



Republic of the Philippines  
Department of Environment and Natural Resources  
**PENRO Marinduque**

DENR MIMAROPA  
RECORDS SECTION  
**RECEIVED**

June 1, 2023

**JUN 09 2023**

☐ INCOMING ☐ OUTGOING  
BY: \_\_\_\_\_ DATE NO. \_\_\_\_\_

**MEMORANDUM**

FOR : **The Regional Executive Director**

THRU : **The Assistant Regional Director for Technical Services**

ATTENTION : **The Chief, Licenses Patent and Deeds Division**

SUBJECT : **SUBMISSION OF THE LACKING REQUIREMENTS FOR THE FLAg APPLICATION OF THE PROVINCIAL GOVERNMENT OF MARINDUQUE, REPRESENTED BY HON. PRESBITERO J. VELASCO, JR. OVER BALOGO PORT ON STA. CRUZ, MARINDUQUE**

Forwarded herewith are the lacking requirements submitted by the Provincial Government of Marinduque, represented by Governor Presbitero J. Velasco, Jr. relative to their FLAg Application over an area located in Brgy. Balogo, Sta. Cruz, Marinduque, to wit;

- 1). Certificate of home ownership issued by the NCIP;
- 2). Environmental Compliance Certificate.

For information and record.

  
**IMELDA M. DIAZ**



Republic of the Philippines  
Office of the President  
**NATIONAL COMMISSION ON INDIGENOUS PEOPLE**  
3/F Argo Building 574 Edsa Corner, P. Tuazon Blvd.  
Cubao, Quezon City  
Email: [region4b@ncip.gov.ph](mailto:region4b@ncip.gov.ph)

Control No. CNO-R4B-2023- 006

### CERTIFICATE OF NON-OVERLAP

#### TO WHOM IT MAY CONCERN:

**THIS IS TO CERTIFY** that the applied area for the **construction of Balogo International Port of the Provincial Government of Marinduque**, located in Barangay Balogo, Sta. Cruz, Marinduque covering a total area of 36.1694 hectares, **DOES NOT OVERLAP** any Ancestral Domain/Land of Indigenous Cultural Communities/Indigenous Peoples based on the assessment of secondary data conducted in accordance with National Commission on Indigenous Peoples Administrative Order No. 3, Series of 2012.

**THIS IS TO CERTIFY FURTHER** that the proponent is required to undergo Free and Prior Informed Consent (FPIC) process in accordance with the Affidavit of Undertaking, in the event it is determined that there is, in fact, an overlap, in whole or in part, with any ancestral domain/land.

This office, however, reserves whatever action needed to be undertaken to protect the rights and interest of the Indigenous Cultural Communities/Indigenous Peoples concerned, including the cancellation/revocation of this certification, as the case maybe.

Issued in compliance with Section 59 of Republic Act No. 8371, otherwise known as the Indigenous Peoples Rights Act (IPRA) of 1997.

Issued this 17th day of April 2023 at Quezon City, Philippines.

Certified:

  
**MARIE GRACE T. PASCUA, CESO III**  
Regional Director

Concurred:

  
**GEORGE M. LARGADO**  
Commissioner  
Island Group and the rest of the Visayas

Copy Furnished:

1. ADO
2. Concerned Regulatory Agency
3. Office of the Ethnographic Commissioner
4. File





Republic of the Philippines  
Department of Environment and Natural Resources  
**ENVIRONMENTAL MANAGEMENT BUREAU - MIMAROPA**

PE-NRO Compound, Brgy. Sapiro, Calapan City, Oriental Mindoro  
Regional Satellite Office: 6th Floor DE-RR by the Bay Bldg., 1515 Roxas Blvd., Lungsod, Manila  
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March 13, 2023

**ECC-OL-R4B-2023-0053**

**Hon. PRESBITERO J. VELASCO, JR.**  
Governor  
**PROVINCIAL GOVERNMENT OF MARINDUQUE**  
Provincial Capitol, Boac, Marinduque

Subject: **ENVIRONMENTAL COMPLIANCE CERTIFICATE**

Dear Governor *Velasco, Jr.*:

This refers to the Environmental Compliance Certificate (ECC) application for the proposed **REPAIR AND REHABILITATION OF BALOGO PORT PROJECT** to be located at **Brgy. Balogo, Santa Cruz, Marinduque**.

