

Environmental and Social Management Framework

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Republic of the Philippines: National Community-Driven
Development Project

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ABBREVIATIONS

AC	–	Area Coordinator
ACT	–	Area Coordinating Team
AD	–	Ancestral Domain
ADB	–	Asian Development Bank
ADSDPP	–	Ancestral Domain Sustainable Development & Protection Plan
AO	–	Administrative Order
AR	–	Accountability Reporting
BA	–	Barangay Assembly
BAWASA	–	Barangay Waterworks and Sanitation Association
BFAR	–	Bureau of Fisheries and Aquatic Resources
BIR	–	Bureau of Internal Revenue
BLGU	–	Barangay Local Government Unit
BRT	–	Barangay Representation Team
BSPMC	–	Barangay Sub-Project Management Committee
BUB	–	Bottom-Up Budgeting
CADC	–	Certificate of Ancestral Domain Claim
CADT	–	Certificate of Ancestral Domain Title
CDD	–	Community-Driven Development
CDDSP	–	Community-Driven Development Support Project
CDP	–	Comprehensive Development Plan
CEAC	–	Community Empowerment Activity Cycle
CF	–	Community Facilitator
CLUP	–	Comprehensive Land Use Plan
CNC	–	Certificate of Non-Coverage
CP	–	Certification Precondition
CSW	–	Criteria Setting Workshop
CV	–	Community Volunteer
DA	–	Department of Agriculture
DAC	–	Deputy Area Coordinator
DENR	–	Department of Environment and Natural Resources
DOD	–	Deed of Donation
DP	–	Displaced Persons
DRM	–	Disaster Risk Management
DSWD	–	Department of Social Welfare and Development
DTI	–	Department of Trade and Industry
EA	–	Environmental Assessment
EARF	–	Environmental Assessment and Review Framework
ECA	–	Environmentally Critical Area
ECC	–	Environmental Compliance Certificate
ECP	–	Environmentally Critical Project
EIA	–	Environmental Impact Assessment

EIAM	–	Environmental Impact Assessment Monitoring
EIS	–	Environmental Impact Statement
EMA	–	External Monitoring Agency
EMB	–	Environmental Management Bureau
ESA	–	Environmental and Social Assessment
ESMF	–	Environmental and Social Management Framework
ESMP	–	Environmental and Social Management Plan
ESSC	–	Environmental and Social Safeguards Checklist
FBI	–	Field-Based Investigation
FLUP	–	Forest Land Use Plan
FMB	–	Forest Management Bureau
FPA	–	Fertilizer and Pesticide Authority
FPIC	–	Free and Prior Informed Consent
GIIP	–	Good International Industry Practice
GOP	–	Government of the Philippines
GRC	–	Grievance Redress Committee
GRM	–	Grievance Redress Mechanism
GRS	–	Grievance Redress System
IA	–	Irrigators Association
IBF	–	Inter-Barangay Forum
ICC	–	Indigenous Cultural Community
IEC	–	Information and Education Campaign
IEE	–	Initial Environmental Examination
IP	–	Indigenous Peoples
IPM	–	Integrated Pest Management
IPP	–	Indigenous Peoples Plan
IPPF	–	Indigenous Peoples Policy Framework
IPRA	–	Indigenous Peoples Rights Act
ISA	–	Irrigators Service Association
KALAHY-CIDSS	–	Kapit-Bisig Laban sa Kahirapan-Comprehensive and Integrated Delivery of Social Services
KC	–	KALAHY-CIDSS
LARRF	–	Land Acquisition, Resettlement, and Rehabilitation Framework
LARRP	–	Land Acquisition, Resettlement, and Rehabilitation Plan
LCC	–	Local Counterpart Contribution
LGU	–	Local Government Unit
MAO	–	Municipal Agricultural Officer
MCC	–	Millennium Challenge Corporation
MCT	–	Municipal Coordinating Team
MDP	–	Municipal Development Plan
MGB	–	Mines and Geosciences Bureau
M&E	–	Monitoring and Evaluation
MIAC	–	Municipal Inter-Agency Committee
MIBF	–	Municipal Inter-Barangay Forum

MOA	–	Memorandum of Agreement
MPO	–	Municipal Project Office
NAPF	–	National Anti-Poverty Framework
NCDDP	–	National Community-Driven Development Program
NCIP	–	National Commission on Indigenous People
NGO	–	Non-Government Organization
NPMO	–	National Project Management Office
NPMT	–	National Project Management Team
NSC	–	National Steering Committee
NWRB	–	National Water Resources Board
O&M	–	Operation and Maintenance
PAMP	–	Protected Area Management Plan
PD	–	Project Description
PDP	–	Philippine Development Plan
PDW	–	Project Development Workshop
PMO	–	Project Management Office
POW	–	Program of Work
PPA	–	Programs, Projects, and Activities
PPT	–	Project (subproject) Preparation Team
PSA	–	Participatory situational analysis
RCDS	–	Regional Community Development Specialist
RF	-	Resettlement Framework
RFA	–	Regional Financial Analysts
RFR	–	Request for Fund Release
RIE	–	Regional Infrastructure Engineer
RO	–	Regional Office
ROW	–	Right of Way
RP	-	Resettlement Plan
RPMO	–	Regional Project Management Office
RPMO	–	Regional Project Management Team
SET	–	Sustainability Evaluation Tool
SI	–	Social Investigation
SIA	–	Social Impact Assessment
SP	–	Subproject
SPS	–	ADB Safeguards Policy Statement
SRPMO	–	Sub-Regional Project Management Office
TEMS	–	Thematic Environmental Management System
TOR	–	Terms of Reference
TSSD	–	Technical Support Services Division
WB	–	World Bank

GLOSSARY

Ancestral Domain	Areas generally belonging to indigenous peoples (IPs) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by the IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It will include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of IPs who are still nomadic and/or shifting cultivators.
Ancestral Domain Sustainable Development & Protection Plan (ADSDPP)	Consolidation of plans of IPs within an ancestral domain for the sustainable management and development of their land and natural resources as well as the development of human and cultural resources based on their indigenous knowledge systems and practices.
Ancestral Land	Land occupied, possessed and utilized by individuals, families and clans who are members of the IPs since time immemorial, by themselves or through their predecessors-in-interest, under claims of individual or traditional group ownership, continuously, to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth, or as a consequence of government projects and other voluntary dealings entered into by government and private individuals/corporations including, but not limited to, residential lots, rice terraces or paddies, private forests, swidden farms and tree lots.
Certificate of Ancestral Domain Title (CADT)	A title formally recognizing the rights of possession and ownership of IPs over their ancestral domains identified and delineated in accordance with IPRA.
Certificate of Non-Coverage or CNC	A certification issued by the EMB certifying that, based on the submitted subproject description, the subproject is not covered by the EIS System and is not required to secure an ECC.

Certificate of Non-Overlap	A certificate issued by the NCIP attesting to the fact that the area where a particular plan, program, project or activity will be done, does not overlap with or affect any ancestral domain.
Certification Precondition (CP)	A certificate issued by the NCIP, signed by the Chairperson, attesting to the grant of FPIC by the concerned IPs after appropriate compliance with the requirements provided in this guidelines.
Communal Claims	Claims on land, resources and rights thereon belonging to the whole community within a defined territory
Compensation	Refers to payment in cash or in kind of the replacement costs of the acquired or affected assets.
Consensus-Building	A part of the decision-making process undertaken by the IPs through their indigenous socio-political structures and practices in arriving at a collective/communal decision.
Culture Sensitive	The quality of being compatible and appropriate to the culture, beliefs, customs and traditions, indigenous systems and practices of IPs.
Cumulative Impacts	Additive impacts from various sources
Customary Laws	A body of written or unwritten rules, usages, customs and practices traditionally observed, accepted and recognized by respective IPs.
Customs and Practices	Norms of conduct and patterns of relationships or usages of a community over time accepted and recognized as binding on all members.
Cut-off date of eligibility	Date of commencement of the census of affected persons within the project boundaries. Persons not covered at the time of census taking will not be eligible for claims of compensation entitlements.
Displaced Persons (DPs)	Refers to any person or persons who would be identified, during the subproject identification stage within the CEAC process and/or preparation of detailed proposal - a baseline census information collected for each of the inventories implemented in relation to a particular infrastructure subproject, to be affected by any of the following circumstances: Acquisition or possession by the Subproject, in full or in part, permanent or temporary, of any title, right or interest over houses,

lands (including but not limited to residential, agricultural and grazing lands) and/or any other fixed/movable assets;

Acquisition or possession by the subproject of crops (annual and perennial) and trees whether partially or in whole;

Whose business/livelihood is in part or as a whole affected by the Subproject with or without physical displacement.

EMB Director	The Director of the DENR-EMB at the Central Office
EMB RD / EMB RO Director	The Director of the DENR-EMB at the Regional Office
Entitlement	Range of measures comprising compensation, income restoration support, transfer assistance, income substitution and relocation support which are due to affected people, depending on the nature and severity of their losses, to restore their economic and social base.
Environment	Surrounding air, water (both ground and surface), land, flora, fauna, humans and their interrelations.
Environmental Compliance Certificate	A certificate of Environmental Compliance Commitment to which the Proponent conforms with, after DENR-EMB explains the ECC conditions, by signing the sworn undertaking of full responsibility over implementation of specified measures which are necessary to comply with existing environmental regulations or to operate within best environmental practices that are not currently covered by existing laws.
Environmental Impact Assessment	Process that involves evaluating and predicting the likely impacts of a subproject (including cumulative impacts) on the environment during construction, commissioning, operation and abandonment. It also includes designing appropriate preventive, mitigating and enhancement measures addressing these consequences to protect the environment and the community's welfare.
Environmental Impact Statement (EIS)	A document, prepared and submitted by the subproject Proponent that serves as an application for an ECC. It is a comprehensive study of the significant impacts of a subproject on the environment. It includes an Environmental Management Plan/Program that the Proponent will fund and implement to protect the environment.
Environmental	Section in the EIS that details the prevention, mitigation,

Management Plan/Program (EMP)	compensation, contingency and monitoring measures to enhance positive impacts and minimize negative impacts and risks of a proposed subproject or undertaking.
Environmentally Critical Area	An environmentally sensitive area declared through Proclamation 2146 wherein significant environmental impacts are expected if certain types/thresholds of proposed subprojects are located, developed or implemented in it. Updating of technical descriptions of ECAs is vested on the DENR-EMB through Section 2-D of Administrative Order (AO 42 series 2002).
Environmentally Critical Subproject (ECP)	Projects belonging to subproject types declared through Proclamation No. 2146 and Proclamation No. 803 which may pose significant negative environmental impact at certain thresholds of operation regardless of location. Updating of technical descriptions of ECPs is vested on the DENR-EMB through Section 2-D of AO 42 (2002), in coordination with the DTI as provided for in Section 3-A of AO 42.
Field-Based Investigation (FBI)	A ground investigation undertaken to determine whether or not the plan, program, project or activity overlaps with, or affects, an ancestral domain, the extent of the affected area, and the IPs whose FPIC is to be obtained.
Free and Prior Informed Consent	A consensus of all members of an IP community to be determined in accordance with their respective customary laws and practices, free from any external manipulation, interference and coercion, and obtained after fully disclosing the intent and scope of the activity, in a language and process understandable to the community.
Income Restoration	Re-establishing income sources and livelihoods of APs to approximate or exceed the level it was before the development project.
Indigenous elder/leader	Indigenous elders/leaders emerge from the dynamics of customary laws and practices; they evolve from a lifestyle of conscious assertion and practice of traditional values and beliefs. They are recognized as authority in conflict resolution and peace-building processes, on spiritual rites and ceremonies and in doing so, possess the attributes of wisdom and integrity. They lead and assist the community in decision-making processes towards the protection and promotion of their rights and the sustainable development of their ancestral domains.
Indigenous Knowledge	Systems, institutions, mechanisms, and technologies comprising a

Systems and Practices	unique body of knowledge evolved through time that embody patterns of relationships between and among peoples and between peoples, their lands and resource environment, including such spheres of relationships which may include social, political, cultural, economic, religious spheres, and which are the direct outcome of the indigenous peoples, responses to certain needs consisting of adaptive mechanisms which have allowed indigenous peoples to survive and thrive within their given socio-cultural and biophysical conditions.
Indigenous People	A group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. IPs also include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains.
Initial Environmental Examination Checklist Report	Simplified checklist version of an IEE Report prescribed by the DENR, to be filled up by a Proponent to identify and assess a subproject's environmental impacts and the mitigation/enhancement measures to address such impacts.
Initial Environmental Examination Report	Document similar to an EIS, but with reduced details and depth of assessment and discussion.
Land Acquisition	Refers to the process whereby a person or entity is compelled by a public agency to alienate all or part of the land a person/entity owns or possesses, to the ownership and possession of that agency for public purpose in return for a consideration
Migrant	A person who is not a native to the ancestral domain or not a part owner of ancestral land but who, as a consequence of social, economic, political or other reasons, such as displacement due to natural disasters, armed conflict, population pressure, or search for

seasonal work, opted to occupy and utilize portions of the ancestral land/domain and have since then established residence therein.

Municipal Coordinating Team (MCT)	A committee formed by the LGU and composed of LGU personnel tasked to provide direct support to the Project's Area Coordinating Team (ACT). The MCT is the municipal counterpart of the ACT in the implementation of the Project in the municipality.
Procedural Review	Phase in the ECC application review process to check for the completeness of the required documents, conducted by EIAM Division at the EMB Central Office or Regional Office.
Project Description	Document, which may also be a chapter in an EIS, that describes the nature, configuration, use of raw materials and natural resources, production system, waste or pollution generation and control and the activities of a proposed subproject. It includes a description of the use of human resources as well as activity timelines, during the pre-construction, construction, operation and abandonment phases.
Proponent	Any natural or juridical person intending to implement a subproject or undertaking (i.e. association, barangay or LGU)
Protected Area	Identified portions of land and water set aside by reasons of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation.
Public Participation	Open, transparent, gender-sensitive, and community-based public involvement in the EIA process, aimed at ensuring the social acceptability of a subproject or undertaking, involving the broad range of stakeholders, commencing at the earliest possible stage of subproject design and development and continuing until post-assessment monitoring.
Rehabilitation	Refers to compensatory measures provided under these guidelines other than payment of the replacement costs of acquired or affected assets.
Relocation	Refers to the physical movement of a DP from his/her pre-subproject place or community.
Replacement Cost	Means the amount in cash or in kind needed to replace an asset in its existing condition, without deduction of transaction costs or for any

	material salvaged, at prevailing market value, or its nearest equivalent, at the time of compensation payment
Resettlement	Refers to all “measures” taken to mitigate any and all adverse impacts of the subproject on DP’s property and/or livelihood including compensation, relocation and rehabilitation (where applicable).
Scoping	The stage in the EIS System where information and subproject impact assessment requirements are more definitely established and focused to provide the Proponent/Community and the stakeholders the final scope of work and terms of reference for the EIS.
Self-governance and Self-determination	The inherent right of IPs to self-governance and self-determination includes the right to pursue their economic, social, and cultural development; promote and protect the integrity of their values, practices and institutions; determine, use and control their own organizational and community leadership systems, institutions, relationships, patterns and processes for decision- making and participation;
Significant Impacts	Impact which damage the environment to the point that the environmental resource loses its capacity to sustain life or to continue functioning within baseline levels and efficiency; impacts which need action through prevention, (e.g. change in subproject setting or design) or mitigation (reduce, repair, rehabilitate) or other interventions to protect the environment from being harmed at levels that reduce its functionality for its users or dependent biota.
Social Acceptability	Acceptability of a subproject by affected communities based on timely and informed participation in the EIA process particularly with regard to environmental impacts that are of concern to them. Social acceptability within the EIA process administered by the DENR-EMB is limited to its environmental aspects while its other aspects including resolution of conflicts and other social acceptability issues is recognized by the DENR-EMB as falling entirely within the Local Government Unit’s jurisdiction and responsibility. The DENR-EMB review process will provide guidance to the LGUs on environmental aspects to consider in its resolution of issues, e.g. EMB can advise on nature, extent and magnitude of direct and indirect impacts and impact areas to assuage the people’s fears and concerns on environmental pollution, health and safety.
Stakeholders	Entities who may be directly and significantly affected by the subproject or undertaking, including the Proponent, government

agencies who have mandates over the subproject, local government units who have jurisdiction over the subproject, local communities who may be affected by subproject impacts, locally-based or locally-active NGOs/POs within the impact areas and other public sectors who may be potentially affected by the subproject as defined by the findings of the environmental impact assessment of the subproject.

Vulnerable groups

Distinct groups of people who might suffer disproportionately or face the risk of being marginalized by the effects of resettlement and specifically include: (i) households headed by women, elderly, or disabled, (ii) households falling under the generally accepted indicator for poverty, (iii) landless households, and (iv) ethnic minorities.

