources Management & Protection Act, 2001*);
4. The DPWH shall ensure that:
 - a. Contractors All Risk Insurance (CARI) is provided to cover expenses for the following:
 - i. Indemnification/Compensation of damage to life and property that may be caused by the implementation of the project; and
 - ii. Abandonment/decommissioning of the project facilities related to the prevention of possible negative impact,
 - b. A Quick Response Fund (QRF) to supplement the CARI shall be also be set up. QRF will be used for emergency repairs/restorations of the critically damaged infrastructure facilities after calamity in order to restore mobility and ensure safety in the affected areas.
 - c. Multipartite Monitoring Teams (MMT) shall be established, composed of representative(s) from the DPWH, EMB, a local environmental Non-



Government Organization (NGO), primary impact area/barangays, the concerned LGUs, other Government agencies and stakeholders to include the University of the Philippines-Mindanao, HOLCIM-Davao Plant, Davao Light and Power Corporation (DLPC), Davao City Water District (DCWD) and National Grid Corporation of the Philippines (NGCP).

The MMT shall primarily oversee the compliance of the proponent with the condition of the ECC, Environmental Management and Monitoring Plan and other commitments contained in the EIS documents;

- d. A replenishable Environmental Monitoring Fund (EMF) as per DENR-DPWH MOA dated May 27, 1999 and DPWH Order 245 Series of 2003, attendant to the operation and monitoring activities of the MMT including, but not limited to, capability building, training, actual sampling and laboratory analysis. Said provisions must be consistent with the DAO 2003-30;
 - e. An Environmental Unit (EU) to competently handle the environment related aspects of the project in addition to the monitoring requirements as specified in the Environmental Management Plan (EMP)/Environmental Monitoring Plan (EMoP). It shall:
 - i. Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the EIS;
 - ii. Submit quarterly (SMR) and semiannually (CMR and CMVR) all environmental reports to EMB Region XI and EMB Central Office respectively; and
 - iii. Ensure that monitoring and reporting are carried out as required.
5. The proponent shall submit to EMB Central Office a Resettlement and Compensation Action Plan prior to project implementation. Moreover, the said plan should be implemented and status thereof reported to EMB semiannually;
6. The proponent shall consider results of the feasibility stage Road Safety Audit (RSA) and Road Design (including those components considering geological condition/features) in the preparation of the DED and during implementation/construction.
7. The proponent shall ensure that its contractors and sub-contractors strictly comply with the relevant conditions of this Certificate;

II. RESTRICTIONS

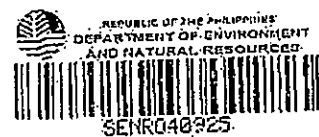
8. No cutting and/or clearing of trees and other woody vegetation within the affected areas of the project shall be undertaken without the necessary special tree cutting and/or tree earthing permit. The affected areas shall be rehabilitated in accordance with the approved rehabilitation/restoration plan of the project.
9. In the event that the results of the Detailed Engineering Design showed a need for the adjustment on the Project's alignment, the corresponding centerline of



the adjustment shall not exceed 20 meter distance both sides from the center line of the previous alignment.

10. No activities shall be undertaken other than what were stipulated in the final EIS. Should there be any expansion of the project beyond the project description or any change in the activity or transfer of location, or realignment, shall be subject to a new Environmental Impact Assessment; and
11. In case of transfer of ownership of this project, these same conditions and restrictions shall apply and the transferee shall be required to notify the EMB Central Office within fifteen (15) days from the transfer of ownership to allow the necessary changes brought about by such transfer;

O.R. No. : 6693055
Date : 1/6/2015
Processing Fee : PhP 6,000.00



ENVIRONMENTAL COMPLIANCE CERTIFICATE
Southern Mindanao Economic Corridor (Davao City Bypass Construction) Project,
Department of Public Works and Highways (DPWH)
Davao City and Pandan City, Davao del Norte

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PROJECT ASSESSMENT PLANNING TOOL

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

By way of recommendations, the following have been noted by the Bureau and are forwarding these to the parties and authorities concerned for proper appreciation and action.

RECOMMENDATIONS TO GOVERNMENT AGENCIES CONCERNED	RESPONSIBLE AGENCY
1. Compliance with the occupational health and safety and Sanitation Code of the Philippines	DOH, Department of Labor and Employment (DOLE), Barangay and Municipal Health Offices
2. Compliance with the Labor Code of the Philippines	DOLE, BWC
3. Ensure conformance with the Ecological Solid Waste Management Act	LGU
4. Secure appropriate zoning clearance	LGU
5. Prior to cutting and/or clearing of trees & other woody vegetations within the project area, the proponent shall secure a TREE CUTTING and/or TREE EARTH-BALLING PERMIT supported with tree inventory report that should originate from the DENR-CENRO/PENRO/Region who has jurisdiction over the project area.	DENR Central Office
ENVIRONMENTAL PLANNING RECOMMENDATIONS FOR THE PROPONENT	
6. The proponent shall consider the inclusion of walkable-bikeable lane in the projects' Detailed Engineering Design.	
7. Priority of employment shall be given to qualified local residents; Adequate public information for jobs available to local residents in the affected areas needs to be provided.	
8. Conduct regular dialogue, consultations, and FGDs with the project's stakeholders in order to settle any conflicts and address identified valid concerns for a substantive and satisfactory public acceptance of the project. Likewise, submit process documentation of the said activities to EMB.	
9. Design and undertake an effective continuing Information, Education and Communication (IEC) Program throughout the pre-construction, construction and operational phases of the project especially on the Traffic Management Plan to be implemented.	
10. First aid facilities and services for staff and employees shall be made available on-site during construction and operation of the project.	


ATTY. MICHAEL DRAKE P. MATIAS
 OIC, Chief EIAM Division


ATTY. JUAN MIGUEL T. CUNA
 DENR Assistant Secretary
 and concurrent EMB Director