After satisfying the requirements of the said application, this Bureau has decided to grant an ECC for the above-mentioned project.

With the issuance of this ECC, you are expected to implement the measures presented in the Initial Environmental Examination Checklist (IEEC) Report, 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.

This Certificate does not create any right nor be used as authorization to implement the project, you may proceed with the implementation only after securing all the necessary and relevant permits from other pertinent Government Agencies. This Office shall be monitoring the project periodically to ensure strict compliance with the stipulations cited in the attached ECC.

Please be guided accordingly.

  
**JOE AMIL M. SALINO**  
Regional Director



Republic of the Philippines  
Department of Environment and Natural Resources  
**ENVIRONMENTAL MANAGEMENT BUREAU - MIMAROPA**

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**ENVIRONMENTAL COMPLIANCE CERTIFICATE**  
(Issued under Presidential Decree 1586)  
**ECC-OI-R4B-2023-0053**

THIS IS TO CERTIFY THAT THE PROPONENT, **PROVINCIAL GOVERNMENT OF MARINDUQUE**, represented by its Governor, **Hon. PRESBITERO J. VELASCO, JR.**, is granted this Environmental Compliance Certificate (ECC), for the **REPAIR AND REHABILITATION OF BALOGO PORT PROJECT** located at **Brgy. Balogo, Santa Cruz, Marinduque** by the Department of Environment and Natural Resources (DENR), through the Environmental Management Bureau (EMB).

SUBJECT ONLY to the conditions and restrictions set in this ECC and in the attached document labelled as **Annexes A and B**.


This Certificate is issued with the following details:

PROJECT DESCRIPTION
This ECC shall cover the <b>Repair and Rehabilitation of the Balogo Port Project</b> with a total project area of <b>130,000 square meters (13.0 Hectares)</b> covered by a <b>Gratuitous Special Use Permit (GSUP) application</b> located at <b>Brgy. Balogo, Santa Cruz, Marinduque</b> .
<b>Project's facilities and structures are enumerated to wit:</b> <i>100 Square Meter RO-RO Ramp, 755.876-meter Road, 71.540-meter Wharf, Septic Tanks, Material Recovery Facility (MRF), Admin Building, and Generator Set.</i>
The project shall operate and maintain its facilities and amenities as contained in the submitted <b>Initial Environmental Examination Checklist (IEEC)</b> .

This Certificate is issued in compliance with the requirements of Presidential Decree No. 1586, and in accordance with DENR Administrative Order (D.A.O.) No. 2003-30. Non-compliance with any of the provisions of this Certificate shall be a sufficient cause for the cancellation of this Certificate and/or imposition of a fine in an amount not to exceed Fifty Thousand Pesos (**P50,000.00**) for every violation thereof without prejudice to the imposition of fines and penalties under other environmental laws. The EMB, however, is not precluded from reevaluating and correcting any deficiencies or errors that may be found after the issuance of this Certificate.

Issued at EMB-R4B, 1515 L, and S Building, Roxas Boulevard, Manila this March 13, 2023.

Recommending Approval:

  
**ENGR. BUENA FE A. RIOFLORIDO**  
Chief, Clearance and Permitting Division

Approved:

  
**JOE AMIL M. SALINO**  
Regional Director



## I. ENVIRONMENTAL MANAGEMENT

All commitments, mitigating measures, and monitoring requirements, contained in the Initial Environmental Examination Checklist (IEEC) for the **REPAIR AND REHABILITATION OF BALOGO PORT 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:

POTENTIAL IMPACT PER PROJECT ACTIVITY PER PROJECT PHASE	MITIGATING MEASURES	RATING/ PERFORMANCE OF MITIGATING MEASURES
<b>A. Construction Phase</b>		
<b>A.1 Site Development including minor excavation</b>		
Potential siltation of nearby bodies of water due to soil erosion	<ul style="list-style-type: none"> <li>Provision of sediment control measures such as sediment traps, slope stabilization, etc.</li> </ul>	100% no siltation of nearby bodies of water
Degradation of surface water quality due to contamination from domestic wastewater	<ul style="list-style-type: none"> <li>Provision of portalets for construction workers (if necessary)</li> </ul> <p><i>Note: at least one (1) portalet for 60 workers where the number of male workers exceeds 500 (as per IRR-Industrial Hygiene, PD 856 Amending Administrative Order 111 Series of 1991)</i></p> <p><i>Note: at least one (1) portalet for 25 workers where the number of male workers exceeds 100 (as per IRR-Industrial Hygiene, PD 856 Amending Administrative Order 111 Series of 1991)</i></p> <ul style="list-style-type: none"> <li>Provision of a septic tank or wastewater collection system for workers</li> <li>Hauling of wastewater from portalets/ septic tanks by a third-party contractor with a license/permit from LGU and with a valid Discharge Permit for a wastewater treatment facility</li> </ul>	100% no discharge of domestic wastewater to nearby bodies of water
Generation of dust from site preparation	<ul style="list-style-type: none"> <li>Maintain a wet access road surface/project site by sprinkling water at least twice (2x) a day during the dry season</li> </ul>	100% no dust generation
Generation of noise from heavy equipment	<ul style="list-style-type: none"> <li>Use of mufflers and exhaust silencers for construction equipment</li> <li>Provision of appropriate noise mitigating measures (such as the construction of fences, enclosure of stationary work areas and equipment, maintenance of equipment, etc.) whenever applicable</li> </ul>	100% Noise within standards
Generation of spoils (including excavated soils)	<p>Excavated materials shall be properly stockpiled and properly disposed of or reused. Excess soil materials shall not be deposited along areas traversed by runoff and away from waterways and valuable crops.</p> <p>The proponent shall identify stockpile sites (with geographical coordinates) Spoil materials will be hauled by a third-party hauler with approved 100% no spoil materials will be left unattended and no mud/dirt will be transferred in the road permit/clearance from LGU or the proponent should</p>	100% no spoiled materials will be left unattended, and no mud/dirt will be transferred in the road



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	<p>identify disposal sites (with geographical coordinates)</p> <p>Trucks shall be thoroughly washed before leaving the project site to avoid the transfer of mud/dirt in the road Use of spoils as fill materials in lower areas is subject to the approval of LGU.</p>	
Generation of spoils (including excavated soils)	<ul style="list-style-type: none"> <li>Segregation and collection of construction debris in compliance with RA 9003</li> <li>Hauling of construction debris by 3<sup>rd</sup> party hauler</li> </ul>	100% collected/hailed construction debris
Generation of used oil, paint, batteries, and other hazardous materials	<ul style="list-style-type: none"> <li>Provision of storage for hazardous wastes with proper labeling.</li> <li>Collection of hazardous wastes by DENR-accredited 3rd party hauler and treater</li> </ul>	100% compliance with RA 6969
<b>B. Operational Phase</b>		
<b>B.1 Operation and maintenance of facilities</b>		
Generation of solid wastes	<ul style="list-style-type: none"> <li>Provision and maintenance of Materials Recovery Facility</li> <li>Implement recovery re-use and recycling of waste materials</li> <li>Provide receptacles/bins for solid wastes</li> <li>Composting of Organic Wastes</li> </ul>	100% compliance with RA 9003
Contamination of surface water from domestic wastewater	<p>Provision of adequate Wastewater Treatment Facility (Sewage Treatment Plant) to treat the collected wastewater, whichever is applicable:</p> <p><input checked="" type="checkbox"/> Hygienic septic tank (for 212 occupants or less – DILG MC 2019-62) with regular desludging by third party contractor (the contractor must have a valid discharge permit of its treatment facility)</p> <p><input type="checkbox"/> Wastewater treatment facility (for more than 212 occupants – DILG MC 2019-62)</p> <p>Note: For 98L per person per day water consumption: 80% will become wastewater – hence for 300 persons: at least 23.52 cubic meters per day WTF capacity shall be installed and operated</p>	100% conformance to effluent standards
Generation of used oil (from the motor pool/service bay) and other hazardous waste materials (busted lamps, used batteries, etc)	<ul style="list-style-type: none"> <li>Provision of centralized storage facility/area and collected by hazardous wastes DENR accredited 3<sup>rd</sup> party haulers/treaters.</li> <li>Hazardous waste generation ID shall be secured from EMB.</li> <li>Provision of Oil and water separator/trap</li> </ul>	100% compliant with RA 6969
Generation of Solid Wastes	<ul style="list-style-type: none"> <li>Segregation of wastes and provision of a waste storage facility</li> <li>Provision of a Materials Recovery Facility (MRF)</li> <li>Hauling of solid wastes by third-party hauler with permit/clearance from LGU</li> </ul>	100% conformance with RA 9003
Generation of effluents due to wastewater generation	<ul style="list-style-type: none"> <li>Monitoring of the following significant effluent quality parameters (based on PSIC Code 47300, 4661): <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Total Suspended Solids</li> <li><input checked="" type="checkbox"/> pH</li> <li><input checked="" type="checkbox"/> Oil and Grease</li> <li><input checked="" type="checkbox"/> Fecal/Total Coliform</li> </ul> </li> </ul>	100% compliance with DENR effluent standards (RA 9275); (i.e.DAO 2016-08 and DAO 2021-19)