PART A

INTRODUCTION TO THE ESMF

I. CONTEXT

1. This document presents the environmental and social management framework (ESMF) for the National Community-Driven Development Program (NCDDP) of the Republic of the Philippines. This CDD Project is the government's flagship program to help implement the Philippine Development Plan (PDP) 2011–2016 and the National Anti-Poverty Framework (NAPF) to bring about more equitable access to basic services, reduce poverty, achieve inclusive growth, and improve human development outcomes in the poorest areas of the country. The NCDDP is covering eight hundred forty-seven (847) municipalities in sixteen (14) out of eighteen (18) regions of the country, or approximately twenty-eight percent (28%) of the total population, and is implemented using the Community-Driven Development (CDD) approach. Out of this coverage, 670 belong to the poorest municipalities in the country, of which 377 municipalities were affected by Super typhoon Yolanda (international code name "Haiyan"). The remaining 177 municipalities covered by the Program, though considered "non-poor", were likewise among the most severely affected by the typhoon. The Department of Social Welfare and Development (DSWD) is the executing agency for the NCDDP, which will be implemented from 2014 to 2019. The World Bank (WB) and the Asian Development Bank (ADB) are financing the NCDDP¹.
2. Any community driven development initiative must ensure that the Government of the Philippines' (GOP), the World Bank and Asian Development Bank policies on environmental and social safeguards assessment are met and all subprojects undertaken by the community are environmentally and socially sound and sustainable. Due to its wide coverage, the NCDDP will be working in almost all ecological and social contexts known to the Philippines. In addition, the use of a demand-driven approach for small-scale, local-level public infrastructure means that the subprojects as well as their specific contexts and design elements, and the types of environmental and social safeguards issues that results from processes that define these elements, are not known prior to implementation, hence the use of this framework document. The ESMF introduces the social and environmental safeguards screening procedures, management principles and monitoring that must be considered for every CDD subproject proposed and implemented by the community. This ESMF was developed consistent with the requirements of the WB's Operational Policy (OP) and ADB's Safeguard's Policy Statement (SPS).
3. The NCDDP builds on DSWD's ten years experience in implementing CDD under the Kapit-bisig laban sa kahirapan – Comprehensive and Integrated Delivery of Social Services (Kalahi-CIDSS) Project. Previous Kalahi-CIDSS (KC) experience shows that a majority of the community subprojects are limited in size and scale and are considered category C² subprojects that impose minimal environmental or social impacts, and hence do not require an en-

¹ The official name of the Project, as approved by the Board of the National Economic and Development Authority (NEDA) of the Government of the Philippines (GOP) is "National Community-Driven Development Program" or NCDDP. The World Bank refers to this Project as the National Community-Driven Development Program (NCDDP), while the Asian Development Bank (ADB) uses the name "Community-Driven Development Support Project (CDDSP)". Both refer to this Project. For purposes of this document, the NCDDP is used, and should be taken to refer to both the WB and ADB Projects.

² WB and ADB follow the same screening and categorization of subprojects, i.e., Categories A, B, and C, which are dependent on the assessment of significance of environmental or social impacts. A discussion on WB and ADB categorization is included as **Annex A**.

vironmental assessment but only a review of environmental implications. As of March 30, 2013, of the 9,679 subprojects³ supported by the Kalahi-CIDSS, no more than 10 subprojects were considered as environment category B subprojects based on the WB and ADB categorization (Annex A), for which minor impacts are expected and which can be mitigated, and hence required a GOP Initial Environmental Examination (IEE). Of the subprojects implemented under the original KC Project, about eighteen percent (18%) were located in IP areas.⁴ With the Project's community-driven nature, subprojects in IP communities were directly solicited by IPs themselves, through the conduct of facilitated activities for decision-making on subproject choices. The IP Thematic Review conducted by the Project together with the World Bank showed high participation of IP households in decision-making assemblies, resulting in subprojects that were responsive to IP needs. In addition, significant improvements are being incorporated into the social mobilization process of the KC Project (and will be used for NCDDP) based on a review of IP participation and decision making undertaken as part of the NCDDP preparation process.⁵ The NCDDP is expected to follow this trend and will likely not see a major deviation from the types and scale of subprojects supported under the Kalahi-CIDSS. However, the Project Management Office (PMO) recognizes the potential for bigger sub-projects in view of additional GOP investments under the Bottom-up Budgeting (BUB) Program. In addition, it was noted that there were fifty (50) small irrigation subprojects financed under Kalahi-CIDSS. In view of this, the PMO likewise recognizes the need to promote Integrated Pest Management (IPM) training as part of future irrigation subprojects, through partnership with the Department of Agriculture (DA).

4. Noting the minimal environmental and social impacts of subprojects done through the KC CDD process, the environmental and social safeguards procedures and guidelines have been simplified. There were originally three safeguards documents which served as guidance documents for the Kalahi-CIDSS. This has been simplified from three (3) documents - Environmental Impact Assessment (EIA) Guidelines, Environmental Social Management Framework (ESMF) and the Safeguards Manual – to a streamline Environmental and Social Management Framework (ESMF).
5. The revised ESMF will also apply to subprojects financed under the NCDDP disaster response operations procedures, contained in the Disaster Response Operations Manual (DROM). The procedures are established to facilitate effective response by the NCDDP in the aftermath of a natural disaster that may affect the national program's areas of operation. While amended operational procedures will apply in such instances, the same environmental and social safeguards management policies and procedures for the overall NCDDP (as described in this document) will remain in force. Specific provisions for the application and adaption of this ESMF document to these emergency conditions are presented in Annex B.

II. Purpose and Structure of the document

³ Based on monitoring data from the Kalahi-CIDSS Engineering Unit as of end of March 2013..

⁴ IP Thematic Review Report

⁵ Developing an IP Lens in Development Projects: A Study of Kalahi-CIDSS Projects with Indigenous Peoples in preparation for the NCDDP by Jane Austria, 2012

6. This document presents the environmental and social management framework (ESMF) for the NCDDP to ensure that the GOP, WB and ADB policies on environmental and social assessment (ESA) are met and all subprojects undertaken by the community are environmentally and socially sound and sustainable.
7. This ESMF lays down the general parameters and guidelines for the NCDDP safeguards. Popularized materials on environmental and social safeguards will be prepared to guide subproject implementers, community-proponents, and the LGUs in complying with the Project's environmental and social safeguards requirements for all subprojects to be financed under the NCDDP.
8. The document is divided into four parts, described as follows;

Section	Description
Part A: Introduction to the ESMF	This part details the context of the NCDDP as well as the purpose and outline of this document. This section also provides a general description of the subproject and the implementation process at the community level through the Community Empowerment Activity Cycle (CEAC). The section ends with a short description of subproject types, as well as a reference to the NCDDP negative list (Annex C).
Part B: Safeguards Policy Principles and Objectives	This section enumerates the various policies of the GOP, WB, and the ADB on environmental and social safeguards. Detailed description of the specific safeguards policies of the WB and ADB that may be triggered by the NCDDP are likewise provided.
Part C: Safeguards Procedures	This section provides more detailed guidance on the processing of environmental and social safeguards within the NCDDP, including subprojects screening and classification, preparation of safeguards instruments, disclosure and consultation, and grievance redress.
Part D: Detailed Policy and Processing Resources	This section provides additional detailed references, materials, and tools to assist Project staff in the conduct of safeguards activities and in the preparation of safeguards instruments.

III. Project Description

9. The objective of the NCDDP is for communities in targeted poor municipalities to be empowered in achieving improved access to services and participate in more inclusive local planning, budgeting and implementation. The Project has the following components (i)

subproject Barangay (community) grants, (ii) local capacity building and institutional and support, and (iii) program management and M&E systems enhanced.

10. Component 1: Barangay (community) grants. This component would support two types of assistance to participating barangays. First, planning grants will be made available to communities to support the “Community Empowerment Activity Cycle” (CEAC). These grants would be used for the orientation, consultation, participatory priority-setting, action planning, review and approval processes for different community subprojects at barangay and inter-barangay (municipal) levels. Planning grants would also support technical assistance inputs to ensure the quality of design and implementation of community infrastructure. Second, investment grants will support community subprojects and activities (community based public infrastructure and services such as roads, bridges, schools, day cares, etc.) that respond to community-identified priorities. An open menu of sectoral investments would be eligible for financing under these grants. The component would also support efforts to strengthen the barangay assembly as a forum for community-local government engagement and local-level governance. The component would ensure financing of a minimum of four-rounds of block grants for subproject investments to all eligible rural municipalities. Block grant financing would be shared between national government (including ODA) and local level counterpart contributions (LCC) from municipal, barangay and communities themselves.
11. Component 1 would also cover implementation using disaster response operations procedures, in areas affected by major disasters and calamities. If triggered, disaster response operations would finance early recovery and rehabilitation activities to address the effects of disaster, emergency and/or catastrophic events, as needed, at the *barangay* level through community grants implemented following a set of simplified procedures set out in a special NCDDP Disaster Response Operations Manual (DROM). Applicable national, ADB Disaster and Emergency Assistance Policy and World Bank emergency response procedures for procurement and disbursements would be applied.⁶ The environmental and social policies and procedures would be the same as for regular NCDDP subprojects. The disaster response procedures is included in the Project to allow DSWD greater flexibility to respond effectively to national or local emergencies using existing subproject resources and to draw on NCDDP systems (including a network of trained facilitators, community committees and volunteers) to speed-up community response for early recovery and rehabilitation. The “negative” list (of ineligible subproject types) would be completed by a “positive list” to allow investments that might be called for in a post-disaster or emergency context (such as repair of public buildings, debris removal or short-term wage payments) and which are consistent with relevant World Bank and ADB financing guidelines. In addition, the negative list would also be expanded with additional, typical, post-disaster activities that would not be eligible for subproject funding (such as repair of waste management or hazardous material storage facilities, salvage logging, etc.). The use of the disaster response operations procedures would be “triggered” by a formal declaration of a state of emergency (at national or local levels) by the Government.
12. Component 2: Local capacity building and implementation support. This component supports the strengthening of municipal LGUs and staff to facilitate, support and oversee the participatory assessments, planning and subproject implementation of community infrastructure; to ensure quality of infrastructure investments and the integrity of resource management; and to monitor and report on subproject progress and results. The component

⁶ As per OP/BP 8.00 *Rapid Response to Crises and Emergencies*, and related procedural guidelines.

would also provide for greater support and capacity building of MLGUs to enhance local poverty reduction action planning, budget execution and public financial management (in collaboration with DILG and DBM), and to national government agencies at sub-national level to enhance their own community based activities and participation in the NCDDP. This component specifically would finance training, consultant services and other incidental costs.

13. Component 3: Program Administration, Monitoring and Evaluation to finance the oversight, coordination and overall management of the program. This would include contracting specialized staff and procurement of required goods and financing of incremental operating costs to assist DSWD in the execution, monitoring and reporting of the program at national, regional and local levels. The component would also support enhancements and streamlining of the current KALAH-CIDSS monitoring and reporting system, the hiring of additional regional level monitoring officers, design and contracting for specialized studies, and to facilitate regular review of monitoring and evaluation data for management decisions. Such studies will include a review of technical quality and maintenance of infrastructure, an economic analysis of NCDDP subprojects, specific household surveys to track key outcome indicators and a detailed process evaluation of NCDDP, including of procedural variations that are expected to be implemented in different contexts (conflict, disasters, indigenous populations) and of the links with the BUB and regular LGU planning processes. This component would also support the dissemination of lessons learned and relevant training events for different stakeholders. The component would specifically finance consultant services, training/workshops and operating costs (including Project-specific staff).

IV. Institutional Arrangements on Environment and Social Safeguards

14. At the national level, environment and social safeguards officers are assigned under the Operations Division (OpD) of the National Project Management Office (NPMO) of the DSWD to supervise and assist the regional safeguards officers in ensuring the integration of safeguards in subproject planning, facilitation and implementation. A safeguards officer will be assigned for each island cluster. There will be a total of three – one each for Luzon, Visayas and Mindanao.
15. At the Regional Project Management Office (RPMO), technical assistance, review, and compliance monitoring of environmental and social safeguards is the responsibility of the Regional Infrastructure Engineer (RIE) and the Regional CD Specialist (RCDS), respectively.
16. Based on the experiences from KALAH-CIDSS, preparation of environmental and social safeguards instruments for subprojects at the community level will be the responsibility of the community volunteer (CV) members of the subproject preparation team (PPT), guided by Community Facilitators (CF) and Project Engineers, supervised by the Area Coordinator (AC). Monitoring of compliance to safeguards instruments for individual subprojects will be carried out by the barangay subproject management committee (BSPMC), assisted by Community Facilitators (CF). For environmental protection subprojects and subprojects costing more than Php 2 million, the monitoring will be done by the safeguards officers at the regional level, in coordination and approval of the safeguards officers at the national level. In addition, where there will be an increased number of Indigenous Peoples' communities in

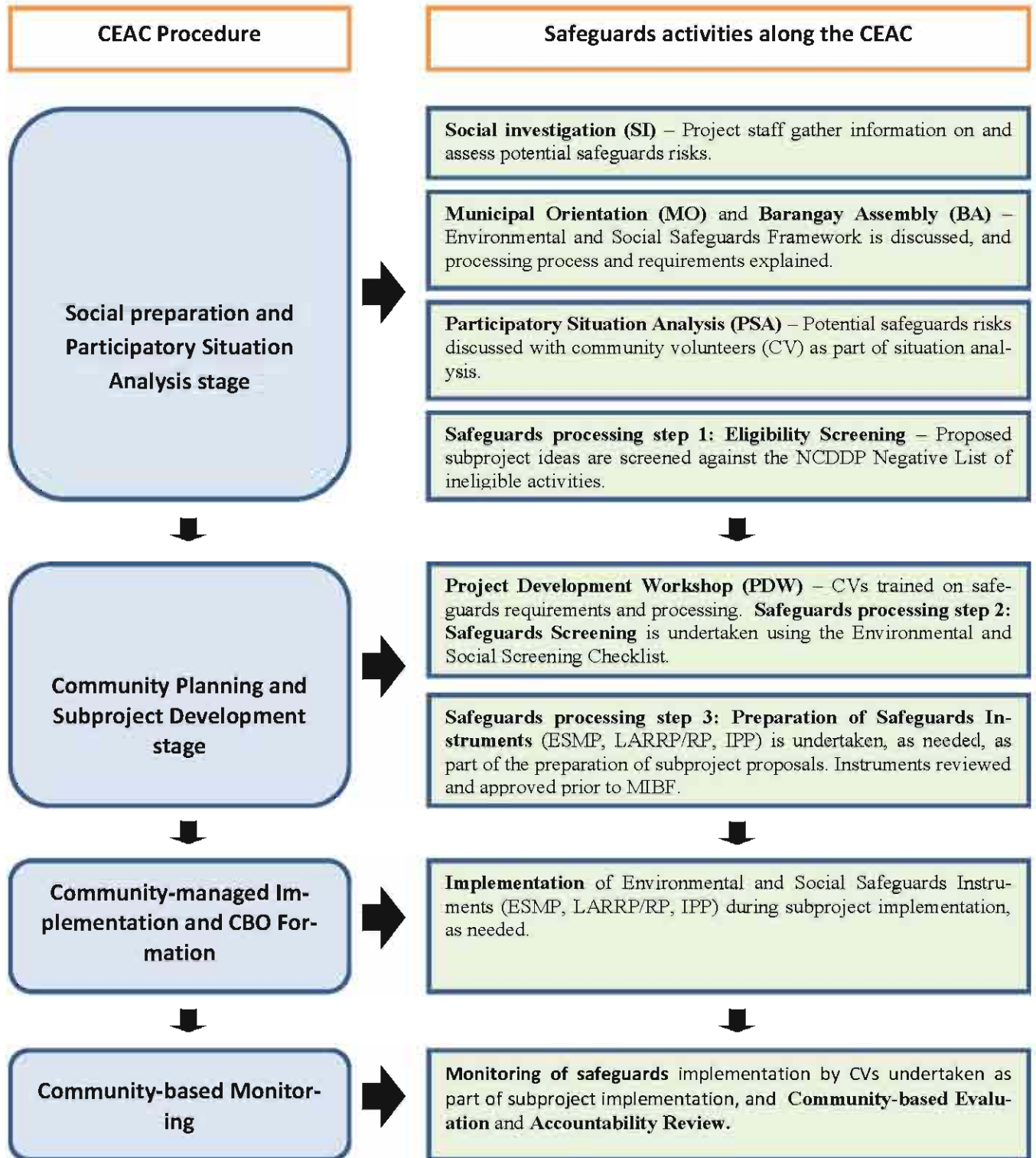
a given region, regional offices shall hire IP focal persons for IP safeguards⁷. The safeguards officers at the national level will conduct quarterly periodic monitoring of subprojects' compliance to safeguards requirements

V. Community Empowerment Activity Cycle (CEAC) Process

17. The NCDDP is implemented at the community-level through a participatory problem solving process called the "Community Empowerment Activity Cycle" or the CEAC. The CEAC is a series of activities where local communities collectively work together to analyze local conditions and identify community problems related to poverty, identify, prioritize, and develop solutions, and design and implement subprojects, and manage resources to correct problems identified.
18. There are four basic stages to the CEAC: (i) Social Preparation and Participatory Situation Analysis; (ii) Community Planning and Subproject Development; (iii) Community-managed Implementation and CBO Formation, and; (iv) Community-based Monitoring. Each stage is composed of a number of activities that progressively build on each other, and which lead to the implementation of community subprojects. The stages, as well as the activities which form them, shall be implemented in sequence. This means that a community cannot proceed directly to community planning and subproject development without having undergone social preparation-
19. The NCDDP processes and steps to ensure safeguards compliance are built directly into the CEAC activities, as shown in Figure 1 below. A more detailed table presentation of the safeguards processing activities along the Community Empowerment Activity Cycle (CEAC) is shown in Annex D of this document.

