



Republic of the Philippines
Department of Environment and Natural Resources
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ECC-CO-2303-0124

AUG 03 2023

Usec Emil K. Sadain, CESO I

Senior Undersecretary

DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS

PJHL Building, NCR Compound-DPWH, 2nd Street,
Bonifacio Drive Port Area, 652 Zone 068, City of Manila

Dear **Director Bautista:**

This refers to your application for an Environmental Compliance Certificate (ECC) for your proposed **Dalton Pass East Alignment Road Project** to be located in Municipalities of Sta Fe and Aritao, Nueva Vizcaya, and Municipality of Carranglan, Nueva Ecija.

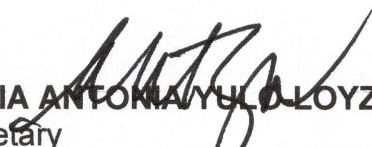
After satisfying the requirements of Presidential Decree No. 1586 and its implementing rules and regulations and upon recommendation of the Environmental Impact Assessment Review Committee, the Department of Environment and Natural Resources has decided to grant an ECC to the above-mentioned project.

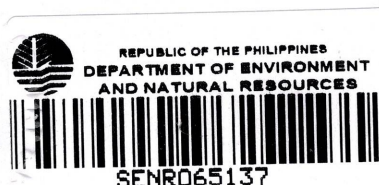
With the issuance of the ECC, DPWH is expected to fully implement the measures presented in the Environmental Impact Statement (EIS) intended to protect and mitigate the project's predicted adverse impacts on community health, welfare, and the environment. Likewise, environmental considerations shall be incorporated in all phases and aspects of the project.

The Certificate does not create any right nor shall be used as an authorization to implement the project and automatically expires if a project has not been implemented within five (5) years from ECC issuance or if the ECC was not requested for extension within three (3) months from the expiration of its validity. This Office shall be monitoring the project periodically to ensure strict compliance with the stipulations cited in the attached ECC.

Please be guided accordingly.

Very truly yours,


MARIA ANTONIA YULO-LOYZAGA
Secretary



CC : EMB Region II
DENR Region II
DOLE-BWC Region II
DOH Region II
NCIP Region II
DENR FMB

EMB Region III
DENR Region III
DOLE-BWC III
DOH Region III
NCIP Region III
DENR BMB

LGU – Municipality of Sta Fe
LGU - Municipality of Aritao
LGU – Province of Nueva Vizcaya
LGU – Municipality of Carranglan
LGU – Province of Nueva Ecija
PAMB

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ENVIRONMENTAL COMPLIANCE CERTIFICATE
(Issued under Presidential Decree No. 1586)

ECC-CO-2303-0124

THIS IS TO CERTIFY THAT THE PROPONENT, **Department of Public Works and Highways**, as represented by its **Senior Undersecretary, Usec Emil K. Sadain, CESO I**, is granted this Environmental Compliance Certificate (ECC), for its proposed **Dalton Pass East Alignment Road Project** to be located in Municipalities of Sta Fe and Aritao, Nueva Vizcaya and Municipality of Carranglan, Nueva Ecija.

SUBJECT ONLY to the conditions and restrictions set out herein labeled as Annexes A and B.

PROJECT DESCRIPTION

This Certificate covers the construction and operation **Dalton Pass East Alignment Road Project** to be in Municipalities of Sta Fe and Aritao, Nueva Vizcaya and Municipality of Carranglan, Nueva Ecija. The proposed 4 lane road project has a 60-meter road right of way and length of 23.0 kilometers and comprised of the following structures:

1. 14 Bridges with a total length of 3.5 kilometers
2. 4.5 kilometers North Tunnel
3. 1.6 kilometers South Tunnel

The project shall also cover the support facility such as: Construction Yard, Tunnel Operation Control Center (OCC), 13.2 kV power transmission lines/electricity posts and 2 substations, one for each tunnel sections

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

AUG 03 2023

Issued at DENR, Quezon City, Philippines, this _____.

Recommending Approval:

Approved by:


GILBERT C. GONZALES, CESO III
Director and Assistant Secretary for Field Operations

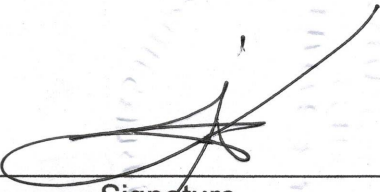

MARIA ANTONIA YULO-LOYZAGA
Secretary

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SWORN ACCOUNTABILITY STATEMENT

I, **Usec Emil K. Sadain, CESO I, Senior Undersecretary** of Department of Public Works and Highways with Office address located at Bonifacio Drive Port Area, 652 Zone 068, City of Manila, take full responsibility in complying with all conditions set forth in this Environmental Compliance Certificate (ECC).



