

**MINDANAO: ARMM SOCIAL FUND FOR PEACE AND DEVELOPMENT**

**FRAMEWORK AND OPERATIONAL GUIDANCE  
OF ENVIRONMENTAL SAFEGUARDS**

**INTRODUCTION**

Project Overview

The ASFPD Project developmental objectives is to reduce poverty and promote enduring peace in ARMM and other conflict-affected areas, and thereby play a catalytic role in supporting GOP peace and development strategy in Mindanao. Its specific objectives include: a) revitalize and improve access to and delivery of quality basic social and economic infrastructure and services; b) generate employment; c) improve access to sustainable micro-enterprises development and community-based livelihood activities, and facilitate market development and linkages driven by the local government units (LGUs) and the private sector, and reduce constraints to the small-scale activities of key target groups; and d) strengthen institutional capacities and develop roles and mechanism of key stakeholders to ensure sustainable peace and development.

Objectives

To achieve its objectives, the project shall embark on a quick response mechanism (QRM) at the same time pursue a catalytic development mechanism. This will require strengthening of institutions/organizations that will serve as partners and intermediaries for an effective implementation of the various project activities. Clientele will include communities within conflict affected areas and vulnerable groups. At the end of the program, it is expected that the following would have been achieved: a) empowered communities; b) increase developmental awareness; c) good governance; d) upgraded capability of intermediaries/service providers, and e) conflict management capability at the community level. The project's major activities will include: a) social preparation; b) institutional strengthening and c) communication and advocacy; and d) peace negotiation.

The project components include: a) Community Development and Social Services ; b) Priority Regional Infrastructure; c) Enterprise Development and Micro-finance; d) Institutional Strengthening

Environmental Setting

The Autonomous Region of Muslim Mindanao (ARMM) lies in Central and Western Mindanao. Its terrain ranges from the rolling highland regions of Lanao del Sur, the flat marshy lands of Maguindanao and archipelagic provinces of Basilan, Sulu and Tawi-tawi. ARMM has a total land area of 13,435.26 km<sup>2</sup> constituting 4.5 % of the country with Maguindanao having the biggest land area. The region abounds in water resources. Lanao Lake found in Lanao del Sur is the Philippines second largest fresh water body, Maguindanao is traversed by the big Linguasan Marsh that empties into the Ilana Bay , while the marine resources rich Sulu Sea totally surrounds Basilan, Sulu and Tawi-tawi.

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The mainland provinces of Maguindanao and Lanao del Sur has a type III climate characterized by not very pronounced seasons where November to April are relatively dry and rainy the rest of the year; while the island provinces belong to the fourth climactic type characterized by evenly distributed rainfall throughout the year. There are two distinct geologic features in the region namely the Sulu trench, a northeast trending earthquake generator located at the bottom of the Sulu Sea north of the island provinces, and the Cotobato Fault formed at the bottom of the Moro Gulf west of Maguindanao. The Region still has significant forest resources (104,148 has. dipterocarp forest, 86,832 ha. second growth forest, 27,519 has. mossy/marginal forest, and 19,196 ha. mangrove). About 47% of lands in the Region are classified as A&D while the rest are forestlands. There area three proclaimed watersheds namely: Maganoy-Kabulnan Watershed (Ampatuan/Maganoy), Timanan Watershed (South Upi, Maguindanao) , Maridagao-Malitubog Watershed (Lanao del Sur/Maguindanao) and the Lake Lanao Critical Watershed Reservation (Marawi City & Lanao del Sur). Agriculture (rice, corn, livestock) and fisheries (fishing and seaweed farming) are the Region's major industries.

The armed conflict in Central and Western Mindanao has brought considerable damage to both physical and social infrastructures, inflicted casualties and displaced a sizable number of individuals/families. As of 23 July 2001, a total of 188,570 families or 1,002,855 persons were reported by DSWD to have been affected by the conflict. These individual may have lost their homes and livelihood and are classified as internally displaced peoples (IDPs).

## **LEGAL AND POLICY CONTEXT**

### Philippine Environmental Policies

It is embodied in Section 16, Article II of the 1987 Philippine Constitution that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature". This aspiration gave rise to Presidential Decree (PD) 1151 otherwise known as the "Philippine Environmental Policy" which under Section 4 required all government instrumentalities including the private sector to prepare environmental impact system (EIS) for every undertaking which significantly affects the quality of the environment. The EIS system was formally established in 1978 with the passage of PD 1586 and subsequent implementing guidelines such as the DENR Administrative Order (DAO) No. 21 Series of 1992 and the recent DAO 96-37. Projects or undertakings classified as Environmentally Critical Projects (ECP) occurring in Environmentally Critical Areas (ECA) as defined in these regulations are required to submit an Environmental Impact Statement.