⁷ This recommendation is a result of the assessment and study of the Kalahi-CIDSS experience in relation to IP engagement, commissioned by the World Bank for NCDDP.

Figure 1: CEAC Procedure and Safeguards Activities



VI. Overview of Subproject Types

20. Eligible subprojects under the investment grant are based on an open menu. The common subprojects under the Investment Grant, based on the experience of the KALAHI-CIDSS Project, include water supply systems, school buildings, access roads, day care centers, health stations, post-harvest facilities, drainage systems, and small irrigation facilities. Proposals on local disaster response and prevention as well as peace building will also be considered for the investment grant. Table 1 shows the main types of subprojects.

Table 1: Anticipated Subprojects for the NCDDP

Subproject	Infrastructure/Components
Water supply system	Level 1 or 2 system, communal faucet, communal wells, water tank, water distribution line
School buildings	School building, toilets, and related facilities
Access roads	Road improvement, concreting/paving, road widening, small bridges
Day care centers	Day care building and facilities
Health stations	Barangay health center, medical facilities and supplies
Post-harvest facilities	Post-harvest equipment, rice mill, warehouse
Drainage system and environmental protection measures	Drainage canals, drainage cover, rainwater harvesting system, flood retarding ponds, seawall, river-wall protection, septic tanks and other wastewater management measures, composting facilities, solid waste management and collection
Small irrigation facilities	Irrigation canals, Lateral canals, small water impounding ponds
Additional potential subprojects under Disaster Response Operations	
Earth works	Backfilling, reshaping or landscaping of areas affected by erosion
Temporary roads	Temporary bypass roads up to 500 meters in length
Debris removal and disposal	Removal or natural or man-made (building materials) debris which is disposed of in accordance with Government regulations

Source: DSWD

21. A negative list (Annex C) has been developed by DSWD for application under the KALAHI-CIDSS Project, which is also adopted for and applied under NCDDP. The list includes activities that may be harmful to the environment and the people, and hence are ineligible subprojects. The list likewise includes additional types of activities indicated by ADB as prohibited investments based on ADB policies, and a list of excluded areas under National Commission on Indigenous Peoples (NCIP) Administrative Order 3, series of 2012 (AO 3, s2012) - Part III, Section 25. on "Excluded Areas".

PART B

SAFEGUARDS POLICY PRINCIPLES AND OBJECTIVES

I. APPLICABLE SAFEGUARDS POLICIES

22. Table 2 below provides a comprehensive list of major environmental, social and related policies of the World Bank, ADB, and the GOP that are to be considered in assessing the potential environmental and social impacts of proposed subprojects, as well as in formulating measures to ensure compliance by subproject implementers, the community-proponents, and the Local Government Units (LGUs).

Table 2: List of major environmental and social policies and regulations of the WB, ADB and the Government of the Philippines relevant to NCDDP

I. World Bank	
OP/BP 4.01 Environmental Assessment	
OP/BP 4.12 Involuntary Resettlement	
OP/BP 4.10 Indigenous People	
OP 4.09 Pest Management	
II. Asian Development Bank – SPS 2009	
Safeguard Policy Statement 2009	
SPS 2009. Appendix 1 - Safeguards Requirements 1: Environment	
SPS 2009. Appendix 2 – Safeguards Requirements 2: Involuntary Resettlement	
SPS 2009. Appendix 3 – Safeguards Requirements 3: Indigenous Peoples	
III Government of the Philippines	
A. Environmental Policies/Regulations	
1. RA 9275	Clean Water Act of 2004
2. RA 10121	Philippine Disaster Risk Reduction Management Act of 2010
3. RA 9147	Wildlife Resources Conservation and Protection Act (2001)
4. RA 9003	Ecological Solid Waste Management Act of 2000
5. RA 8749	Clean Air Act of 1999
6. RA 7942	Philippine Mining Act (1995)
7. RA 7586	National Integrated Protected Areas System (NIPAS) Act of 1992
8. RA 6969	Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990
9. PD 1144	Fertilizer and Pesticide Act
10. RA 8550	Philippine Fisheries Code
11. PD 1067	Water Code of the Philippines (1976)
12. PD 984	Pollution Control Law (1976)
13. PD 705	Revised Forestry Code (1975)

14. PD 1586	Philippine Environmental Impact Assessment (EIA) System
15. RA 9513	Renewable Energy Act
B. Social Safeguards Policies	
RA 8371	Indigenous Peoples Rights Act (1997)
EO 1035	Acquisition by the Government of Private Real Property or Rights (1985)
RA 8974	Facilitating the Acquisition of Right-of-Way Sites for Infrastructure Subprojects
PD 260	Declaring (various places) as National Shrines, Monuments, and/or Landmarks, defining the implementing agencies and providing funds therefore (1975)
PD 1505	Amending the Presidential Decree No. 260, as amended, by Prohibiting the Unauthorized Modification, Alteration, Repair and Destruction of Original Features of all National Shrines, Monuments, Landmarks and Others Important Historic Edifices (1978)
RA 7279	Urban Development and Housing Act – as it pertains to rights against forced demolition and resettlement
	Comprehensive Land Use Planning
C. Other Related Regulations	
RA 7160	Local Government Code of the Philippines
PD 856	Sanitation Code of the Philippines

23. The table below (Table 3) describes each of the specific WB and ADB environmental and social safeguards policies which are appropriate under the NCDDP. The third column provides guidance on specific measures and actions required of each party to comply with the WB Policy and lists the range of safeguard instruments that may be adopted and the manner in which to integrate and verify environmental and social due diligence requirements

Table 3: Detailed description of WB and ADB Environmental and Social Safeguards Policy

Policy	Objectives	Procedures
Environment Safeguards		
WB Environmental Assessment (OP 4.01)	The Bank requires environmental assessment (EA) of projects proposed for Bank financing to help ensure that they are environmentally sound and sustainable, and thus to improve decision making.	In this project, the subprojects are screened through an Environmental and Social Screening Checklist (ESSC) to assess the level of risk. An EA may be required depending on the scale and nature of the subproject. For other subprojects an Environmental and Social Management Plan (ESMP) is required. The project staff will screen all subprojects early in the identification stage of the CEAC and determine project

<p>ADB SPS 2009. Appendix 1 – Safeguards Requirements 1: Environment</p>	<p>This policy aims to ensure the environmental soundness and sustainability of projects, and to support the integration of environmental considerations into the project decision-making process</p>	<p>boundaries and classify projects into the appropriate safeguards category. The Environmental and Social Screening Checklist (ESSC) is in Annex F.</p> <p>For all subprojects when necessary, preparation of safeguards instruments such as EA, ESMP et al., may be deferred to implementation, but must be completed before beginning actual civil works.</p> <p>The regional staff will review and clear the safeguards instruments prepared by the subproject beneficiary for impact identification and appropriateness of proposed mitigation measures.</p>
Pest Management		
<p>WB OP 4.09 – Pest Management</p>	<p>This policy promotes the use of biological or environmental control methods and reduces reliance on synthetic chemical pesticides. The Bank supports the use of Integrated Pest Management (IPM) Practices.</p>	<p>This policy will be addressed as part of the screening process to be done at the start of the CEAC process. Purchase of pesticides are not eligible for financing under this Project. This policy seeks to prevent the increase usage of pesticides in areas benefitting from improved irrigation.</p> <p>Communities which will benefit from irrigation activities under the Project may experience a potential increase in pesticide usage. In these cases the PMO regional staff will coordinate with the Municipal Agricultural Officer (MAO) of the LGU where the farming communities reside. Adoption of the KASA-KALIKASAN program of the Department of Agriculture (DA) on Integrated Pest Management will be implemented. Coordination with DA extension staff and the LGU's MAO is integral to this approach.</p>
Involuntary Resettlement		
<p>WB OP 4.12 – Involuntary Resettlement</p>	<p>Involuntary taking of land or any form of economic</p>	<p>Subprojects need to be screened during</p>

	<p>displacement must be avoided where feasible or minimized by exploring all alternative subproject designs.</p> <p>Displaced Persons (DP), regardless of legality of land tenure, should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-displacement levels.</p>	<p>preparation stage for likelihood of land acquisition and its subsequent impacts in terms of loss of shelter, loss of assets or access to assets, and loss of livelihood.</p> <p>If and when lands need to be acquired or livelihoods are affected, the specific guidelines shown in Annex G must be followed to prepare a Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP)/ Resettlement Plan (RP).</p> <p>RPMO and NPMO safeguards teams will ensure that all land and asset acquisition requirements stipulated in this ESMF have been fully complied with before any civil works start.</p>
<p>ADB SPS 2009. Appendix 2 – Safeguards Requirements 2: Involuntary Resettlement</p>	<p>The policy seeks to avoid involuntary resettlement wherever possible; to minimize involuntary resettlement by exploring project design and alternatives; to enhance, or at least restore, the livelihoods of all displaced persons in real terms relative to pre-project levels; and to improve the standards of living if the displaced poor and other vulnerable groups.</p>	
<p>Indigenous Peoples</p>		
<p>WB OP 4.10 – Indigenous Peoples</p>	<p>This policy contributes to the Bank's mission of poverty reduction and sustainable development by ensuring that the development process fully respects the dignity, human rights, economies, and cultures of Indigenous Peoples.</p>	<p>Some NCDDP subproject sites may be inhabited by Indigenous Peoples (IP) and subproject activities may negatively affect their identity, cultures and customary practices, and in the process further marginalize them. As such, measures shall be adopted to (a) avoid potentially adverse effects on the IP communities, or (b) when avoidance is not feasible, minimize, mitigate, or compensate for such effects.</p>

		<p>The social preparation particularly during the Social Investigation (SI) and Participatory Situational Analysis (PSA) stages for each beneficiary community must include assessment of presence and situation of IPs with the objective of evaluating the project's potential effects on them.</p>
<p>ADB SPS 2009. Appendix 3 – Safeguards Requirements 3: Indigenous Peoples</p>	<p>This policy aims to design and implement projects in a way that fosters full respect for Indigenous Peoples' identity, dignity, human rights, livelihood systems, and cultural uniqueness as defined by the Indigenous Peoples themselves so that they (i) receive culturally appropriate social and economic benefits, (ii) do not suffer adverse impacts as a result of projects, and (iii) can participate actively in projects that affect them.</p>	<p>When IPs are the sole or overwhelming subproject beneficiaries and when only positive impacts are identified, the elements of an IP Plan would be addressed in the subproject design (given the participatory nature of the NCDDP). Therefore, a separate IP Plan is not required. However, RPMO and NPMO IP specialists shall ensure that IP Plans are prepared for communities where IPs are not the sole or overwhelming beneficiaries of the subprojects or where potential adverse impacts are identified. Specific guidance is provided in Annex H.</p> <p>To facilitate better coordination and supervision for IP safeguards, DSWD and National Commission on Indigenous People (NCIP) shall sign a MOA of partnership and issue a joint circular for close coordination at regional, provincial, municipal and community levels.</p>

II. PHILIPPINE EIS SYSTEM

24. The Department of Environment and Natural Resources (DENR) has procedures for screening and scoping of subprojects under DENR Administrative Order 2003-30. The said order presents subprojects by typology, and classifies specific subprojects within each typology depending on specific technical thresholds. Based on the Environmental Impact Statement (EIS) system, proponents of subprojects will prepare either a Project Description (PD) or an Initial Environmental Examination (IEE) depending on the whether they fall below or above the specified thresholds. The order likewise specifies the need for subproject proponents to secure either an Environmental Compliance Certificate (ECC) or a Certificate of Non-Coverage (CNC), depending on the threshold, as well as processing time of the ECC/CNC application. The detailed technical threshold of Philippine EIS System / DENR classification matrix, including the specific documentary requirements, is included as Annex E.

25. Based on experiences under KALAHI-CIDSS, the majority of subprojects under the NCDDP are expected to fall below the thresholds set by the DENR AO 2003-30. Hence community volunteer subproject proponents are expected to only prepare a Project Description, to be included as part of the proposal for subprojects, and secure a CNC.

PART C

SAFEGUARDS PROCEDURES

I. Safeguards Processing

26. This section describes the safeguards processing guidance to assist with integration of environmental and social safeguards management under the NCDDP. The following guidance shall serve to ensure that potential impacts and practical mitigation measures are identified early on in the planning and development of community subproject proposals, in order to avoid or mitigate potential impact that may be generated by subprojects financed under the NCDDP. Annex D provides a more detailed process along the CEAC.
27. Consistent with streamlining the screening and processing of environmental and social safeguards, the NCDDP shall adopt a simplified three step process, as follows:

First step – Eligibility screening of all proposed subproject concepts against the negative list (Annex C), to determine eligibility of subprojects for support under NCDDP.

Second step – Safeguards Screening. If the subproject is deemed eligible, the subproject is screened using the Environmental and Social Safeguards Checklist or ESSC (Annex F) to determine potential safeguards risks, and categorization. The ESSC provides a series of questions relating to the environmental and social safeguards policies triggered under the NCDDP (namely, in the case of the World Bank, 4.01 on Environmental Assessment, 4.09 on Pest Management, 4.10 on Indigenous Peoples, and 4.12 on Involuntary Resettlement and in the case of the Asian Development Bank, SPS 2009 Appendix 1 – Safeguards Requirements 1: Environment, Appendix 2 – Safeguards Requirements 2 – Involuntary Resettlement and Appendix 3 – Safeguards Requirements 3 – Indigenous Peoples). Through this review and screening, the appropriate safeguards instruments, if any, are identified for preparation under the project. The subproject is also assessed whether it is covered under the Philippine EIA system, using the DENR threshold of subprojects (Annex E). Subprojects not covered under the Philippine EIA do not need to secure a Certificate of Non-Coverage (CNC) since a CNC is optional under the law. Instead, subproject proponent/community shall be provided with additional resources, such as the Thematic Environmental Management System (TEMS) Manual developed under the Millennium Challenge Corporation (MCC), and/or the Illustrated Environmental Technical Planning Guidelines developed by WB, to assist them in developing their subproject proposals.

Third Step – Preparation of Safeguards Instrument. All subprojects involving civil works will prepare an Environmental and Social Management Plan (ESMP). If the subproject needs additional safeguard instruments such as LARRP/RP and IPP (addressing land and IP issues), these are drafted and approved before the start of any civil works.⁸ Also, if the subproject is covered under the Philippine EIA system, determine whether (i) an IEE report or an IEE checklist needs to be completed to secure the ECC, or; (ii) only a Subproject Description is needed, particularly for non-covered subprojects. As discussed in the introduction, NCDDP will not involve any Category A

⁸ The Project has been categorized as “A” for Indigenous Peoples based on the ADB Policy. (KALAHAI-CIDSS National Community-Driven Development Program Loan No. 3100)

subproject based on the KALAHI-CIDSS experience, and based on the types and scale of subprojects demanded and implemented by the community.

28. The environmental and social assessment and review procedures shall apply to proposed subprojects that pass eligibility screening under the first step above. The following table (Table 4) outlines the specific tasks and activities to guide subproject staff, community-proponents, and other stakeholders, particularly the LGUs in complying with the NCDDP safeguards requirements.

A. Subproject Screening and Safeguards Classification

29. The table below describes the standard approach for screening and safeguards classification of community subprojects.