Signature
TIN: 135-592-526

Subscribed and sworn to before me on this AUG 11 2021, the above-named affiant taking oath and presenting his _____ issued on _____ at _____.

Notary Public

Doc. No. 168
Page No. 40
Book No. 241
Series of 23

ATTY. EDITHA P. TALABOC
NOTARY PUBLIC UNTIL FEB 10, 2024
PTR NO. 0862579 - MANILA
IBP NO. 23756 ROLL NO. 43135
ISSUED AT CITY OF MANILA
COMMISSION NO. 2017-219
MCLE NO. VI-0026562

I. ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures, and monitoring requirements contained in the Environmental Performance Report and Management Plan (EPRMP), particularly in the Environmental Management Plan/ Environmental Monitoring Plan (EMP/EMoP), shall be instituted to minimize any adverse impact of the project to the environment and comply with all environmental regulations (RA 8749, RA 9275, RA 6969, RA 9003) throughout the project implementation, including the following:

POTENTIAL IMPACT PER PROJECT ACTIVITY PER PROJECT PHASE	MITIGATING MEASURE
Construction Phase: Construction of Road, Bridge and Tunnels in Pantabangan-Caranglan Watershed Forest Reserve	
Generation of spoils	Excavated soil, stockpiles, and spoils will be piled away and far from water bodies. Additionally, these will be reused for other purposes such as backfilling, and creation of catchments, among others Regular transport of construction debris and other solid waste in the approved designated area by the DENR
Soil contamination due to improper management of generated solid wastes	Implement an organized waste storage, collection, and proper waste management system. Non-recyclable waste shall be collected daily by accredited 3rd party haulers. Provide and coordinate with LGUs to utilize existing MRF (if any) or provide an MRF.
Generation of hazardous materials (i.e. disposal of busted lamps, batteries, empty chemical containers, used oil etc.); from casting yard and storage areas	Generated hazardous waste shall be collected, contained, and disposed by 3rd party accredited haulers and treaters. Provision of on-site adequate hazardous storage facilities with proper labeling.
Increase in turbidity due to soil erosion	Implement appropriate erosion control measures such as additional pavements, sediment traps, and barriers during heavy rain periods. Proper management of stockpiles and the drainage system should be undertaken. To avoid contamination by rain washing, stockpiles should be distant from the waterways and covered. Provision of slope protection to minimize surface runoff and sedimentation.
Degradation of water quality due to the generation of domestic wastewater	Provision of portable toilets for construction workers. Siphoning and collection of the sewage will be done as necessary to prevent overflow of septage. Hauling of wastewater from portalets/septic tanks by third party shall be covered by a licensed/permit from LGU and with a valid Discharge Permit for the wastewater treatment facility.
Degradation of water quality due to oil, fuel, or other lubricant agents leaks due to works,	The construction yard shall be located at least 100 meters from water receiving bodies of water and equipped with oil-water separator to remove oil from effluents prior to discharge to the Carranglan River in Nueva Ecija and Batak River and Marang River in Nueva Vizcaya;