## II. GENERAL CONDITIONS



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1. That the proponent shall ensure that the project implementation shall **NOT COMMENCE** unless all required/clearances from the concerned government agencies are secured. EMB shall be advised when all the permits/clearances are secured and when will be the actual date of project implementation;
2. That the proponent shall conduct an effective Information, Education, and Communication (IEC) Program to inform and educate all stakeholders, especially its contractors, workers, and local residents about the mitigating measures embodied in its IEE Checklist, 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-4B (MIMAROPA Region) on an annual basis;
3. That the proponent shall strictly manage all external, traffic problems, excessive surface runoff, dust, soil erosion, accidental spillage, and health hazards identified in the Initial Environmental Examination Checklist (IEEC) and, in case of emergency episodes, appropriate response activities shall be immediately undertaken for the protection of the workers/ personnel, host and nearby communities and the receiving environment;
4. That preservation and easement retention of natural drainage/waterways shall be undertaken and should conform with the provisions of the DENR Administrative Order No. 97-05 (Procedures in the Retention of Areas within certain distances along the Banks of Rivers, Streams, and Shores of Seas, Lakes, and Oceans for Environmental Protection). If disturbed, a replacement drainage system shall be constructed within two (2) months from the disturbance;
5. That the solid waste management scheme as provided in the Environmental Management Plan (EMP) shall be continuously implemented from the start of the project construction as well as the operation;
6. A detailed site investigation which includes a detailed geotechnical study, erosion and dissolution of underlying limestone, and seismic risk analysis of the power plant and jetty areas shall be conducted, and submit a copy of the studies to the prior to project construction;
7. That proper **Air Pollution Source and Control Installations (APSCI)** shall be provided by the proponent to avert pollutant emissions;
8. That the proponent shall practice effective precautionary measures in the protection and management of the terrestrial and aquatic resources in the area;
9. That the construction and repair of the facilities shall not cause destruction of coral reefs and other marine organisms;
10. That the proponent shall have an effective Shore Reception Facility to prevent marine pollution.
11. That the proponent shall set up a competent Environmental Unit (EU) with a Pollution Control Officer, within sixty (60) days from the issuance of this Certificate and shall be duly accredited by this Office in accordance with DAO No. 02, series of 2014 (Revised Guidelines for Pollution Officer Accreditation). The Environmental Unit (EU) shall competently handle the environment-related aspects of the project. In addition to the monitoring requirements, as specified in the Environmental Management Plan/ Environmental Monitoring Plan, the EU shall have the following responsibilities:



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- 11.1 Monitor actual project impacts vis-à-vis the predicted impacts and management measures in the Initial Environmental Examination Checklist (IEEC);
- 11.2 Recommend revisions to the EMP/EMoP, whenever necessary subject to the approval of EMB-4B (MIMAROPA Region);
- 11.3 Ensure that data gathered during monitoring activities are properly documented, assessed, evaluated and reported to EMB-4B (MIMAROPA Region) in accordance with the standard formats;
- 11.4 Ensure that monitoring and submissions of reports to EMB-4B (MIMAROPA Region) are carried out as required;
- 11.5 Regular submission of the following reports:
  - 11.5.1 A semi-annual **ECC Compliance Monitoring Report** within fifteen (15) days at the end of each semi-annual reporting period. The CMR must be provided with supporting documents and in accordance with the prescribed format stipulated in the Implementing Rules and Regulations of P.D. 1586;
  - 11.5.2 Submit a **Quarterly Self-Monitoring Report** within fifteen (15) days at the end of each quarter. The SMR must be in accordance with the prescribed format of the **Self-Monitoring Report (SMR)** pursuant to DAO 2003-27;
- 11.6 Submit an **Abandonment Plan** at least two (2) months prior to the abandonment activities. It shall include the identification of "hot spots" or areas of environmental concern, their rehabilitation, clean-up, remediation, and monitoring based on risk-based corrective action (RBCA). The project location, after clean-up and rehabilitation, may be used for other purposes, subject to consultation with relevant government agencies (LGU, DA, HLURB, etc.) and the DENR;
12. That health and sanitation practices shall be observed in all phases of the project and safety & personal protection equipment/devices shall always be provided to all employees/workers within the premises of the project site to prevent health and occupational hazards;
13. That a billboard containing this message: "**Notice to the Public, the REPAIR AND REHABILITATION OF BALOGO PORT PROJECT of PROVINCIAL GOVERNMENT OF MARINDUQUE has been issued an Environmental Compliance Certificate (ECC-OL-R4B-2023-0053) by the Department of Environment and Natural Resources-Environmental Management Bureau MIMAROPA Region on March 13, 2023.**" shall be installed at all entry and exit points and in the perimeter of the project site facing the road during the construction phase to inform the general public within thirty (30) days from receipt of the ECC;
14. That a copy of the ECC shall be posted in a conspicuous location at the field office of the project site clearly visible to the public and shall be adequately framed or otherwise protected against damage and at the barangay bulletin board of the host barangay(s) within **thirty (30)** days from receipt of the ECC;
15. That any **authorized DENR-EMB personnel**, with proper identification card (ID) and travel/mission order, shall be allowed unconditional access to conduct an on-the-spot inspection and monitoring of the project without the need for prior notice to the proponent to oversee compliance to the ECC.



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### III. RESTRICTIONS

1. That no other activities should be undertaken other than what was stipulated in the Initial Environmental Examination Checklist (IEEC). Should there be an expansion of the project beyond the project description, construction of other structures beyond those stated in the Initial Environmental Examination Checklist (IEEC); or any change in the activity or location, shall be made subject to a new Environmental Impact Assessment (EIA) requirements;
2. That **NO** construction or development shall be allowed on the applied area without **VALID** Tenurial Instrument;
3. That no trees shall be affected in all phases of the project, or if there are any, necessary documents such as a "Tree Cutting Permit", "Balling Permit" and other permits/clearances, shall be secured from the concerned DENR sector pertaining to the implementation of the project;
4. That in case of transfer of ownership/management of this project, these same conditions and restrictions shall apply and the transferee shall be required to notify this Office concerned within **fifteen (15)** days as regards the transfer of ownership/management; and
5. That the proponent (**PROVINCIAL GOVERNMENT OF MARINDUQUE**) shall be accountable for any misrepresentation and failure to state material information in the submitted documents.

The conditions stipulated in this Certificate shall be deemed final within fifteen (15) days from receipt hereof and all conditions and restrictions set forth above shall be complied with by the herein grantee. This ECC is deemed expired if not implemented within five (5) years from the date of issuance and the proponent shall have to apply for a new ECC if it intends to pursue the project.



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**Annex B****PROJECT ASSESSMENT PLANNING TOOL**

For the assistance of the Proponent, LGUs, and other concerned government agencies (GAs) in the management of the project and better coordination in mitigation of the impacts of the project on its surrounding areas and the environment.

By way of recommendation, the following have been taken notice of by this Office and are providing these recommendations to the parties and authorities concerned for proper action and integration into their decision-making process.

<b>Other Regulatory Requirements/Conditions</b>	<b>Concerned Government Agencies/Entities</b>
1. Compliance with the Sanitation Code of the Philippines;	DOH
2. Compliance with the Labor Code of the Philippines	DOLE – Bureau of working condition
3. Compliance with the Building Code of the Philippines	LGU Concerned
4. Compliance with the Ecological Solid Waste Management Act.	LGU Concerned
5. Secure tree-cutting permit	FMB – DENR
<b>ENVIRONMENTAL PLANNING RECOMMENDATIONS FOR THE PROPONENT</b>	
6. Priority of employment shall be given to qualified local residents. Adequate public information for jobs available to local residents in the affected areas shall be provided;	

For the dissemination and proper action of the parties concerned.

  
**ENP. NICOLE YURI V. DORADO**

Chief, Environmental Impact Assessment Section

  
**ENGR. BUENA FE A. RIOFLORIDO**

Chief, Clearance and Permitting Division



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**JOE AMEL M. SALINO**  
Regional Director



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