Table 4: Subproject Screening and Safeguards Classification

Process	Implementation and Verification	Timing (CEAC)
<p>The ACT, in close coordination with their LGU counterparts and assisted by the Regional Specialists and technical staff, shall facilitate screening by community volunteers of subproject concepts to (a) determine eligibility against the negative list of ineligible activities; (b) propose an appropriate Environmental and Social Assessment (ESA) Categorization based on (i) technical and physical features; (ii) environmental and social footprint, and; (iii) prevailing baseline and associated vulnerabilities.</p> <p>The ACT, assisted by the Regional Safeguards Officers, also determine which safeguards policy is triggered.</p>	<p>The Community Facilitators (CFs) shall facilitate generation of subproject ideas to address poverty problems identified, and shall discuss and explain the negative list in detail to community volunteers. CFs shall then facilitate discussion and agreement among community volunteers (CVs) of eligible and ineligible subprojects based on the negative list.</p> <p>The CF shall facilitate preparation of more detailed subproject concept forms around the eligible subprojects identified. The ACT shall explain the purpose and rationale of the ESA categorization in detail to CV subproject proponents, who shall then be assisted by the team to categorize their propose subproject concepts, using the Environmental and Social Safeguards Checklist (ESSC).</p> <p>The designated Regional Safeguards Officers shall review the subproject concept categorization based on the subproject concept form and ESSC, and confirm category and safeguards policies triggered. The Regional Safeguards Officers propose and/or</p>	<p>Social Preparation and PSA, and the Community Planning and Subproject Development stages, and before the subproject proposal has gone through the required approval and prioritization process.</p> <p>Consultation Meeting and Community Consultation (First Barangay Assembly, if under Disaster Response Operations</p>

	confirm scope of safeguards instruments to be developed as a result of the preliminary subproject concept screening and categorization exercise.	
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B. Preparation of Safeguards Instruments

30. All NCCDP financed subprojects will prepare an Environmental and Social Management Plan (Annex I) based on the screening results. The ESMP identifies safeguards risks and corresponding mitigating measures related with the location and nature of the proposed subprojects. If and when the screening results indicate additional instruments, they must be prepared based on the following frameworks:

i. **Land Acquisition, Resettlement, and Rehabilitation Framework:** Detailed guidance for land acquisition, resettlement and rehabilitation is provided in Annex G.

ii. **Indigenous Peoples Policy Framework:** Detailed guidance for engaging Indigenous Peoples, as well as the National Commission on Indigenous Peoples, is discussed in Annex H. In cases where there is presence of IP or proposed subprojects are located within Ancestral Domain, a Municipal IP plan shall be required and prepared for approval.

31. The table below provides general guidance in the preparation of these various safeguards instruments.

Table 5: Preparation of Safeguards Instruments

Process	Implementation and Verification	Timing (CEAC)
<p>Members of the Subproject Preparation Team (PPT), a committee of community volunteer (CV) proponents of subprojects, prepares ESMP and, if needed, other required safeguards instruments as part of their subproject proposal.</p> <p>The PPT CVs shall be assisted by the Community Facilitator and other members of the Area Coordinating Team (ACT), under the supervision of the designated regional safeguards officers and other technical staff and specialists of the RPMO.</p>	<p>The Area Coordinator mobilizes members of ACT and Technical Specialists from the RPMO to explain in detail the Subproject's Environment and Social Safeguards policies, procedures, and instruments, and train members of the PPTs in preparing safeguards instruments. Designated RPMO Safeguards Officers as well as members of the Municipal Inter-Agency Committee (MIAC) also undertakes review of the safeguards instruments prepared by the PPTs.</p> <p>Once the RPMO and the MIAC are satisfied with the quality of, and provides certification to, the safeguards instruments, these are included as part of the subproject proposal subjected to (i) Barangay</p>	<p>Community Planning and Subproject Development stage of the CEAC.</p> <p>The same should be presented to the MIAC for technical review, and approved by the Barangay Assembly (BA) prior to submission to the IBF for prioritization.</p>

	Assembly approval, and; (ii) Inter-Barangay Forum (IBF) prioritization.	
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C. Disclosure and Consultation

- 32. World Bank and ADB safeguards consultation and disclosure requirements will be met through the conduct of Barangay Assemblies (BA) and Inter-Barangay Forums (IBF) activities embedded within the CEAC process, and through disclosure of this framework nationally, through the DSWD and NCDDP Project, and the World Bank and ADB websites. In addition, the IP Policy Framework which is embedded in this ESMF will also be distributed through the National Commission on Indigenous People (NCIP)
- 33. Preparation of safeguards instruments will also include open, transparent and fully-documented consultation with local communities, subproject beneficiaries, and subproject affected persons, as well as other local and interested stakeholders, as part of the CEAC⁹. Responsibility for the facilitation of the conduct of these activities shall be with the Project's Area Coordinating Team (ACT) based at the municipal level.
- 34. All safeguards documents will be made available through physical copies in the appropriate LGU hall (barangay or municipal hall).

II. Grievance Redress

- 35. Complaints and grievances relating to any aspect of NCDDP (including environmental and social safeguards policies and/or activities) will be managed following the NCDDP Grievance Redress System (GRS) which also builds on the KALAHI-CIDSS GRS. All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the EA.
- 36. Complaints and Grievances may be filed through the following means;
 - (i) Filing of complaints through a Grievance Redress Committee (GRC) Logbook /database – each NCDDP covered barangay shall form a GRC during the first Barangay Assembly (BA). ACT and the Municipal Coordinating Team (MCT) shall be required to provide a Logbook to record complaints raised by community member(s) or any individual in relation to NCDDP implementation while RPMOs and NPMO will utilize the existing database system. Non-NCDDP complaints shall be forwarded to the concerned offices/institutions for appropriate action.
 - (ii) Complaints/Grievance Reports via text messages – members of the GRC shall make available official contact numbers for complaints/grievance filing. Grievances can likewise be sent via text to 09189122813 or 09189108010, at email address kc me central@yahoo.com. These contact numbers and

⁹ Where IP communities are affected, pertinent information for disclosure are (i) notices of meetings or consultation; (ii) KC-NCDDP concept and implementation arrangements; and (iii) results, minutes or agreements made during meetings and consultations, grievance redress mechanisms, results of assessment studies, IPPs, and M&E results.

details shall likewise be disclosed during Barangay Assemblies and public gatherings, as well as posted in public places in the municipality and barangay.

- (iii) Letter addressed to any GRC head or committee member

37. The RPMO and NPMO shall determine the validity of complaints filed. The RPMO shall likewise ensure confidentiality until proper venue has been provided to discuss and settle the reported issues.

III. Subproject-level Safeguards Monitoring

38. The NCDDP shall ensure proper monitoring and evaluation of compliance to this ESMF. This shall include capture of environmental and social safeguards data integrated into the NCDDP M&E systems at regional level, including monitoring arrangements to track compliance to safeguards policies, preparation of safeguards instruments, and implementation of safeguards activities in all stages of the CEAC. The NPMO shall likewise conduct supervision and in-house monitoring of implementation of safeguards instruments.

39. In recapitulation of the above, a safeguards processing roadmap is presented in Annex L.

PART D

DETAILED POLICY AND PROCESSING RESOURCES

Annex A:

Overview of WB and ADB Project Categorization

1. The World Bank's Operational Policy (OP) 4.01, and the Asian Development Bank's Safeguards Policy Statement (SPS) of 2009 clarify the rationale, scope and content of relevant environmental and social assessment requirements under projects supported by the two Banks. The WB's OP 4.01 requires the conduct of an environmental assessment (EA) of projects/programs proposed for Bank financing to help ensure that they are environmentally and socially sound and sustainable. This is the umbrella policy for the Bank's safeguards policies, and the EA is a process whose breadth, depth, and type of analysis depends on the nature, scale, and potential environmental and social impact of the project investments/sub-projects to be supported. The ADB's SPS (2009) is supported by relevant Environmental Assessment Guidelines (2003).
2. World Bank OP 4.01 and ADB SPS (2009) require that projects be assigned an EA category based on the likely intensity and severity of the potential environmental and social impacts. For the NCDDP, due to the small-scale and temporary nature of these impacts, both Banks consider the NCDDP an environmental category B project. On the other hand, the Program has been categorized as "A" for Indigenous Peoples and "B" for Involuntary Resettlement.¹⁰ As such, this Environmental and Social Management Framework (ESMF) document serves as the environmental and social assessment instrument (i.e., defines what constitutes an EA for this project). The ESMF, in turn, requires that DSWD screen proposed sub-project investments using the Environmental and Social Screening Checklist (Annex F) to identify the areas of possible social/environmental impact and identify relevant mitigating measures.
3. WB and ADB follow the same screening and categorization of subprojects, i.e., Categories A, B, and C, which are dependent on the assessment of significance of environmental or social impacts.
 - (i) **Category A** subprojects normally cause major environmental or social impacts that are irreversible, diverse, or unprecedented. An Environmental Impact Assessment (EIA) is required for this subproject.
 - (ii) **Category B** subprojects for which minor impacts are expected and can be mitigated. An Initial Environmental Examination (IEE) is required for this subproject.
 - (iii) **Category C** subprojects do not pose environmental or social impacts. No environmental assessment is required but environmental implications need to be reviewed.
4. To ensure compliance with ADB and WB environmental and social safeguards policies, the NCDDP will screen all subprojects using the Environmental and Social Screening Checklist (ESSC) that has been developed as a tool for environmental and social categorization and assessment of various subprojects.
5. The environmental and social assessment requirements of the ADB, WB and the GOP are similar in terms of the use of environmental assessment (EA) and social assessment as tools for subproject planning, and in requiring an instrument such as an environmental im-

¹⁰ Based on ADB Policy and as stated in the Project Administration Manual

impact assessment before subproject implementation. However, the scope of the environmental and social assessment of the GOP differs from that of the ADB and WB in terms of categorization. The GOP categorization is generally based on scale and size of the subproject whereas ADB's and WB's categorization is based on the significance of the environmental and social impact of the particular subproject.

Annex B

Safeguards Provisions

under the Disaster Response Operations Procedures
for the National Community Driven Development Project (NCDDP)

Background and “Trigger”

The NCDDP disaster response operations procedures is designed for enabling an accelerated response to disaster scenarios, which - by their very nature – usually cause substantial negative environmental and social impacts. The procedures include a range of mitigation, repair and restoration measures to restore pre-disaster conditions, if possible with a higher degree of resilience. The disaster event with the highest likelihood of occurrence during the project implementation period would be a tropical storm (typhoon), with extremely high wind speeds, and high amounts of precipitation.

The main primary impacts caused by this scenario would include coastal and inland flooding, erosion, landslides and mudflows, damage of river bank protection and hydrotechnical installations, uprooting of trees, damage to infrastructure, roads, dwellings and other buildings, deposition of mud, sediments and debris over large areas, including agricultural plots.

The disaster response operations procedures *would be applied* be within the overall geographic scope of the project, given the strong overlap between the most disaster-affected areas in the Philippines and the 847 NCDDP rural municipalities.

The formal trigger for using the disaster response operations procedures would be a declaration of a national state of calamity by the President of the Philippines or of a local state of calamity (Municipal level) by the Local Government Unit.

Modified Positive List

Due to the widespread damage associated with an extreme weather event the following additional activities are envisaged and would be allowed for under the contingent disaster response sub-component:

1. Repair of rural and local roads, and repair/reconstruction of small bridges with a maximum span of up to 15m.
2. Backfill, reshaping and landscaping of areas affected by erosion
3. Repair of existing riverbank protection systems and earth-fill dykes up to 5m height if supervised by a qualified engineer
4. Construction of temporary bypass roads up to 500 m length, if not located in sensitive habitats and land acquisition follows the provisions of the main ESMF and bypasses are

completely removed and the alignment restored to its original conditions once the need for their service has expired

5. Repair / reconstruction of communal irrigation and water supply systems and of facilities that they have been completed with project funding.
6. Collection and removal of technogenic debris (building parts, mixed waste, timber) such as uprooted trees and plant debris from public infrastructure, public spaces and agricultural areas, and its deposition in pre-existing waste management facilities that are operating under national licensing and regulations and compliant with normal practices in the country.
7. Repair of public buildings (including barangay halls, school buildings, daycare centers, government offices, tribal halls, meeting hall, multi-purpose centers and places of congregation used as administrative spaces for disaster and relief operations and information dissemination) and infrastructure (e.g. transmission lines, street lighting, traffic signs, bus stops)
8. The procurement tools and equipment for purposes of removal of debris (i.e. chain saws and/or bolt/wire cutters), provided that the purchase is approved by, and the tools are subsequently registered with the appropriate regulatory agencies.
9. Shelter, including emergency and transitional shelter and temporary housing, and support for permanent shelter repair in safe areas
10. Setting up of temporary facilities to deliver basic service needs of affected communities, such as field schools, temporary health facilities, and water facilities.

Activities listed above would only be carried out in the event of an emergency (i.e they are not part of NCDPP's regular project menu). The scope of these activities as well as the simplified implementation procedures that would apply to all NCDPP contingent sub-component activities are outlined in greater detail in the Disaster Response Operations Manual.

Modified Negative List

The negative list has been compiled to exclude certain activities associated with disaster response and post-disaster reconstruction that fulfill one or more of the following criteria: (i) environmentally risky, (ii) may create impacts that require more sophisticated planning and preparation of mitigation measures, (iii) have technical complexities and requirements that would go beyond the capacity normally available in a CDD project environment, (iv) would trigger additional safeguards policies or change the project's safeguards category, (v) are not aligned with public interests or do not benefit common goods or public services.

Applying the above criteria to the anticipated context of the contingent disaster response sub-component, the following list of activities has been compiled:

- repair of facilities storing hazardous substances (e.g. fuel depots), except simple clearing of debris or landslide materials on access roads and perimeters;

- major repair or reconstruction of damaged waste management facilities, except the collection of spilled and dispersed waste from the facility and returning it to its original position on the facility, or a safe temporary repository on the perimeter;
- repair of privately owned production facilities;
- any “salvage logging” operations (which might be undertaken as result of storm damage to forests);
- repair of dykes or dams that are higher than higher than 5 m, or store water volumes larger than 1,000,000 m³;
- construction of new temporary or permanent infrastructure to bypass devastated areas which have a segment length of > 500 m, and a cumulative length of 2,000 m within a corridor of 10 km or less;
- construction of new, or substantial expansion of existing flood protection works involving the conversion of floodplains or riverine forests;
- bulk purchase of fuel, lubricants, pesticides, herbicides or other hazardous substances;
- any activity in a sensitive or protected natural habitats as defined by OP4.04, except the removal of debris and the repair of pre-existing infrastructure, e.g. access roads or park ranger buildings.

Additional Safeguards Provisions

Under the disaster response operations procedures no activities are anticipated that would require provisions and mitigation measures that are significantly different from the main NCDDP. All key relevant provisions for environmental and social management are already contained in the ESMF and would remain fully applicable to disaster response operations. The additional activities described in the positive list would not change the project’s safeguards category or trigger additional safeguards policies.

The following provisions refer to selected aspects of the positive list that warrant specific considerations, and should be seen as guidance to increase readiness and facilitate implementation should the disaster response procedures be triggered. The additional provisions will not require substantial additional resources, skills or capacity.

Provisions for road repair and bypass construction works: The repair and reconstruction of roads, as well as of temporary bypasses should follow general good practice in engineering and environmental management, as described e.g. in the World Bank’s “Handbook on Roads and the Environment” (technical paper No. 376). Special attention should be paid to the following issues:

- Where road embankments have been damaged by flooding the reason may be insufficient dimensioning of the original drainage system. In the course of repair and reconstruction the placement of new culverts should be considered to avoid the damming and accumulation of precipitation that can cause erosion and collapse of embankments. This measure, combined with diligent repair and maintenance (cleaning) of drainage ditches and existing culverts would help to increase the resilience against future storm and flood events.
- If temporary bypasses are required due to damaged bridges, landslides, collapsed embankments etc. they should be constructed in a manner to maximize their functionality and minimize negative environmental impacts. Their length would be limited to 500 m

per segment (and to 2,000 m within a 10 km stretch of road corridor) and they would not be allowed in or adjacent to protected areas or sensitive habitats. They would be constructed to allow complete removal after decommissioning, e.g. by placing a layer of geotextile under the temporary embankment, and using geotextile to maximize structural stability while economizing on material demand. Often suitable coarse aggregate may be difficult to find, in which case geotextile layering (“reinforced earth”) would be a both technically and environmentally suitable solution for temporary road construction.

- The fill material required for temporary bypass construction should be minimized and sourced from either pre-existing, licensed borrow areas, or from the earth and debris deposited by floods and / or landslides.
- Temporary embankments should be bunded and / or equipped with silt barriers drainage ditches and sedimentation ponds to avoid excessive siltation of the immediate surroundings. This will be especially important in areas of agricultural use and near settlements.
- After the repair of the original road sections the bypass must be completely removed and the area restored to its original condition.
- If any temporary bridges are constructed they must allow free flow of water, avoid the narrowing of the cross section of the watercourse and resulting change of flow speed, and minimize disturbance of the river bed and resulting turbidity (deploy silt barriers, minimize vehicle movement in and close to river bed). Complete removal and restoration of the river banks must be ensured after the bypass ceases to be required and is decommissioned.