POTENTIAL IMPACT PER PROJECT ACTIVITY PER PROJECT PHASE	MITIGATING MEASURE
installation, and other construction works	Implement organized waste storage, where bulk waste oils and lubricants are placed in an impermeable area with appropriate secondary containment.
Potential generation of fugitive dust from the movement of vehicles and equipment use	<p>Water spraying of the road surface at least 2 times a day, especially during the dry season, particularly in community areas, at a rate of 2.5 liters per square meter of unpaved road to minimize dust.</p> <p>Truck loads with spoils/filling materials will be covered with tarpaulin sheets when in transit, especially in areas where communities are situated.</p> <p>Provision of speed limits for trucks that carry material in construction areas, 20 km/hr on barangay roads, and 30 km/hr on provincial/municipal roads in accordance with JMC 2018-001.</p>
Potential generation of noise	<p>Use equipment that generates less noise and/or will be fitted with mufflers or silencers</p> <p>Limit construction work between 7:00 AM to 7:00 PM for works classified as Class 1-2 under the NPCC 1980 Noise Standards and 7:00 AM to 9:00 PM for works classified as Class 3-4.</p>
Operation Phase : Operation of Tunnel Operation Control Center (OCC)	
Soil contamination due to improper management of generated solid wastes	<p>Implementation of Solid Waste Management Program such as provisions of MRF (composting, recycling, waste segregation collection with color-coded and storage).</p> <p>Disposal shall be conducted by 3rd party accredited collector. The Memorandum of Agreement (MOA) shall be submitted to EMB CO.</p>
Soil contamination due to improper management of generated hazardous waste	<p>Segregate hazardous waste, and properly contain, seal, and store it in a safe, secure, and well-ventilated shed if not hauled out immediately.</p> <p>Place signages on the storage area with the symbol representing each stored hazardous material classification as per DAO 2004-36.</p> <p>All hazardous materials will be transported by and disposed thru a DENR-accredited third-party waste hauler.</p>
Generation of domestic wastewater from employees and other personnel in the project that may result in water pollution	Hauling of wastewater from septic tank by third party shall be covered by a licensed/permit from LGU and with a valid Discharge Permit for the wastewater treatment facility.
Generation of wastewater from cleaning of the facilities	<p>Provision of sedimentation ponds outside the tunnel areas.</p> <p>Regular desilting of sedimentation ponds. Collected sediments must be disposed of in the designated disposal site.</p>
Generation of road traffic noise	Installation of sound insulation measures in the guardrails and fences, and trees as natural noise barriers

II. GENERAL CONDITIONS

The proponent shall:

1. Install and maintain wastewater treatment facilities to treat all wastewater coming from different sources. Likewise, ensure that all discharges/ effluents comply with the provisions of RA 9275, the Philippine Clean Water Act of 2004, and its Implementing Rules and Regulations;
2. Install and maintain air pollution control devices to minimize dust and gas emissions from different sources. Likewise, the proponent shall ensure that emissions at all times comply with the DENR standards and with all the provisions of RA 8749, the Philippine Clean Air Act of 1999, and its Implementing Rules and Regulations;
3. Install, operate, and maintain collection, handling, treatment, storage, and disposal facilities or any system serving different sources of hazardous waste. The system shall be properly operated to ensure compliance with the provisions of RA 6969, the Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990 and its Implementing Rules and Regulations;
4. Install, operate, and maintain collection, handling, treatment, storage, and disposal facilities or any system serving different sources of solid waste. The system shall be properly operated to ensure compliance with all the provisions of RA 9003, the Ecological Solid Waste Management Act of 2000 and its Implementing Rules and Regulations;
5. Conduct an effective Information, Education and Communication (IEC) to inform and educate all stakeholders especially its contractors, workers, and local residents, on the following:
 - a. Mitigating measures embodied in its EIS;
 - b. The conditions stipulated in this Certificate and the environmental disaster risk reduction management measures and climate change related issues/concerns; and
 - c. Human safety features for greater awareness, understanding and sustained acceptance of the project;

A report on the program implementation shall be submitted to EMB Central Office (CO) as part of the Semi-annual Compliance Monitoring Report, copy furnished EMB Region II and EMB Region III;

6. Implement a comprehensive Social Development Program (SDP) and submit a report together with the Compliance Monitoring Report (CMR) to the EMB CO, copy furnished EMB II and EMB III;
7. Implement a carbon sink/sequestration program in line with the DENR's National Greening Program for GHG emissions reduction program. The program shall be formulated in coordination with EMB II and EMB III, concerned PENROs and CENROs and to be submitted to EMB CO and copy furnished prior to the project implementation;
8. Submit an approved Resettlement Action Plan to EMB CO sixty (60) days prior to project implementation;
9. Set up the following:
 - a. A readily available and replenishable Environmental Guarantee Fund (EGF) to cover the following:
 - i. Expenses for further environmental assessments;
 - ii. Compensation, indemnification for whatever damages to life and property that may be caused by the project; and
 - iii. Rehabilitation and/or restoration of areas affected by the project's implementation.
 - b. A replenishable Environmental Monitoring Fund (EMF) to cover all costs attendant to the operation and monitoring activities of the MMTs including, but not limited to, capability building and training in accordance to DAO 2017-15 and DAO 2018-18; and

- c. Multipartite Monitoring Teams (MMT) shall be formed consistent with DAO 2017-15 and DAO 2018-18. The MMT shall primarily monitor the proponent's compliance with the Environmental Management and Monitoring Plan other commitments and mitigation measures that are contained in the EIS documents and the ECC conditions.

