



REPUBLIC OF THE PHILIPPINES  
MINISTRY OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE MINISTER  
MANILA

24 September 1982

MINISTRY ORDER )  
NO. **72** )  
Series of 1982 )  
x-x-x-x-x-x-x )

SUBJECT: MPWH Guidelines on the Rules and Regulations Implementing P.D. No. 1586 in relation to P.D. No. 1151 and Proclamation No. 2146.

Pursuant to Presidential Decree No. 1586 in relation to Section 4 of P.D. No. 1151 and Proclamation No. 2146 dated December 14, 1981, the following guidelines are hereby promulgated:

SECTION 1. Scope. These guidelines shall apply to projects planned by this Ministry, its bureaus, regional/district offices, attached agencies, and project offices which fall within the definition of an Environmentally Critical Project or which will be located within an Environmentally Critical Area. For these projects, an Environmental Compliance Certificate shall be obtained as herein provided.

SECTION 2. Definition of Terms. As used in these guidelines:

- a) "Environment" means all facets of Man's surroundings; physical, ecological, aesthetic, cultural, economic, historic, institutional and social;
- b) "Project Proponent" refers to bureaus, regional/district offices, projects offices and attached agencies planning to undertake the project;
- c) "Environmental Compliance Certificate" refers to the document issued by the President of the Philippines or his duly authorized representative certifying that the project under consideration will bring about an acceptable environmental impact and that the proponent has complied with the requirements of the Environmental Impact Statement System.
- d) "Project Description" (PD) refers to the document submitted by the Project Proponent substantially describing the proposed project particularly those aspects of the Project which will likely cause adverse environmental impact.
- e) "Major Dam" - a dam with a structural height of more than 15 meters and or a volume of storage exceeding 50 million cubic meters built across a watercourse to confine/impound/keep back or regulate flowing water.

f) "Major Roads & Bridges" - roads and bridges which will traverse a highly developed urban area, and significantly affect traffic flow.

g) "Major Reclamation" - refers to any large scale activity which will involve the filling or draining of an area larger than one hectare along foreshore areas, marshes, swamps, lakes & rivers.

h) "Environmental Impact Statement" (EIS) refers to the documentation of the studies of the environmental impact of a project including discussion of the direct and indirect consequences upon human welfare and ecological and environmental integrity. The EIS may vary from project to project but shall in every case contain all relevant environmental information and details about the project to enable the NEPC to make a judicious decision.

i) "NEPC" means National Environmental Protection Council of the Ministry of Human Settlements.

SECTION 3. Pursuant to LOI No. 1179, the Project Preparation and Evaluation Division of the Planning Service of MPWH will provide technical assistance/coordination and advice on EIS implementation to achieve an integrated environmental program.

SECTION 4. Duties and Responsibilities of Heads of Bureaus, Regional/District Offices, Project Offices and Attached Agencies:

A. Designate their respective Environmental Officers, preferably the Chiefs of Planning Divisions, who will perform the following duties:

- 1) Conduct initial environmental assessment to determine whether the project is environmentally critical or within an environmentally critical area pursuant to proclamation No. 2146 dated December 14, 1981.
- 2) Act as coordinator in all matters related to EIS System.
- 3) Take charge of the gathering and collection of data for environmental assessment and EIS preparation.

B. Decide on whether a project falls within the EIS System pursuant to Proclamation No. 2146.

C. Supervise the preparation of EIS.

D. Recommend the issuance of environmental compliance or exemption certificates for projects which fall within the EIS system;

E. Supervise implementation of EIS system within their respective jurisdictions.

SECTION 5. Declaration of Environmentally Critical Projects and Areas

(a) The President of the Philippines under Proclamation No. 2146 dated December 14, 1981 has proclaimed the following as environmentally critical projects and within the scope of the Environmental Impact Statement System:

1. Major Dams
2. Major Power plants, whether fossil-fueled, nuclear-fueled, hydroelectric, or geothermal
3. Major reclamation projects
4. Major roads & bridges

(b) The President of the Philippines has proclaimed the following as environmentally critical areas. Projects partly or wholly located in said areas are within the scope of the Environmental Impact Statement System.