Provisions for waste management: Mineral substances (earth, sand, gravel, rocks), organic waste and “technogenic” waste (resulting from goods, objects or structures made of artificial, synthetic materials) should be separately collected and treated in the manner described below:

- *Mineral substances* are considered environmentally harmless and should - as far as their geotechnical properties are sufficiently acceptable - be reused as backfill for damaged earthworks (e.g. embankments, dykes) or as fill for landscaping areas. Fine materials with poor geotechnical quality could still be used to fill depressions and raise ground to increase local flood resilience. Superfluous materials that cannot be reasonably reused should be deposited in a safe, stable, unused area outside zones prone to flooding or landslides. They should be emplaced with stable slope angles, lightly compacted and vegetated.
- *Organic waste*, such as wood, timber, plant debris, should be collected and as far as possible separated. Reusable and recyclable items (timber, wood as construction material or fuel) should be extracted, and only the remaining plant debris deposited in a safe area for composting. The compost could later be reused in agricultural activities. If biofuel burning power plants, or biogas reactors are in the affected area these would also be potential recycling pathways.
- *Technogenic waste* should be collected and recyclables (e.g. plastic bottles, glass, metals) as well as reusable items as far as possible extracted. The remaining fraction should be deposited at a pre-existing waste management facility that is licensed under domestic regulations and operated according to prevailing good practice in the Philippines. While this could constitute a deviation from the World Bank Group’s EHS (environment, health and safety) guidelines, which demand the implementation of GIIP¹¹ it would be deemed acceptable under the circumstances because: (i) not collecting the waste would carry a

¹¹ Good international industry practice.

negative impact of larger magnitude; (ii) the incremental negative impact of contributing to an existing facility not operated according to GIIP would be negligible; (iii) there may be no technically or economically feasible alternatives; (iv) compliance with national regulations would be ensured; (v) the waste segregation before deposition would minimize its quantity, and (vi) none of the expected waste types are deemed hazardous.

Provisions for works in or near protected areas: All allowable works in protected areas must be supervised by qualified personnel from the park service, nature protection agency or environmental protection agency. Also the project's environmental specialist should receive, review and approve a detailed work plan (including maps and drawings) that specifies the exact nature, location, dimensions, and footprint of the works, as well as the planned environmental and social management and mitigation measures and the special provisions and precautions to be followed. The works would be absolutely restricted to the repair of small scale, pre-existing park infrastructure, such as access roads, ranger buildings, communication equipment, fire towers and similar.

Provisions for repair of dams and dykes: All works on dams and dykes designated as water retention structures above 3m height need to be supervised by an experienced and qualified civil engineer. The maximum allowable height of dams and dykes that may be carried out under the project would be 5m, or the maximum allowable storage volume 1,000,000 m³.

Monitoring and Supervision

All arrangements for monitoring and supervision that are in place for the main project would also be applicable to disaster response operations; including internal and external monitoring of sub-grant tranches, technical completion reports and technical audits, and sustainability evaluations. In the event of more complex or potentially sensitive subprojects, CFs and ACTs would seek advice from relevant RPMO and NPMO staff, and the World Bank's and ADB's environmental and social specialists during activity preparation and implementation. Examples of such types of subprojects include:

1. repair / reconstruction of small bridges (span up to 15 m);
2. construction of temporary bypass roads up to 500 m length, if (i) not located in sensitive habitats and (ii) land acquisition follows the provisions of the main ESMF and (iii) the bypasses are completely removed and the alignment restored to its original conditions once the need for their service has expired;
3. Repair of river bank protection systems and earth-fill dykes up to 5m height if supervised by a qualified civil engineer;
4. works near waste management facilities or other installations with elevated environmental risk levels;
5. works in or adjacent to national parks or sensitive or critical habitats and within IP ancestral lands/domains.

Annex C:

NCDDP/CDDSP Negative List

1. The following are NCDDP ineligible subproject activities and/or expenditure types.
 - a. Purchase or compensation for land;
 - b. Road construction into protected areas;
 - c. Repair of government offices (unless the emergency response Disaster Risk Management (DRM) contingent sub-component has been triggered);
 - d. Meeting halls and places of worship;
 - e. Dams higher than 5 meters;
 - f. Environmentally hazardous materials such as chainsaws, explosives, pesticides, herbicides, insecticides, asbestos and other potentially dangerous materials.
 - g. Production of, trade in, or use of unbounded asbestos fibers;
 - h. Fishing boats (beyond the weight limit set by Bureau of Fisheries and Aquatic Resources (BFAR));
 - i. Activities that have alternative prior sources of committed funding;
 - j. Activities for fiesta and other religious and cultural activities;
 - k. International travel;
 - l. Salaried activities that employ children below the age of 16, and production or activities involving harmful or exploitative forms of forced labor or child labor;
 - m. Consumption items;
 - n. Maintenance and operation of infrastructure built from Project funds;
 - o. Production of or trade in any product or activity deemed illegal under the Philippines laws or regulations or international conventions and agreements or subject of international phase outs or bans, such as (a) pharmaceuticals, pesticides, and herbicides; (b) ozone-depleting substances, (c) polychlorinated biphenyls and other hazardous chemicals, (d) wildlife or wildlife products regulated under the Convention on International Trade in Endangered Species of Wild Fauna and Flora and (e) transboundary trade in waste or waste products;
 - p. Production of or trade in weapons and munitions, including paramilitary materials;
 - q. Production of or trade in alcoholic beverages, excluding beer and wine;
 - r. Production of or trade in tobacco;
 - s. Gambling, casinos and equivalent enterprises;
 - t. Production of or trade in radioactive materials, including nuclear reactors and components thereof;
 - u. Commercial logging operations or the purchase of logging equipment for use in primary tropical moist forests or old-growth forests; and
 - v. Marine and coastal fishing practices, such as large-scale pelagic drift net fishing, harmful to vulnerable and protected species in large numbers and damaging to marine biodiversity and habitats.

2. In compliance with the NCIP AO 3, series of 2012 - Part III, Section 25 on "Excluded Areas", the following areas are likewise excluded from any activity except for the exclusive purposes for which they are identified.
 - a. Sacred grounds and burial sites of indigenous communities;
 - b. Identified international and local cultural and heritage sites;
 - c. Critical areas identified or reserved by the ICCs/IPs for special purposes, and;

- d. Other areas specifically identified by ICCs/IPs in their Ancestral Domain Sustainable Development Protection Plan, or ADSDPP.
3. In relation to work under the Disaster Risk Mitigation contingent sub-component:
- a. repair of facilities storing hazardous substances (e.g. fuel depots), except simple clearing of debris or landslide materials on access roads and perimeters;
 - b. major repair or reconstruction of damaged waste management facilities, except the collection of spilled and dispersed waste from the facility and returning it to its original position on the facility, or a safe temporary repository on the perimeter;
 - c. repair of privately owned production facilities;
 - d. any "salvage logging" operations (which might be undertaken as result of storm damage to forests);
 - e. repair of dykes or dams that are higher than higher than 5 m, or store water volumes larger than 1,000,000 m³;
 - f. construction of new temporary or permanent infrastructure to bypass devastated areas which have a segment length of > 500 m, and a cumulative length of 2,000 m within a corridor of 10 km or less;
 - g. construction of new, or substantial expansion of existing flood protection works, especially when this involves the conversion of floodplains or riverine forests;
 - h. bulk purchase of fuel, lubricants, pesticides, herbicides or other hazardous substances;
 - i. any activity in a sensitive or protected natural habitats as defined by World Bank Operational Policy 4.04, except the removal of debris and the repair of pre-existing infrastructure (e.g. access roads or park ranger buildings).

Annex D:

Safeguards Processing along the Community Empowerment Activity Cycle (CEAC)

CEAC Process	Safeguards Task and Activities, and Responsible Entity	Output/Tools
1. Social Preparation Stage		
Social Investigation	<p>Community Facilitators (CF) conduct data gathering on the demographic, environmental, and social and cultural situation, to include;</p> <ul style="list-style-type: none"> Review of available documents, such as municipal development plans (MDP), comprehensive land use plan (CLUP), ancestral domain sustainable development protection plan (ADSDPP), comprehensive development plan (CDP), Damage Assessment and Needs Analysis (DANA) reports, in the case of post-disaster activities using the disaster response operations procedures, and other documents. Physical environmental scanning and transectional survey Random interviews of people in the barangay (especially with IP groups, if any) to validate/enhance demographic data <p>Area Coordinators (AC) engage with NCIP and;</p> <ul style="list-style-type: none"> Determine presence of IP families in the Barangay/ community Get demographic data and secure copy of ADSDPP, if any Gather information on IP traditional structures on representation and decision-making <p>Deputy Area Coordinators (DAC) gather data on different Projects being implemented by the Municipality.</p>	Community Profile or Damage Assessment and Needs Analysis (DANA) report completed, for use as reference in safeguards processing
Municipal Orientation	<p>AC raise awareness of the NCDDP's Environmental and Social Safeguards among the LGU and other stakeholders, and;</p> <ul style="list-style-type: none"> Share and disclose the salient points of the Project's Environment, IP, Land Acquisition, Resettlement, and Rehabilitation (LARR), disaster response operations, and Integrated Pest Management safeguard frameworks and policies. Discuss environment, IP, LARR, Disaster Risk Management (DRM), and IPM concerns and issues observed from the SI, and their implications to 	<p>KC-NCDDP Safeguards Policies Orientation Materials</p> <p>Minutes of meetings reflect disclosure and discussion of safeguards</p>

CEAC Process	Safeguards Task and Activities, and Responsible Entity	Output/Tools
	<p>subproject implementation.</p> <ul style="list-style-type: none"> • Validate if municipal LGU has environmental management plan or Comprehensive Land Use Plan (CLUP/FLUP (Forest Land Use Plan)/PAMP (Protected Area Management Plan), and relevant ordinances on the environment. <p>Ensure presence of NCIP and representatives of the IP if in a municipality within or covering an ancestral domain (AD) with a certificate of ancestral domain claim (CADC) or certificate of ancestral domain title (CADT).</p>	policies
Barangay Consultation	<p>CF raise awareness of the NCDDP's Environmental and Social Safeguards among the community members, the barangay local government unit (BLGU) and other stakeholders, and;</p> <ul style="list-style-type: none"> • Share and disclose the salient points of the Project's Environment, IP, Land Acquisition, Resettlement, and Rehabilitation (LARR), disaster response operations, and Integrated Pest Management safeguards frameworks and policies. • Discuss relevant environment, IP, LARR, DRM, and IPM concerns and issues observed from the SI, and the implications and risks to subproject implementation. • Validate if LGU has environmental management plan. <p>If necessary, CF conducts separate assembly with IP community.</p> <p>CF invites NCIP and representatives of the IP if in a barangay (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community.</p> <p>CF facilitates inclusion of IP representatives in the PSA, Barangay Representation Team (BRT) and subproject Preparation Team (PPT) and other community volunteer committees elected by the BA.</p>	<p>KC-NCDDP Safeguards Policies Orientation Materials</p> <p>Minutes of the meeting reflect disclosure of safeguards.</p> <p>Attendance record reflect NCIP/IP presence.</p> <p>PSA CV include IP representative.</p>
Participatory Situation Analysis	<p>CF facilitates identification of environmental and social issues, and risks and vulnerability assessment with community volunteers, using PSA tools, and the DANA report (if under disaster response operations).</p> <p>CF facilitates participation of NCIP and representatives of the IP if in a barangay (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP</p>	List of screened subprojects compared against list of ineligible activities (negative list)

CEAC Process	Safeguards Task and Activities, and Responsible Entity	Output/Tools
	<p>community.</p> <p>Cross check of SP concept against list of ineligible activities (see Annex C).</p>	<p>Attendance records reflect NCIP/IP presence.</p>
2. Community Planning and Subproject Development		
<p>Criteria Setting Workshop (CSW)</p>	<p>Municipal Coordinating Team (MCT) facilitate LGU sharing of programs, projects, and activities (PPAs) to address local development problems, including PPAs to address environmental and IP, and DRM concerns.</p> <p>If in a municipality with AD with CADT or CADC, AC facilitates sharing by the IP leader of their ADSDPP and ensures IP-sensitive and appropriate representation in subproject identification. If needed, AC facilitates conduct of separate session of IPs during the CSW.</p> <p>AC facilitates discussion of affirmative action criteria on the environment and social safeguards, for decision by the Municipal Inter-Barangay Forum (MIBF).</p> <p>Where applicable, use the Thematic Environmental Management System (TEMS) Manual.</p>	<p>Defined subproject concept and scope</p> <p>Criteria set with environmental and social safeguards consideration</p>
<p>Project Development Workshop (PDW)</p>	<p>Using the ESSC, Regional Specialists and Technical Staff discuss environment and social safeguards requirements with community volunteer – members of Subproject Preparation Teams (PPT), such as;</p> <ul style="list-style-type: none"> • Environmental Screening and identification of subprojects needing CNC or ECC (categorization); • Inventory of land acquisition (i.e. Deed of Donation or DOD, and Right of Way or ROW) requirements, identification of subproject affected persons, and assessment of impact to subproject affected persons; • Review of IP proposed subprojects against ADSDPP, and assessment of potential impact on IP and other vulnerable groups; • Need to undertake IPM training for small irrigation and other related subprojects; <p>AC invites NCIP and representatives of the IP if in a</p>	<p>Subproject preparation Team trained on safeguards processing.</p> <p>ESSC Form (Annex F) accomplished</p> <p>ESMP prepared</p> <p>Additional safeguards instruments as agreed with RPMO</p>

CEAC Process	Safeguards Task and Activities, and Responsible Entity	Output/Tools
	<p>municipality (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community.</p> <p>CF facilitates meaningful attendance and participation of IP members of PPTs in the PDW. If needed, AC facilitates conduct of separate or additional sessions with IPs to further clarify proposal preparation requirements.</p>	safeguards officers ¹²
Preparation of Detailed Proposals	<p>CF facilitates completion by CV members of PPTs of the Environmental and Social Safeguards Checklist (ESSC), the ESMP, the Initial Environmental Examination (IEE) or Project Description (PD), and other relevant safeguard instruments where applicable.</p> <p>If IR and IP safeguard is triggered, a municipal RP and IPP shall be prepared to be submitted and approved prior to sub-project implementation.¹³</p> <p>Regional Specialists and Technical Staff, and Municipal Inter-Agency Committee (MIAC) members provide technical assistance to PPT CVs on (i) completion of safeguards documents and (ii) inclusion of safeguards costs including training costs, costs of construction safety and cost estimate of permits, in the costs requirements for proposed subprojects, among others.</p> <p>Additional technical staff are mobilized by the Project to assist in the preparation of project proposals under disaster response operations.</p> <p>AC facilitates review by the Municipal LGU MIAC of safeguards documents, as part of the MIAC technical review of subproject proposals.</p> <p>AC provides NCIP and representatives of the IP if in a municipality (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community, with schedule of activities in line with the preparation of detailed subproject proposals.</p> <p>For Irrigation subprojects, AC to coordinate with the MAO or DA extension office for IPM training.</p>	<p>Accomplished ESSC, PD/IEE and ESMP, and where applicable, additional safeguards instruments</p> <p>Sample Certification Precondition, DOD or Usufruct Agreement, and ECC or CNC</p>

¹² These additional safeguards document may include an Initial Environmental Examination (IEE) or Subproject Description (PD), an Integrated Pest Management Plan, an Indigenous Peoples Plan (IPP), or a Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP)/ Resettlement Plan (RP).

¹³ For ADB funded sub-projects with negative impacts to IPs, IPP must be approved by ADB prior to sub-project implementation. For ADB funded sub-projects with involuntary resettlement impacts, RP must be approved by ADB prior to the implementation of the sub-project.