The amount and mechanics of the above-mentioned funds shall be determined by EMB and the proponent, in consultation with EMB Regional Offices, through a Memorandum of Agreement (MOA), which shall be submitted to the EMB CO one (1) year prior to project construction.

10. The proponent shall establish an Environmental Unit (EU) prior to project implementation 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). The EU shall:
 - a. Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the EIS; and
 - b. Ensure that monitoring and reporting are carried out as required.
11. The proponent shall ensure that its contractors and sub-contractors strictly comply with the relevant conditions of this Certificate; and
12. Register its account in the Compliance Monitoring Report (CMR) Online platform. The first CMR covering the immediate semester shall be submitted after the issuance of the ECC. The succeeding CMR shall be submitted semi-annually through EMB Central Office Online System together with other reports mentioned above;
13. Develop a Social Development Plan (SDP) per DMO 2023-01 for the conservation, protection, and management of the following Protected Areas:
 - a. Talavera Watershed Reserve
 - b. Pantabangan-Carranglan Watershed Reserve
 - c. Casecnan Protected Landscape
 - d. Salinas Natural Monument
14. This project shall be subject to a validation visit by the EMB Central Office and members of the EIA Review Committee within one (1) year from the project implementation. Expenses related to this activity shall be to the account of the proponent. The proponent shall inform EMB Central Office at least thirty (30) days prior to the project implementation.

III. RESTRICTIONS

15. The proponent shall coordinate with other concerned Government Agencies in the management of the project and shall implement only after securing all the necessary and relevant permits from other pertinent Government Agencies;
16. 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, the same shall be subject to a new Environmental Impact Assessment; and
17. 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.

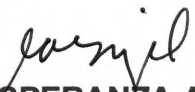
O.R. No. : 9461190
Date : 15 March 2023
Processing Fee : PhP 10,100.00


PROJECT ASSESSMENT PLANNING TOOL

For the assistance of the Proponent and the Government agencies concerned in the management of the project and for better coordination in mitigation of the impacts of the project on its surrounding areas and the environment, the following have been recommended by this Office to the parties and authorities concerned for appropriate action.

Environmental Planning Recommendations and Regulatory Requirements for the Proponent	
A. DENR – Biodiversity Management Bureau (BMB)	
1.	The proponent shall coordinate with BMB for the preparation and implementation of the Biodiversity and Monitoring Systems pursuant to Technical Bulletin Nos. 2016-05 and 2019-04
B. DENR – Region II and III	
2.	Secure tree cutting permit and coordinate with the agency concerned regarding the loss of specific species of vegetation and/or trees that need to be replaced;
3.	Implement appropriate measures and maintain buffer zones along with the river systems and periphery of the project area with appropriate species/dense vegetation cover to mitigate the adverse effect of its operation on the existing condition of the ecosystems in the area and to serve as noise, vibration, and dust buffers;
C. Department of Health (DOH)	
4.	The proponent shall comply with the sanitation code of the Philippines.
D. Local Government Unit (LGU) of Sta Fe and Aritao, Nueva Vizcaya and Carranglan, Nueva Ecija	
5.	The proponent shall comply with the National Building Code of the Philippines.
6.	The proponent shall give priority employment to qualified local residents.
7.	The proponent shall coordinate with the concerned LGU for the implementation of the Solid Waste Management Plan.
8.	The proponent shall secure Zoning Clearance in compliance with the Comprehensive Land Use Plan and Zoning Ordinance of the LGU.
9.	The proponent shall ensure that their operations will not generate traffic on public roads.
10.	The host communities will be kept informed of the duration and timing of any noisy construction.
E. National Commission on Indigenous People (NCIP)	
11.	The proponent shall coordinate with NCIP in complying with the Certificate of Pre-condition
F. Department of Labor and Employment – Bureau of Working Conditions (DOLE-BWC)	
12.	The proponent shall comply with the Labor Code of the Philippines, including occupational health and safety standards.
G. National Water Regulatory Board	
The proponent shall:	
13.	Secure the necessary water permit;
14.	Coordinate with NWRB for the depletion of water resources and competition in water use;
H. Protected Area Management Board of Pantabangan-Carranglan Watershed Reserve, Casecnan Protected Landscape and Salinas Natural Monument	
15.	The proponent shall coordinate with PAMB in securing Special Agreement for Protected Areas (SAPA);

For the dissemination and proper action of the agencies concerned.


ENGR. ESPERANZA A. SAJUL
OIC Assistant Director and
concurrent Chief, EIAM Division


GILBERT C. GONZALES, CESO III
Director and Assistant Secretary
for Field Operations