To implement the environmental policy, Executive Order No. 192 designated the Department of Environment and Natural Resources (DENR) as the lead government agency, while its Environmental Management Bureau (EMB) have been tasked to recommend EIA rules and regulations and provide technical assistance for their implementation and monitoring. Under the Organic Act for Muslim Mindanao, the ARMM Regional Government has been created to oversee the development and implementation of various plans and programs for the ARMM. One of its line agencies is the DENR-ARMM has bee created to handle matters related to the environment and natural resources of the region, while its EMB-ARMM provides the staff support on environmental concerns including review of applications for environmental clearance,

issuance of ECC/CNC for compliant projects/undertakings, and conduct periodic compliance monitoring.

### World Bank Safeguard Policies

The World Bank has a number of safeguard policies, which includes among others environmental protection. World Bank Operational Policy (OP) 4.01 requires environmental assessment (EA) of all projects proposed for Bank financing to help ensure the environmental soundness, sustainable, and affords improved decision-making. Projects are classified into 3 types, Category A are those with significant environmental impacts that may extend beyond project area, Category B are those with quantifiable impacts occurring within the project area, and Category C projects have very minimal or to no significant impact to the environment. Environmental Assessment is only needed for projects falling under Categories A and B.

### **GUIDING PRINCIPLES**

- The MSF2 should comply with existing Philippine government and regional environmental policies, rules and regulations (i.e. PD 1586, DENR DAO 96-37, ect.)
- Appropriate funds should be provided to cover the MSF2 subproject environmental costs
- The FMO should assign competent staff and consultants that shall ensure MSF2 environmental concerns are addressed
- All FMO staff/consultants, DENR-EMB ARMM, and intermediaries representatives concerned are oriented/trained in the various environmental safeguard procedures.
- ARMM-EMB-DENR procedures should be streamlined to facilitate the processing of environmental clearance applications and issuance of ECC/CNC
- Maximum participation of all stakeholders in the environmental assessment and compliance monitoring is encouraged
- Complementation with other programs of the government especially in environmental protection and institutional strengthening should be pursued
- Periodic MSF2 progress reports should also contain the status of compliance with environmental conditionalities as contained in the ECC/CNC issued.

### **OPERATIONAL STRATEGIES**

#### General

- The FMO to do a listing of possible intermediaries tasked to conduct environmental assessment, prepare the appropriate environmental clearance application including supporting documents, provide additional information as may be requested by the EMB-ARMM, and if required perform monitoring work.
- Selected intermediaries to undergo orientation on the EA manual prior to deployment in the field.
- Existing LGU and ARMM institutions/offices can serve as intermediaries
- Environmental cost shall be shared by the MSF2 and concerned subproject proponents

## Rural Infrastructures

- Target communities selected the interventions to be implemented in their respective areas taking into consideration environmental protection
- A capable intermediary will be selected by the FMO to assist the target community prepare the environmental clearance application for selected rural infrastructure subprojects.
- The EA shall be done simultaneous with the project proposal and their respective outputs simultaneously submitted to the provincial appraisal group for review and approval by the SPAC.
- A member of the appraisal group will be in charge of the environmental safeguards and will see to it that the project is environment friendly.
- Once the project proposal is approved, the attached environmental clearance application is submitted by the proponent/intermediary to the EMB-ARMM for review and issuance of Certificate of Non-Coverage (CNC)/Environmental Compliance Certificate (ECC)
- The EA intermediary will provide the EMB-ARMM additional information if required aimed at clarifying information contained in the EA report (Checklist or IEE)
- Upon the issuance of the ECC/CNC, the intermediary will brief the community as to the conditionalities attached to the clearance and suggest ways on how to comply with the requirements.

## Regional Infrastructure

- The ARMM Regional government shall select their priority regional infrastructure projects
- Selected representatives from the concerned ARMM Regional government offices (EMB-ARMM, RPDO, DPWH, DOH, BFAR, etc.) designated as environmental officers of their respective institutions for the MSF2 to undergo orientation/training on environmental management and environmental impact assessment.
- EMB-ARMM to subject the proposed regional infrastructure to first screening;
- Simultaneous with the Feasibility Study preparation, the intermediaries will conduct the EA. The procedures stipulated under the DENR DAO 96-37 will be followed in the conduct of the EIA.
- The stakeholders of the regional infrastructure subproject shall be invited to participate in the EIA: participate in the meetings held, identify issues that affects them and recommend ways of resolving them, participate in the field studies, forge agreements that may be carried on even during project implementation.
- All field works to be coordinated by the intermediary with the stakeholders.
- Coordination should be made by the Feasibility Study team and the EIA team to ensure that information generated by each of the teams are properly taken into account in their respective works;
- The EIA report (IEE/EIS) shall be submitted to the appraisal group along with the FS for review.
- A member of the appraisal group will be in charge of the environmental safeguards and will see to it that the project is environment friendly, and if there are significant negative impacts then appropriate mitigation measures are proposed.