CEAC Process	Safeguards Task and Activities, and Responsible Entity	Output/Tools
	<p>CF facilitates attendance and participation of IP members of PPTs in the preparation of detailed proposals. If needed, CF facilitates conduct of separate or additional sessions with IPs to further clarify proposal preparation concerns of IPs.</p>	
<p>Subproject Approval & Request for Fund Release</p>	<p>If in a municipality (i) within or covering an AD with CADC or CADT, or a portion thereof, or; (ii) with an IP community, CF facilitates attendance and participation of IP members of BRTs and PPTs in the inter-barangay forum. If needed, AC facilitates conduct of separate session of IPs during IBF to gather inputs to deliberations on subproject prioritization, assisted by the IP focal persons.</p> <p>Sub-regional Project Management Office (SRPMO) technical staff conduct safeguards due diligence review of Request for Fund Release (RFR), prior to submission to the RPMO.</p> <p>Regional CD Specialist (RCDS), Regional Infrastructure Engineer (RIE), and Regional Finance Analyst (RFA) conduct safeguards due diligence review of RFRs, prior to funds release.</p> <p>NPMO safeguards staff conduct spot checks of regional safeguards clearances.</p> <p>RPMO and NPMO discloses results of IBF subproject selection and approval, RPMO due diligence review, NPMO spot checks, and funds release status.</p> <p>ACT posts safeguards documents (ie. ESMP, IPP, etc.) locally through posting in the municipal or barangay halls.</p> <p>If RPMO or NPMO due diligence result to adverse findings, RPMO specialists and technical staff conduct subproject proposal revalidation/revision as needed, and subject to IBF concurrence.</p>	<p>RPMO/NPMO approved evaluation of SPs or re-validated and recommended for revision of Program of Work (POW)/design if necessary</p> <p>Safeguards documents disclosed locally.</p>

3. Community managed Implementation and CBO Formation

CEAC Process	Safeguards Task and Activities, and Responsible Entity	Output/Tools
Pre-Implementation Workshop	<p>CF ensure compliance by the Barangay Sub-Project Management Committee (BSPMC) of the IPPF and LARRF requirements</p> <p>CF facilitates presentation by the BSPMC of ESMP, LARRP/RP, and/or IPP to the community, and discussion and planning of activities for implementation of the safeguards instruments.</p>	
Implementation of SP, O & M	<p>ACT/RPMO monitor comments, suggestions, complaints through the GRS.</p> <p>Community Volunteer-members of the BSPMC implement their respective safeguards mitigating measures. ACT provides safeguards supervision.</p> <p>Filing of copy of DOD or Certification with the LGU, BSPMC, and the RPMO.</p>	<p>Safeguards-related grievances monitored through GRS.</p> <p>Compliance of mitigating measures</p>
4. Community-based Monitoring		
Community-Based Monitoring and Evaluation	<p>Monitoring of ESMP by BSPMC with monthly monitoring report.</p> <p>In case of Category B subprojects funded by ADB, the RPMO prepare quarterly monitoring report and submits to NPMO for consolidation, prior to submission to ADB and uploading at the ADB website.</p> <p>Implementation of Post subproject mitigating measures as stated in the ESMP and other relevant safeguards instruments</p> <p>Should unanticipated impacts to IPs be flagged, the RPMO conducts social impact assessment of the affected population and adjustments made per result of the SIA.</p>	<p>For Category B – quarterly monitoring report to be uploaded at ADB website</p>
Accountability Review	<p>CVs discuss status of compliance to implementation of safeguards measures during Accountability Reporting (AR) sessions.</p> <p>Conduct of sustainability evaluation using the Sustainability Evaluation Tool (SET).</p>	<p>Completed SET</p>

Annex E:

Philippine EIS System Thresholds and DENR Requirements for Possible NCDDP Subprojects

Subproject	DENR Classification	DENR Documentary Requirement	ECC/CNC
Water supply system	S.4 - Level 1 – Deep well S.4 - Level 2 – Communal faucet	PD	CNC
	S.3 – 6 wells and more	IEE	ECC
School buildings	E.3 – institutional and other related facilities ≥ 1 hectare (gross floor area)	IEE	ECC
	E.3 – institutional and other related facilities < 1 hectare (gross floor area)	PD	CNC
Access roads	C.4.b – Roads with no critical slope ≥ 2km but <20.0 km	IEE	ECC
	C.4.b – Roads with critical slope ≥2 km but < 10km	IEE	ECC
	C.4.b – Roads < 2km	PD	CNC
	C.4.a – Bridges and viaducts ≥80 m but < 10km	IEE	ECC
	C.4.a – Foot bridges and other bridges <80m	PD	CNC
Day care centers	E.3 - Institutional and other related facilities < 1 hectare (gross floor area)	PD	CNC
Health stations	E.7 – Clinics including rural health units	PD	CNC
Post-harvest facilities	D.4.c- Rice mill > 1 ton/hr	IEE	ECC
	D.4.c – Rice mill ≤ 1 ton/ hr	PD	CNC
	E.13 – Storage facilities ≥ 1 hectare (gross floor area)	IEE	ECC
	E.13 – Storage facilities < 1 hectare (gross floor area)	PD	CNC
Drainage system and environmental protection measures	I.4 – Preventive or proactive measures against potential natural hazards (shore protection, river embankment/river bank stabilization, seawall, etc.	PD	CNC
	S.1 – Impounding system < 25 hectares or impounded water <20 million m ³	IEE	ECC
	R.6 – Materials Recovery Facilities with composting facilities	IEE	ECC
	R.6 – MRF with material segregation only	PD	CNC
Small irrigation facilities	S.2 – Irrigation system (distribution only) 300 hectares but <1,000 hectare (service area)	IEE	ECC
	S.2 – Irrigation system (distribution only) < 300 hectares (service area)	PD	CNC

Notes: IEE refers to the Initial Environmental Examination; PD – Project (subproject) Description; CNC - Certificate of Non-Coverage; and ECC – Environmental Compliance Certificate

Annex F:

Environmental and Social Safeguards Checklist

Name of Subproject:

Location:

Community Representative and Address:

RPMO Representative and Address:

I. Subproject Screening:

- a. Has the subproject been screened against the list of ineligible activities (negative list)? If yes, proceed. If no, contact ACT to conduct screening.

II. Site Selection:

- a. When considering the location of a subproject, rate the sensitivity of the proposed site in the following table according to the given criteria. Higher ratings do not necessarily mean that a site is unsuitable. They do indicate a real risk of causing undesirable adverse environmental and social effects, and that more substantial environmental and/or social planning may be required to adequately avoid, mitigate or manage potential effects.

Issues	Site Sensitivity			Rating
	Low	Medium	High	
Natural Habitats	No natural habitats present of any kind	No critical natural habitats; other natural habitats occur	Critical natural habitats present. Within declared protected areas.	
Water quality and water resource availability and use	Water flows exceed any existing demand; low intensity of water use; potential water use conflicts expected to be low; no potential water quality issues.	Medium intensity of water use; multiple water users; water quality issues are important	Intensive water use; multiple water users; potential for conflicts is high; water quality issues are important	

Natural hazards vulnerability, floods, soil stability/erosion	Flat terrain; no potential stability/erosion problems; no known volcanic/seismic/flood risks	Medium slopes; some erosion potential; medium risks from volcanic/seismic flood/typhoons	Mountainous terrain; steep slopes; unstable soils; high erosion potential; volcanic seismic or flood risks.	
Physical Cultural Property	No known or suspected physical cultural heritage sites	Suspected cultural heritage sites; known heritage sites in broader area of influence	Known heritage sites in subproject area	
Involuntary Resettlement	Low population density; dispersed population; legal tenure is well defined;	Medium population density; mixed ownership and land tenure;	High population density; major towns and villages; low income families and/or illegal ownership of land; communal properties.	
Indigenous Peoples	No indigenous population	Dispersed and mixed indigenous populations; highly acculturated indigenous populations	Indigenous territories (CADT), reserves and /or lands; vulnerable indigenous populations.	

III. Areas for Potential Environmental and Social Impact

		Yes	No
A. Environment - Will the Subproject:			
1	Risk the contamination of drinking water?		
2	Cause poor water drainage and increase the risk of water related diseases such as malaria, dengue and schistosomiasis		
3	Harvest or exploit a significant amount of natural resources such as trees, wood for fuel or water?		

4	Be located within or nearby environmentally sensitive areas, protected areas (e.g. intact natural forests, mangroves, wetlands or threatened species?)		
5	Create a risk of increased soil degradation or erosion?		
6	Create a risk of increasing soil salinity?		
7	Produce, or increase the production of solid wastes (e.g. water, medical/healthcare, domestic or construction wastes)?		
8	Affect the quantity or quality of surface waters (e.g. rivers, streams, wetlands), or groundwater (e.g. wells)		
9	Result in the production of solid or liquid waste, or result in an increase in waste production, during construction or operation?		
<i>If the answer to any question from 1-9 is "Yes", please include an Environmental and Social Management Plan (ESMP) with the subproject application</i>			
B. Land Acquisition and access to resources – Will the Subproject:			
10	Require that land (public or private) be acquired (temporarily or permanently) for its development?		
11	Use land that is currently occupied or regularly used for productive purposes (e.g. gardening, farming, pasture, fishing, forests)		
12	Physically or economically ¹⁴ Displace individuals, families, businesses? Have any individuals, families, businesses been displaced up to 2 years prior to subproject enrolment?		
13	Result in the temporary or permanent, partial or total loss of crops, fruit trees, fixed assets, and/or household infrastructure such as crop storage facilities, outside toilets and kitchens		
14	Result in the involuntary restriction of access by people to legally designated parks and protected areas ¹⁵ ?		
<i>If the answer to any of the questions 10-14 is "Yes", please inform the RPMO and prepare appropriate documents required under the LARR Framework (see Annex G).</i>			
C. Indigenous People – Are there:			

¹⁴ Loss of income sources and means of livelihoods due to land acquisition

¹⁵ E.g. the project will affect access to natural resources, communal facilities and services; due to change in land use, project will have an adverse impact on social and economic activities; access to land and resources owned communally or by the state will be restricted due to the project

15	Any indigenous groups living within the boundaries of the barangay where the subproject will be located?		
16	Resources (land, water, etc.) to be used for the subproject, over which the Indigenous People have prior claim?		
17	Members of these indigenous groups who would be affected (ie. benefit from, or be adversely affected) by the subproject?		
<i>If the answer to any of the questions 15 - 17 is "Yes" please inform the RPMO and if needed, prepare an Indigenous Peoples Plan (IPP)¹⁶..</i>			
D. Pesticides and Agricultural Chemicals - Will the subproject:			
18	Will the subproject increase agricultural productivity? This may happen when the subproject is an irrigation or water impounding activity.		
<i>If the answer to Question 18 is "Yes" please inform the RPMO and coordinate with the Municipal Agricultural Officer of the LGU. Integrated Pest Management techniques should be promoted among the beneficiaries.</i>			

CERTIFICATION

We certify that we have thoroughly examined all the potential adverse effects of this subproject. To the best of our knowledge, the subproject plan as described in the application and associated planning reports (e.g. ESMP, RAP, IPP), if any, will be adequate to avoid or minimize all adverse environmental and social impacts.

Community Representative (signature)

PMO team representative (signature).....

Date:.....

¹⁶ If the screening and SIA indicate that the proposed project will have impacts, positive and/or negative, on Indigenous Peoples, the borrower/client will prepare an IPP in the context of the SIA and through meaningful consultation with the affected Indigenous Peoples communities; however, for subprojects where IPs are the sole or overwhelming majority of direct project beneficiaries, and when only positive impacts are identified, a stand-alone IPP will not be required. Elements of an IPP (meaningful consultations, information disclosure, and beneficial measures to IP communities) are included in the overall project design document (such as CMP) and a report of these subprojects (including an assessment of the benefits accruing to IP communities) will be submitted as part of the periodic project progress reports submitted to the DSWD

Annex G

Land Acquisition, Resettlement and Rehabilitation Framework / Resettlement Framework

I. POLICY FRAMEWORK

1. The NCDDP will support multi-purpose buildings, tribal halls, school room units, day care centers, barangay health stations, small scale flood protection works and other rural infrastructures like irrigation facilities, roads and bridges, post-harvest facilities as well as domestic water supply systems. Such subprojects, will, under certain circumstances, require land acquisition or if avoidance is not feasible, involve involuntary resettlement (as defined by the WB and the ADB). This LARR Framework was prepared to ensure that any negative impacts are avoided, minimized and properly managed. This framework and guidelines are fully consistent with and responsive to the Banks' relevant involuntary resettlement policies (WB OP 4.12 and ADB SPS 2009 Appendix 2)
2. Involuntary taking of land or any form of economic displacement must be avoided where feasible or minimized by exploring all alternative subproject designs. Displaced persons (DP), regardless of legality of land tenure, should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them to pre-displacement level.
3. This document was essentially based on the following issuances:
 - a) Executive Order 1035, Procedures and Guidelines for the Expeditious Acquisition by the Government of Private Real Properties or Rights thereon for Infrastructure and Other Government Development Projects. June 1985
 - b) Executive Order 132, Procedures to be followed in the Acquisition of Private Property for Public Use and Creating Appraisal Committee.
 - c) World Bank Policy on Involuntary Resettlement (Bank Policy 4.12)
 - d) ADB Social Statement Policy 2009 (Appendix 2 – Safeguards Requirements 2: Involuntary Resettlement)
4. The magnitude of adverse project impacts is expected to be minimal and will only be known once the specific access roads, bridges, irrigation canals, and domestic water supply systems and other community infrastructure sub-projects are selected and designed.
5. This document lays down the principles and objectives, eligibility criteria of entitlements, legal and institutional framework, modes of compensation, people participation features and grievance procedures that will guide the implementation of compensation for DPs. The specific objectives of this document are:
 - a. To ascertain that all displaced persons (DP) are informed and consulted regarding the proposed subprojects that will be implemented in their area using the different fora in the different stages of the CEAC process

- b. That compensation have been provided and supporting legal documents have been executed prior to subproject implementation, and ;
- c. The specific arrangements between the land donor/DP and the Barangay/municipality and or the community have been documented and complied with.

II. PRINCIPLES AND OBJECTIVES¹⁷

6. The principles outlined in the World Bank Policy on Involuntary Resettlement and ADB Safeguards Policy Statement of 2009 have been adopted in preparing this document. In this regard, the following principles and objectives are to govern Project implementation:
- d. Involuntary resettlement should be avoided where feasible;
 - e. Where population displacement is unavoidable, it should be minimized by exploring all viable project options as agreed upon during community assemblies or other fora;
 - f. People unavoidably displaced should be compensated and assisted so that their economic and social future would be as favourable as it would have been in the absence of the project;
 - g. People affected should be fully informed and consulted and have agreed on resettlement and compensation options;
 - h. Existing social and cultural institutions of resettlers and their hosts should be supported and used to the greatest extent possible, and resettlers should be integrated economically and socially into host communities;
 - i. Lack of legal rights to the assets lost will not hinder the DP from entitlement to such compensation or rehabilitation measures; particular attention should be paid to households headed by women and other vulnerable groups, such as indigenous peoples and appropriate assistance should be provided to help them get the rehabilitation or compensation package as agreed upon by the majority during barangay assembly;
 - j. As far as possible, involuntary resettlement should be conceived and executed as part of the project; and
 - k. The full cost of resettlement and compensation should be included in the presentation of project costs and benefits.
 - l. Given the emergency context of the project, and the extent of displacement already experienced as a result of the typhoon, assistance and rehabilitation measures to be provided to persons either displaced by the project or who experienced restricted access to land due to the project will be incorporated into the entitlement matrix as needed to ensure compliance with the requirements of the ADB SPS. In addition,

¹⁷ WB Policy on Involuntary Resettlement (OP/BP 4.12)

defining and categorizing vulnerability and associated assistance to be provided will be reviewed and incorporated in the entitlement matrix prior to the implementation.

7. **ENTITLEMENT FRAMEWORK.** The Department of Social Welfare and Development, through the NCDDP National Project Management Office (NPMO), shall work closely with Local Government Units in the implementation of this Land Acquisition, Resettlement and Rehabilitation Policy Framework and Implementing Guidelines. The NCDDP NPMO, as represented by the Regional Project Management Offices (RPMO) and the Regional Community Process Specialist, will coordinate with the duly authorized representative/s of the LGU in determining the appropriate compensation for DPs in accordance with the following compensation scheme:
- m. DPs losing 10% or more of all of their productive assets (agricultural land, house or business), or in cases when the remaining assets are not economically viable, are entitled to:
 - (i) full compensation at replacement cost of the entire asset or at direct land/asset replacement and;
 - (ii) rehabilitation assistance that allows them to enhance or at least maintain their standard of living.
 - n. DPs losing less than 10% of their productive assets, and where the remaining assets remain viable for continued use, are entitled to cash compensation at replacement cost for the affected asset.
 - o. Agricultural land will be replaced by:
 - (i) land of equal productive capacity, which is acceptable to the DP; or
 - (ii) full compensation at replacement cost, where land is not available or at the informed request of the DP.
 - p. Commercial/residential land (or other real property) will be replaced by:
 - (i) land of equal market value or business potential (as the case may be), which is acceptable to the DP; or
 - (ii) full compensation at replacement cost - current market rates, plus any transaction costs such as administrative charges, taxes, registration and titling costs, where suitable replacement land is not available or at the informed request of the DP.
 - q. Replacement of damaged or lost crops will be based on full market value for one year's harvest and will be paid in cash.
 - r. DPs whose land is temporarily taken will be compensated at full replacement cost for their net loss of income and/or damaged assets, including a reasonable amount for opportunity cost/s.
 - s. Appropriate transfer and subsistence allowances will be given during the transition phase as part of the rehabilitation assistance package to allow /DPs to enhance or at least maintain their standards of living.

8. The determination of all these compensation packages should be done prior to the conduct of the Municipal Inter-Agency Committee (MIAC) so that the deed of donation (DOD) or other modes of land acquisition are already completed before the MIAC technical review.