Environmentally Critical Areas-

1. All areas declared by law as national parks, watershed reserves, wildlife preserves and sanctuaries;
2. Areas set aside as aesthetic potential tourist spots;
3. Areas which constitute the habitat for any endangered or threatened species of indigenous Philippine Wildlife (flora and fauna)
4. Areas of unique historic, archeological or scientific interests;
5. Areas which are traditionally occupied by cultural communities or tribes;
6. Areas frequently visited and/or hard-hit by natural calamities (geologic hazards, floods, typhoons, volcanic activity, etc);
7. Areas with critical slopes;
8. Areas classified as prime agricultural lands;
9. Recharge areas of aquifers;
10. Water bodies characterized by one or any combination of the following conditions:
  - a. tapped for domestic purposes
  - b. within the controlled and/or protected areas declared by appropriate authorities
  - c. which support wildlife and fishery activities
11. Mangrove areas characterized by one or any combination of the following conditions:
  - a. with primary pristine and dense young growth;
  - b. adjoining mouth of major river systems;
  - c. near or adjacent to traditional productive fry or fishing grounds;

- d. which act as natural buffers against shore erosion, strong winds and storm floods;
  - e. on which people are dependent for their livelihood.
12. Coral reefs characterized by one or any combination of the following conditions:
- a. With 50% and above live coralline cover;
  - b. Spawning and nursery grounds for fish;
  - c. Which act as natural breakwater of coastlines.

#### SECTION 6. General Procedure

The Environmental Officers Designate of all Bureaus, Regional/District offices, Attached Agencies and Project Offices shall prepare during the planning of every project a Project Description Form which shall contain the following:

- a) Type and location project
- b) Project size or scale
- c) Purpose of project
- d) Estimated Cost and duration
- e) Summary of planned operations
- f) Any probable adverse effect on the environment, if any
- g) Evaluation of the Project as to whether it falls within the EIS System.

The Environmental Officer Designate shall submit the Project Description to the concerned Deputy Minister/Regional Director/Heads of Bureaus/Attached Agencies/Project Offices, who shall confirm positively or negatively as to whether the project is an environmentally critical project or within an environmentally critical area. In case of positive determination, an EIS shall be prepared which shall contain all information required for a Project Description Form as enumerated in this Section. In addition to these, comments of other agencies which have something to do with the project and proposed alternatives to minimize adverse effects of the project on the environment, should be incorporated in the EIS. The EIS which should also contain the recommendation of the appropriate Head of Office shall be forwarded in five (5) copies to the NEPC thru the Planning Service, MPWH. If the proposed project is not environmentally critical but is partly or wholly within an environmentally critical area, and the project will have no or negligible effect upon said area, the Head of Office concerned shall recommend to the NEPC thru the Planning Service, MPWH, the issuance of an Environmental Compliance Certificate.

Requests for exemption from the requirements of submitting the EIS based on reasons of national interest or international commitment, shall be forwarded in five (5) copies to the NEPC through the Planning Service, MPWH.

SECTION 7. Provisions for Environmental Study.

In order to facilitate project implementation, the terms of reference of contracts for feasibility studies undertaken by consultants shall include a provision on the conduct of environmental study and preparation of corresponding EIS.

SECTION 8. Repealing Clause.

All orders, rules and regulations or parts thereof, inconsistent with the provisions of this Ministry Order, are hereby repealed or modified accordingly.

SECTION 9. Effectivity. This Ministry Order shall take effect immediately.

  
**ABER P. CANLAS**  
**ACTING MINISTER**



REPUBLIC OF THE PHILIPPINES  
MINISTRY OF PUBLIC WORKS AND HIGHWAYS  
OFFICE OF THE MINISTER  
MANILA

24 September 1982

MEMORANDUM

FOR : The Honorable Minister  
FROM : The Assistant Minister for Planning  
This Ministry  
SUBJECT : Proposed Guidelines For The Implementation of  
The Environmental Impact Statement System

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Pursuant to Section 4 of P.D. 1151 and Section 2 of P.D. No. 1586 establishing the environmental impact statement system and Proclamation No. 2146 proclaiming certain projects and areas as environmentally critical and for which environmental impact statements (EIS) are required, attached for your approval is a proposed Ministry Order, establishing guidelines for the implementation of the system in this Ministry.

Please be informed that with the merger of the Ministries of Public Works and Highways, there is a need to adopt another set of guidelines for the new Ministry of Public Works and Highways.

For your consideration and approval.

  
TEODORO T. ENCARNACION  
Asst. Minister for Planning