- Once the project proposal is approved, the attached environmental clearance application is submitted by the proponent/intermediary to the EMB-ARMM for review and issuance of Certificate of Non-Coverage (CNC)/Environmental Compliance Certificate (ECC)
- The EA intermediary will provide the EMB-ARMM additional information if required aimed at clarifying information contained in the EA report (Checklist or IEE)
- Upon the issuance of the ECC/CNC, the intermediary will brief the community as to the conditionalities attached to the clearance and suggest ways on how to comply with the requirements.
- Periodic compliance monitoring to be conducted by EMB-ARMM. The proponent can initiate their own monitoring works to ensure that ECC/CNC conditionalities are complied with.

## REQUIREMENTS FOR ECC/CNC ISSUANCE

Environmental clearances will have to be secured from the EMB-ARMM prior to all construction works. Projects and “endeavors” not covered under the Philippine EIS system will be issued a Certificate of Non-Coverage, while the rest will require an Environmental Clearance Certificate (ECC) in accordance with the provisions of DENR-DAO 96-37 and other subsequent issuances. To guide the implementors as to the possible requirement that need to be submitted to the EMB-ARMM in order that the appropriate environmental clearances will be issued, a listing of all proposed infrastructure and sample micro-enterprise subprojects has been prepared, along with a general evaluation criteria and proposed requirement.

Table 1 List of Infrastructure and Micro Enterprise Subprojects

ACTIVITY	CRITERIA	PROPOSED REQUIREMENT
<b>I. RURAL INFRASTRUCTURE</b>		
<b>A. Access Infrastructure</b>		
Rehabilitation of existing roads	With effective expansion of less than 50% Length will not exceed 1 kilometers Concreting limited to sections with slopes >12%	Not covered under the EIS System CNC may be issued upon request of proponent
Rehabilitation of timber ports	Average length of 50 linear meters (1m)	CNC
Building of timber ports	Average length of 50 lm	IEE Checklist
Building of hanging bridges	Average length of 15 lm	CNC
Building of rock causeways	Average length of 15 lm	CNC
Building of pedestrian bridges	Average length of 100 meters	CNC
<b>B. Building of Potable Water Supply</b>		
Rehabilitation of existing water system	Level II spring development scheme	CNC
Construction of water system	Level II spring development scheme	IEE Checklist
Construction of water system	Level 1 Artesian Wells	CNC
Construction of Rainwater Collector	Capacity 7,500 liters	CNC
<b>C. Post Harvest Facilities</b>		

Rehabilitation, expansion and construction of warehouse	Single story building Floor area: 64 square meter	CNC
Construction of solar driers	Land based crops: 500 sqm Seaweeds: 400 sqm	CNC
<b>D. Social Infrastructures</b>		
Rehabilitation, expansion and construction of school building, learning center and tribal hall	School building: 2 classrooms at 154 sqm Learning center: 100 sqm Tribal hall: 100 sqm	CNC
Rehabilitation, expansion and selective construction of barangay health station	Floor area: 64 sqm	CNC
Construction of communal toilets	Floor area: 20 sqm	CNC
<b>REGIONAL INFRASTRUCTURES</b>		
<b>A. Social Infrastructures</b>		
Improvement of ARMM Regional Government Support Facilities	Repair of existing facilities and provision of basic facilities and equipment, and institutional strengthening	IEE Checklist
Construction of Regional Manpower Training Center	Construction of a 1-2 story building with floor area not more than 1,000 sqm, and provision of basic facilities.	CNC
Expansion of Sulu Provincial Hospital	Construction of additional hospital wing within existing Hospital compound.	CNC
Rehabilitation of Lamitan Provincial Hospital	Repair of existing facilities and provision of additional hospital equipment	CNC
Rehabilitation of Buluan District Hospital	Repair of existing facilities and provision of additional hospital equipment	CNC
Construction of Regional Rehabilitation Center	Construction of 1-2 story buildings with floor area not more than 1,000 sqm and provision of basic facilities and equipment.	CNC
Construction of Peace and Reconciliation Center	Construction of 1-2 story buildings with floor area not more than 1,000 sqm and provision of basic facilities and equipment.	CNC
Construction of Regional Teachers Training Center	Construction of 1-2 story building with floor area not more than 1,000 sqm and provision of basic facilities and equipment.	CNC
<b>B. Access Infrastructure</b>		
Rehabilitation of Polloc Port	Repair of existing facilities and construction of a new passenger terminal within the PPA compound	IEE Checklist
Expansion of Bongao Port	Expansion of existing facilities	EIS
Rehabilitation of Jolo Port	Repair of existing facilities	IEE Checklist
<b>WOMEN AND YOUTH MICRO-ENTERPRISE DEVELOPMENT*</b>		
Flower and Ornaments	100 sqm nursery/group	CNC
Special Rice Production (Irrigated & Rainfed)	1.5 hectares/group	CNC
Yellow Corn Production	1.0 hectares/group	CNC

Bamboo Propagule Production	2,000 propagules/group	CNC
Broiler Production	500 birds/group	CNC
Dried Squid Production	750 kg/month/group	CNC

\*Note: The list above represent a sample of micro-enterprises that can be pursued by the target group. Other endeavors can be done as long as they are within the identified sectors indicated in the MSF2 project design.