- a. DPs LOSING RESIDENTIAL LAND AND STRUCTURES

- (i) The provision of replacement residential land (house site and garden) of equivalent size, satisfactory to the DP; and cash compensation reflecting full replacement cost of the structures, without depreciation;
- (ii) If the DP so wishes and the portion of the land to be lost represents 20% or less of the total area of the residential land area, and the remaining land is still a viable residential lot, cash compensation, at full replacement cost (market value), will be provided to the DP;
- (iii) If after acquisition, the residential land and/or structure is insufficient to rebuild the residential structure lost, then at the request of the DP the entire residential land and structure will be acquired at full replacement cost, without depreciation; and
- (iv) Tenants, who have leased a house for residential purposes will be provided with a cash grant of three months rental fee at the prevailing market rate in the area, and will be assisted in identifying alternative accommodation.

- b. DPs LOSING AGRICULTURAL LAND AND/OR CROPS

- (i) The general mechanism for compensation of lost agricultural land will be through provision of "land for land" arrangements of equal productive capacity, satisfactory to the DP. However, if the DP so wishes and the portion of the land to be lost represents 10% or less of the total area of the landholding, and the remaining land is still a viable economic holding, cash compensation, at full replacement cost (market value), will be provided to the DP;
- (ii) If loss is more than 10% of land holding OR remaining land becomes economically not viable, then the Project will acquire the entire landholding and provide compensation of the acquired land at direct land replacement¹⁸ or compensation in cash according to AP's choice
- (iii) DPs will be compensated for the loss of standing crops and fruit or industrial trees at full (current) market price; and
- (iv) DPs whose land is temporarily taken by the works under the Project will be compensated for their loss of income, standing crops and for the cost of soil restoration and damaged infrastructure, including a reasonable amount for opportunity cost/s.

¹⁸ Land for land replacement will be in terms of a new parcel of land of equivalent size and crop productivity with a secured tenure status at a location acceptable to the DP. The replacement land will be free of taxes, registration & other costs. Rehabilitation assistance and Transfer/resettlement assistance will also be provided

- (v) DPs who will lose their income will be provided opportunities for alternative livelihood, through skills and entrepreneurship training, job matching or business development assistance.
9. DPs will also be provided compensation at full replacement cost, without depreciation for any other fixed assets affected in part or in-toto by the subproject, such as tombs and water wells. In cases where community infrastructure such as schools, churches, health centers, water sources, roads, or electrical and water supply connections are damaged, the Project will ensure that these are restored or repaired as the case may be, at no cost to the community. Additional details are provided in the following Compensation Matrix (Table 1).
 10. **Assistance to the vulnerable.** Poor DPs, i.e., female-headed households, elderly or with disability and with no other support from kin as well as poor IP DPs are entitled to participate in income restoration programs that will be designed during the pre-implementation stage, and in coordination with the appropriate DSWD offices/units .
 11. **Income/livelihood restoration.** The objectives of income/livelihood restoration is to ensure the improvement of the socioeconomic conditions of DPs or at least to bring back the pre-subproject income and living standards of affected families at the subproject sites. This ESMF shall enable the development of sustainable income restoration and rehabilitation strategies that are appropriate for the cultural background and practices of DPs (IPs and non-IPs) in NCDDP sites. Strategies for income and livelihood restoration are **consistent with the overall NCDDP framework** and may include but not limited to: (i) training/capacity building for livelihood/micro-financing, food security in terms of developing sustainable food sources, depending on the crop suitability (elevation, soil type, etc) as well as cultural preference; (ii) prioritized hiring of DPs to serve as contracted human resources for subproject activities; (iii) financial and in-kind assistance support to the poor will be allocated attached to capacity building initiatives. These may be in the form of farm/fisheries supplies and equipment. Costs for income/livelihood restoration strategies for poor DPs shall be included in the total costs of the proposed subproject, subject to the NCDDP negative list. Additional support may likewise be provided in coordination with appropriate DSWD offices and units.

III. COMPENSATION MATRIX

Table 1:

Asset	Impact Category	DP	Compensation Entitlement
Arable land	Loss of land up to 10% of land holding and the remaining land remains economically viable	Farmer/title holder	16. Cash compensation for affected land at full replacement cost
		Tenant/lease holder	17. Cash compensation equivalent to market value of gross harvest of the affected land for one year or for the remaining period of tenancy/lease agreement, whichever is greater.
	Loss more than 10% of land holding	Farmer/title holder	18. Land for land replacement or compensation in cash according to DP's choice. Land for land replacement will

Asset	Impact Category	DP	Compensation Entitlement
	OR remaining land becomes economically not viable		be in terms of a new parcel of land of equivalent size and crop productivity with a secured tenure status at a location acceptable to the DP. The replacement land shall be free of taxes, registration & other costs. 19. Rehabilitation assistance 20. Transfer/resettlement assistance
		Tenant/lease holder	21. Cash compensation equivalent to market value of gross harvest for one year or for the remaining period of tenancy/lease agreement, whichever is greater.
		Agricultural worker	22. Cash compensation equivalent to 6-month salary 23. Assistance in getting alternative employment
Commercial land	Land used for business partially affected, limited loss	Title holder/ bus. Man	24. Cash compensation for affected land at full market value 25. Cash compensation equivalent to 5% of gross annual income
		Rental/lease holder	26. Cash compensation equivalent to 10% of gross annual income.
	Land used for business severely affected, remaining area insufficient for continued use	Title holder/ bus. Man	27. Land for land replacement or compensation in cash according to DP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at a location acceptable to the DP. The land shall be free of taxes & other transfer costs. 28. Rehabilitation assistance 29. Transfer/resettlement assistance 30. Opportunity cost compensation equivalent to 10% of gross annual income.
		Rental/lease holder	31. Opportunity cost compensation equivalent to 20% of gross annual income. 32. Assistance in rental/lease of alternative land/property
Residential and other non-commercial land	Less than 10% of land holding affected and the remaining land remains viable for present use	Title holder	33. Cash compensation for affected land at full replacement cost
		Rental/lease holder	34. Minimum cash compensation equivalent to 10% of lease/rental fee for the remaining period of rental/lease agreement
	Less than 10% of	Title holder	35. Land for land replacement or compensation in cash according to

Asset	Impact Category	DP	Compensation Entitlement
	land holding affected but remaining land becomes smaller than minimally accepted under zoning law/s and/or not viable for continued use		AP/DP's choice. Land for land replacement shall be of minimum plot of acceptable size under the zoning law/s or a plot of equivalent size, whichever is larger, in a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status. When the affected holding is larger than the relocation plot, cash compensation to cover the difference in area/size. Replacement land shall be free of taxes, registration and transfer cost. 36. Rehabilitation assistance 37. Transfer/resettlement assistance
		Rental/lease holder	38. Cash compensation equivalent to 20% of lease/rental fee for the remaining period of rental/lease agreement 39. Assistance in rental/lease of alternative land/property
Structures (includes public utilities/structures)	Structure partially affected but the remaining structure remains viable for continued use	Owner	40. Cash compensation for affected structure and other fixed assets 41. Full (cash) assistance in restoration of the remaining structure
		Rental/lease holder	42. Cash compensation for affected assets 43. Disturbance compensation equivalent to two-month salary or rental whichever is greater
	Entire structure affected OR structure partially affected but the remaining structure is not viable for continued use	Owner	44. Cash compensation for entire structure and other fixed assets 45. Rehabilitation assistance 46. Transfer/resettlement assistance
		Rental/lease holder	47. Cash compensation for affected assets 48. Disturbance compensation equivalent to six-month salary or rental whichever is greater 49. Assistance in alternative rental arrangements
		Informal dwellers	50. Cash compensation for affected assets 51. Disturbance compensation equivalent to three-month salary or rental whichever is greater
	Standing crops	Crops affected by land acquisition or temporary acquisition or easement	AP
Trees	Trees lost	Title holder	53. Cash compensation based on type, age and productive value of affected trees PLUS 10% premium
Easement	Temporary	Title holder	54. Minimum cash compensation equivalent to 10% of the value of affected asset

Asset	Impact Category	DP	Compensation Entitlement
	acquisition or easement		

Given the emergency context of the project, and the extent of displacement already experienced as a result of the typhoon, assistance and rehabilitation measures to be provided to persons either displaced by the project or who experience restricted access to land due to the project will be incorporated into the entitlement matrix as needed to ensure compliance with the requirements of the ADB SPS. In addition, defining and categorizing vulnerability and associated assistance to be provided will be reviewed and incorporated in the entitlement matrix.

IV. PROCEDURAL GUIDELINES FOR LAND ACQUISITION, RESETTLEMENT, AND REHABILITATION PLANNING (LARRP)

A. Inventory and Entitlement

12. An inventory for each subproject such as a road, bridge, irrigation canal, water supply pipe alignment or segment thereof will be prepared by the Community with the assistance of the Area Coordinating Team or Service Provider using the ESSC (Annex F). The initial output shall be reviewed and discussed during the barangay assembly prior to the preparation of the appropriate instrument following this framework.
13. The information to be obtained in the Inventory will include the following information for each DP household:
 - (i) number of persons and names;
 - (ii) amount and area of all the residential plots lost;
 - (iii) amount, category/type and area of agricultural land lost;
 - (iv) quantity and types of crops and trees lost;
 - (v) quantity and category of any fixed assets lost; and
 - (vi) temporary damage to productive assets.
14. The entitlements of assets and land affected shall be calculated based on the above information and using the compensation matrix, per approval and acceptance of the community/barangay assembly.

B. Preparation of Appropriate LARR Instrument

B.1 Voluntary Land Acquisition

15. Given the KC experience, voluntary land acquisition (VLA) is expected to be the main instrument in land acquisition for NCDDP. In the rural areas where donations of lands for community use are generally practiced, arrangements have to be made to ensure that the donation is indeed voluntarily given, that the donor is the legitimate owner of such lands, and that the donor is fully informed of the nature of the subproject and the implications of donating the property. Should the donor decide to donate the property on a con-

ditional basis, the terms and conditions for the temporary use (usufruct rights) of the property must be clearly stated in the Usufruct Agreement or conditional Deed of Donation document.

16. Under these situations, the following land acquisition documentation need to be completed, based on their relevance to the cases being encountered by subproject proponents: (Annex J provides the set of templates for VLA. These templates must be fully accomplished and shall form part of the subproject proposal.)
 - (i) An assessment that the affected person does not suffer a substantial loss affecting his/her economic viability as a result of the donation;
 - (ii) Certification from the LGUs and the proponents, that the land is free of claims or encroachments from any third party;
 - (iii) Deed of Donation to the LGU (barangay, municipality) concerned or the community organization, as witnessed by the LGU barangay and municipal government officials, notarized by a registered Lawyer, with copies of donation papers furnished the Office of the Municipal Assessor and the Provincial Register of Deeds;
 - (iv) Declaration of Ownership with Waiver of Claims for Affected Assets;
 - (v) Joint Affidavits of Two Adjoining Landowners or Barangay Officials (for unregistered lands);
 - (vi) Waiver of Rights/Quit Claim (for Plants, Trees, Houses, Structures claimed by Tenants, Informal Settlers)
 - (vii) Waiver of Rights/Quit Claim (With Sharing of Claim)
17. As incentive of the LGU to DPs who voluntarily donated portions of their properties to facilitate construction/rehabilitation of the proposed subproject, proponents and LGUs can discuss possible incentive schemes, which may include:
 - (i) Privileges to use community facilities with minimal fees to be paid by donor, as compared to other members of the Association;
 - (ii) Amnesty for payment of back taxes (for those with no Tax Declarations);
 - (iii) Employment during construction;
 - (iv) Transfer/resettlement assistance, when necessary; or
 - (v) Assistance in getting alternative employment.
18. The Project external monitor will be part of the oversight of voluntary land donations and the previously described process has been followed.

B.2 Land Acquisition, Resettlement, and Rehabilitation Plan (LARRP) / Resettlement Plan (RP)

19. This Framework provides guidance in developing a Land Acquisition, Resettlement and Rehabilitation Plan (LARRP) or Resettlement Plan (RP) when involuntary taking of land cannot be avoided. To ensure that the anticipated negative social impacts of proposed NCDDP community infrastructure subprojects are addressed, a LARRP/RP shall be prepared and shall be part of the subproject proposal that would be submitted to the Regional Project Management Office (RPMO).

20. The LARRP shall be required under the following circumstances:

- (i) 200 people or more will experience resettlement effects
- (ii) 100 DPs or more are indigenous peoples or in some way vulnerable, e.g., households headed by women, persons without legal title; or
- (iii) 50 DPs or more are particularly vulnerable, e.g., hunter-gatherers, conflict affected persons

21. An RP shall be required if the number of DPs do not reach the above level. The RP shall be prepared per municipality to be submitted and approved prior to sub-project implementation.¹⁹ The RP template is provided in Annex M.

22. The LARRP/RP shall be prepared following World Bank's OP/BP 4.12 and ADB SPS 2009.

C. Land Acquisition, Resettlement and Rehabilitation Planning (LARRP) in the Subproject Approval Process

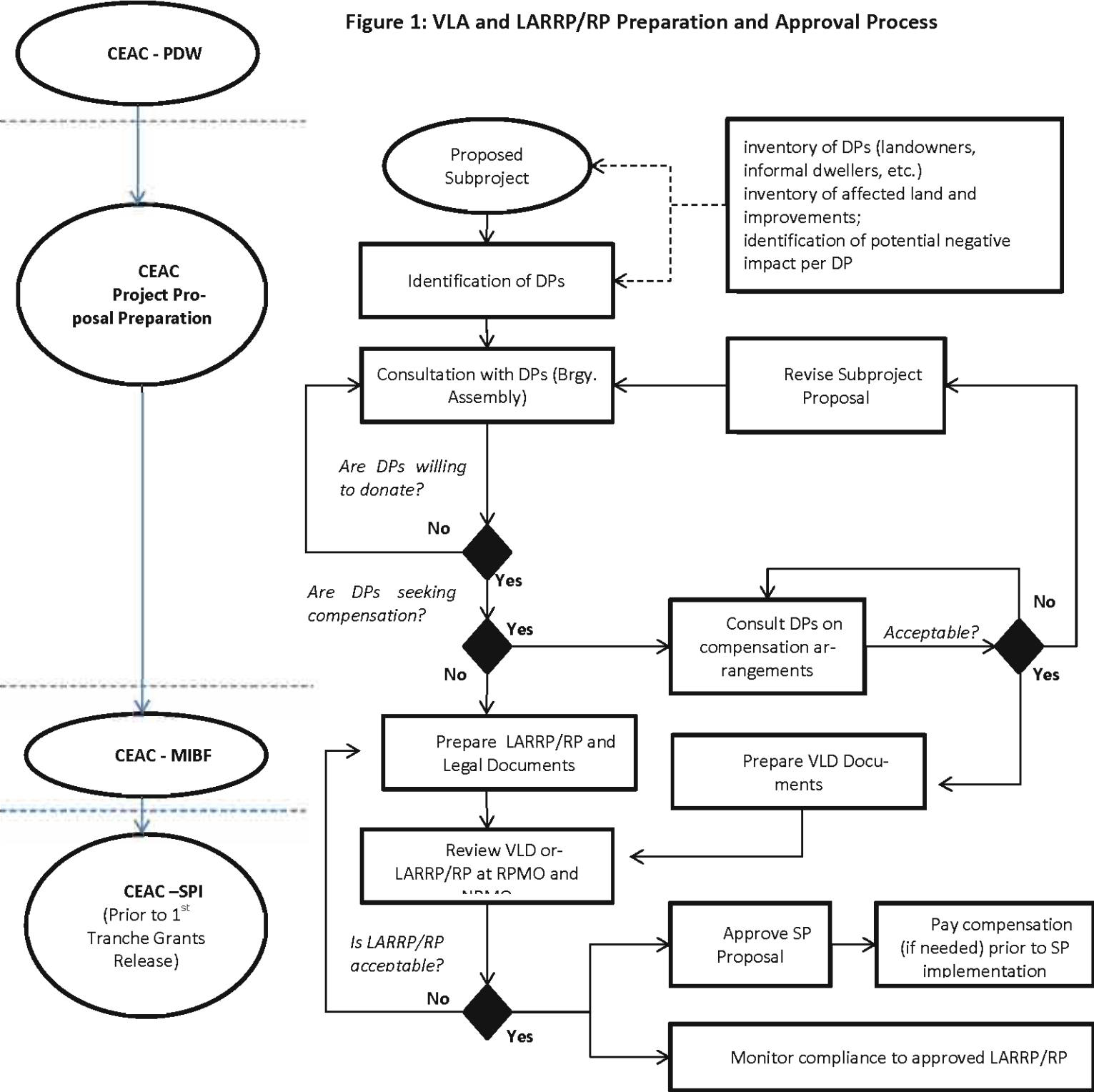
23. The guiding principles contained in this document shall be adapted. The plans should reflect the inventory of affected persons and properties, number of persons eligible for each entitlement or form of assistance as stated in the LARR Framework and Implementation Guidelines, cost estimates and arrangements for consultation and participation.

24. If indigenous peoples are among the subproject beneficiaries, the plan should include details and documentation on IP consultation which should include:

- (i) Extensive consultation with and informed participation of IPs to ensure that development is culturally appropriate;
- (ii) In cases of provision for individual titling, areas with IPs should get Information and Education Campaign (IEC) sessions so that they are aware of what they are getting into and some of its potential dangers;
- (iii) Capacity building activities and other important elements outlined in the IPPF.

¹⁹ For ADB funded sub-projects, RP must be approved by ADB prior to sub-project implementation.

Figure 1: VLA and LARRP/RP Preparation and Approval Process



25. Payment of compensation and provision of other entitlements (in cash or in-kind) shall be satisfactorily completed for each subproject prior to the commencement of civil works by the community.
26. The same time requirement would apply if DPs voluntarily contribute any part of their land and/or assets for the subproject. That is, all deeds of donations and other relevant legal instruments for each subproject shall be satisfactorily completed prior to the conduct of the MIAC technical review and sequent request for fund release (RFR).

V. REPLACEMENT COST STUDY

27. The determination of the compensation for each of the affected households can be obtained using the Bureau of Internal Revenue (BIR) land valuation, assessors' fair market values and interviews with local realtors. The project will engage a regional appraisal team to initially determine the value for compensation. The unit costs should be at replacement level and based on empirical data. The study will be part of project cost. Market value on land may be based on Land Bank of the Philippines (LBP) record sales.

VI. RIGHT-OF-WAY VALUATION

28. In view of Cost-Sharing Arrangement for NCDDP, LGU equity as far as costs related to LARR documentation and implementation, shall cover the following items:
 - (i) Value of land – depending on the type of area that will be traversed by the subproject
 - (ii) Value of Improvements that will be damaged during construction (crops, trees, structures, etc)
 - (iii) Other costs related to ROW acquisition (inventory of subproject affected stakeholders, consultation with affected individuals, notarization, cost of parcellary survey for annotation of individual land titles, etc.)
29. ROW Valuation shall be subject to the approval of NPMO, based on the submission of the following documents:
 - (i) Certification from the regional and municipal offices on the submission of complete and correct legal and supporting documents
 - (ii) Submission of Inventory of Subproject Affected Persons and Improvements
 - (iii) Submission of Summary Table of Right-of-Way (ROW) valuation with corresponding supporting documents (copy of Deed of Sale/Provincial Assessor's Valuation Schedule/Bureau of Internal Revenue (BIR) Zonal Valuation Schedule as basis of valuation for land and improvements that will be affected by the proposed subproject)
30. Validity of ROW Valuation shall be based on the Minutes of Meeting to be submitted by the MLGU reflecting the following: (a) that consultation with the subproject affected stakeholders has been conducted and they were informed of the proposed subproject(s),

(b) that the proposed subproject(s) will traverse private properties which were donated or acquired by the MLGU (please specify), and (c) it was agreed among those present during the consultation that the basis of valuation for: c-1. land shall be Proof of Sale or Land Bank of the Philippine Certification or Provincial Assessor's Valuation or BIR Zonal Valuation (this should be specified in the Minutes of Meeting) and c-2. for improvements that will be damaged during construction, the basis of valuation shall be Provincial Assessor's Valuation or BIR Zonal Valuation or Bill of Materials (this should be specified in the Minutes of Meeting).

VII. MONITORING AND REPORTING

31. **Internal Monitoring.** In case of subprojects with involuntary resettlement impacts funded by ADB, the RPMO will prepare quarterly monitoring report on RP implementation and submits to NPMO for consolidation, prior to submission to ADB and uploading at the ADB website.
32. **External Monitoring.** An independent agency acceptable to ADB will be engaged by NPMO to carry out external regular monitoring and evaluation including: (i) KC-NCDDP Project mid-term, and (ii) prior to project closure, and forward periodic reports accordingly to ADB. The NPMO will ensure that funds are available for monitoring activities and that reports are submitted to ADB. In case of voluntary donated land, the EM will be part of the third party oversight.

Annex H:

INDIGENOUS PEOPLES POLICY FRAMEWORK

I. POLICY PRINCIPLES AND OBJECTIVES

1. The NCDDP Project shall (a) ensure the informed participation of indigenous peoples in the activities of the NCDDP in both new and repeat municipalities under the KALAHI-CIDSS Project, so that they are in a position to receive culturally compatible social and economic benefits, and (b) ensure that indigenous peoples are not adversely affected during the development process.
2. The NCDDP Project shall undertake activities to ensure that IPs in Project-covered areas are able to:
 - (i) Provide input to local planning data and activities used and undertaken to determine development priorities;
 - (ii) Facilitate the choice of community subprojects as coming from the IPs themselves through informed decision-making to address local development challenges;
 - (iii) Actively participate and lead in the design, development, and implementation of community subprojects, and;
 - (iv) Provide feedback on subproject implementation, and benefits and risks to IP groups.

II. GUIDELINES IN ENGAGING INDIGENOUS PEOPLE

3. The analysis of KALAHI-CIDSS implementation in IP areas carried out as part of NCDDP preparation highlighted a series of adaptations already being implemented by Regional teams. In addition to recommending that these innovations be systematized and included in the CEAC, the study highlighted additional changes to the process to improve its responsiveness to the needs of IP communities. In particular: (i) NCDDP implementation in IP areas will require additional time and a greater focus on capacity building activities drawing on the Technical Assistance Fund (included in the Community Grants); (ii) there is significant reluctance/lack of confidence on the part of IP groups (particularly in mixed communities) to engage in competitive processes at municipal level to secure funding for their sub-project proposals which will require some further adjustments to the facilitation process (including preparatory meetings with IP groups where relevant); and (iii) land (access and title through CADCs and ADSDPPs) is a significant concern of IP groups currently not being addressed through CDD interventions.
4. Based on the findings of the IP analysis the following adjustments to the facilitation process were agreed on: (i) the development of specific NCDDP facilitation modules for IP areas with a strong focus on capacity building of communities, awareness raising on IPRA and meeting the documentation requirements for Ancestral Domain Claims (ii) adjustments in the criteria setting process in mixed communities to ensure that greater weight is given to proposals from IP communities (therefore making some adjustments to the competitive process to the advantage of IP groups). In addition, the DSWD will es-

establish a protocol with NCIP for addressing land issues and clarify roles and responsibilities at National, Regional and Municipal levels. Finally, IP specialist positions will be established at NPMO and Social Development Unit staff at Regional level will be tasked with the coordination of the additional activities proposed; and a Technical Working Group on IP issues will be created at National level for closer engagement with NCIP and civil society organizations active in this area.

5. The key element of the NCDDP Project's CDD strategy is facilitated participatory planning and community implementation and management of development activities at the community (barangay) level, through the Community Empowerment Activity Cycle (CEAC)²⁰. In ensuring meaningful participation of IPs, NCDDP Area Coordinating Teams (ACTs) shall (a) make use of appropriate mechanisms and structures, and; (b) undertake specific activities, that will enable indigenous groups to meaningfully engage in CEAC activities.

Staff Development

6. Orientation on the IPRA as well as the Project's strategy to address indigenous peoples' concerns, including orientation on the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP) or NCIP Administrative Order No. 1, series of 2004, and the FPIC process (NCIP AO 3 Series of 2012), shall form an integral part of the training program for Project staff at all levels, in order to better prepare Project staff in engaging IP communities in the NCDDP Project. Collaboration with NCIP shall be established to ensure that trainers are knowledgeable to impart IP-related knowledge and that the training or capacity building processes are IP-friendly.
7. IP specialists will be hired and mobilized at NPMO and RPMO with IP population. In municipalities known to have IP communities, community facilitators with extensive IP background will be hired and trained.

IP engagement along the CEAC

8. **Social Preparation:** In undertaking CEAC Social Preparation activities, ACTs shall ensure the following:
 - (i) **Engagement with NCIP.** Full engagement and coordination with NCIP across levels, parallel to the Project implementation structure will be observed at Project start. This engagement shall also lead to agreed protocols (including but not limited to geographical area coverage, development planning, consultation, etc.) in compliance with the FPIC process before the Project works with IP communities even at the planning stage.
 - (ii) Demographic and other data on the situation of IP communities are gathered by Community Facilitators (CFs) and other members of the ACT as part of Social Investigation (SI), and that these data are used during team meetings and tactic sessions to design activities and calibrate social facilitation plans for IP groups within their covered municipalities.

²⁰ For a full description of the CEAC Process, please refer to Chapter 3 of the CEAC Field Guide of the KALAHI-CIDSS Project.

- (iii) Council of Elders headed by the chieftain leaders and representatives of IP groups, as well as of the National Commission on Indigenous Peoples (NCIP), are present during the conduct of Municipal Orientations.
- (iv) Attendance forms used in Barangay Assemblies will reflect the IP composition of the attendees, as well as capture membership in a particular IP group, of attendees who are IPs. In cases where a particular IP group is underrepresented, the ACT shall conduct additional meetings with the IP group concerned to feedback and gather inputs on concerns raised and decisions to be made in the BA.
- (v) IP Leaders and representatives of IP groups are selected as community volunteers for the Participatory Situation Analysis (PSA) activities as selected by the IPs themselves.²¹ ACTs shall ensure that data on the situation of IPs are generated gathered, analyzed, and used in all stages of the PSA process.

9. Subproject Identification and Development: In undertaking CEAC Subproject Identification and Development activities, ACTs shall ensure the following;

- (i) IP Leaders, or their duly appointed representatives as selected by them, are included as members of community volunteer committees charged with the task of preparing criteria for prioritization, and with preparing subproject proposals.
- (ii) Criteria on effects to IPs, including subproject benefits for, and potential risks to IP communities are used in identifying and selecting community subprojects to be proposed by the Barangay.
- (iii) For subprojects with adverse IP impacts, IP Plans are prepared to be consolidated at the municipal level to be submitted for approval. (The IPP template is provided in Annex M.)
- (iv) IP Leaders/representatives, as well as the NCIP are continually regularly consulted, their opinions and insights gathered, and their recommendations used in the design of community subprojects, and the development of community proposals.
- (v) ACTs shall ensure that the process for designing subprojects are undertaken in a form and manner that is sensitive to and reflect IPs cultural identity, and are in line with the provisions of the IPRA law. The ACT shall likewise ensure consultation assemblies are undertaken specifically with IP groups at each stage of the subproject design and development process, and prior to Barangay Assemblies where decisions are made on important elements of the Subproject proposal, including but not limited to (a) site for subproject within IP areas; (b) use of materials and resources; (c) inclusion / exclusion of IPs as beneficiaries, and other concerns affecting IPs.
- (vi) Baseline data on indigenous groups are included as part of the community profile and needs assessment forms required for subproject proposals.

10. Prioritization: In undertaking Prioritization activities, ACTs shall ensure the following;

- (i) IP Leaders and representatives are included as members of the Inter-Barangay Forum (IBF), which shall prioritize proposed community subprojects for funding. In homogenous or predominantly IP barangays, an IP member shall be selected to represent the barangay in the IBF. In areas where an IP community straddles many barangays, but where the individual barangays are composed of mixed IP and non-IP populations, the team shall ensure that the IP tribe or community is represented in

²¹ NCIP AO 2 Series of 2012.

- the IBF by an IP leader selected by them. This shall be in addition to the CVs selected by the barangays through the BA.
- (ii) Leaders and representatives of IP barangays are adequately represented in the crafting of the prioritization criteria during the Criteria Setting Workshop (refer to item 152, (i), above).
 - (iii) Criteria on benefits to IPs are included in the ranking by the MIBF of a subproject to be implanted in an IP area or barangay.
- 11. Subproject Implementation:** In undertaking CEAC Subproject Implementation activities, ACTs shall ensure the following;
- (i) Management committees of community subprojects implemented under the NCDDP Project in IP areas or are intended to generate benefits for IP include IP community volunteers / leaders selected by the community following customary procedures. In addition, members of IP communities shall be given priority in benefiting from labour and remuneration for work attendant to the implementation of subprojects in IP areas.
 - (ii) IP community volunteers involved in managing all aspects of subproject implementation, from procurement to implementation and construction (for infrastructure subprojects), to managing finances, as provided with training to equip them with bookkeeping, simple accounting, procurement, and resource management skills during design and implementation stages.

III. UNANTICIPATED IMPACT

12. Indirect, and/or unanticipated impacts on IPs may become apparent during subproject implementation.²² Should this be noted, the NPMO will ensure that a social impact assessment will be conducted resulting to an updated IPP or formulation of a new IPP covering all applicable requirements specified in this ESMF. The social impact assessment will be done in accordance with the procedures stipulated under the CEAC.

IV. INFORMATION DISCLOSURE

13. For IP communities, pertinent information for disclosure are: (i) notices of meetings/ consultation, (ii) NCDDP concept and implementation arrangements, (iii) results/minutes/ agreements made during meetings/consultations, grievance redress mechanisms, results of assessment studies, IPPs, and M&E results.
14. Disclosure modalities will be in accordance with prevailing customs and traditions and shall be written in English or Pilipino and in the IP language and authorized by community elders/leaders shall be delivered and posted in conspicuous places or if lengthy, copies provided to community elders/leaders and IP organizations. Popular forms of printed materials include: fact sheets, flyers, newsletters, brochures, issues papers, reports, surveys etc. Popularized materials aim to provide easily read information. These materi-

²² ADB Safeguards Policy Statement 2009: Appendix 3.

als may be in the local dialect enhanced with drawings, to inform a wide range of IPs about the planning and assessment processes and activities.

15. DSWD will disclose the following documents: (i) this Indigenous Peoples Policy Framework, as endorsed by DSWD and by NCIP, (ii) new or updated Indigenous Peoples Plans; and (iii) monitoring reports in relation. These documents will be generated and produced in a timely manner, and posted in ADB, World Bank, and DSWD NCDDP websites, as well as at any locally accessible place in a form and language understandable to the affected IPs and other stakeholders. Relevant ADB and World Bank information disclosure policies would be followed.

V. MONITORING

16. The NCDDP shall ensure proper monitoring and evaluation of compliance to this IPPF. Project monitoring of IP engagement shall generally include the following:
 - (i) **Compliance Monitoring** – This shall include establishment and maintenance of an IP database, and monitoring arrangements to (a) track engagement of indigenous groups in the various activities along the CEAC, and; (b) to determine whether IPPs were carried out as planned, and accordance with this IPPF; The NPMO shall conduct supervision and in-house monitoring of implementation of the IPP. The procedure for monitoring will be guided by the monitoring, evaluation, and reporting arrangements set forth in this IPPF. An appendix in the IPPF provides the guidance in the preparation of internal and external monitoring indicators.
 - (ii) **Community self-assessments** of subproject preparation and implementation, to provide an avenue for IPs to communicate whether they have been involved in subproject activities and whether the final subproject addresses their needs, and;
 - (iii) **Independent, external monitoring** by civil society (NGO's and the press), and by an **External Monitoring Agency (EMA)**, to provide avenue for identification of cases where indigenous groups have been bypassed or marginalized in the subproject planning and selection process.
17. **External Monitoring Agency (EMA).** External Monitoring will be commissioned by the NPMO to undertake independent external monitoring and evaluation, through an EMA who will be either a qualified individual or a consultancy firm with qualified and experienced staff. The Terms of Reference (TOR) for the EMA shall be prepared by the NPMO and shall be acceptable to ADB and WB prior to engagement. The NPMO shall be responsible for the engagement of the EMA, and shall ensure that funds are available for monitoring activities, and that monitoring reports are submitted to the ADB, World Bank, and the NCIP.
18. **NCIP engagement in M&E.** In addition, Chapter III, Section 44 (h) of the Indigenous People's Rights Act mandates that the National Commission on Indigenous Peoples (NCIP) be involved in monitoring of Project implementation in relation to indigenous peoples engagement. To this end, the NCIP sits as a member of the NCDDP National Steering Committee. All RPMOs with NCDDP areas covering IP areas shall ensure that the NCIP is likewise represented at the RPMT. The RPMOs shall likewise invite repre-

sentatives from the NCIP to observe and participate in municipal-level activities in IP areas.

19. **Schedule of Monitoring and Reporting.** The NPMO shall establish a schedule for the implementation of this IPPF, and the IPPs taking into account the Project implementation schedule. It is expected that one month prior to the start of subproject implementation, internal and external monitoring key actors shall have determined all IPP activities. Quarterly progress reports shall be prepared and submitted to the ADB, World Bank, and the NCIP, following the NCDDP regular reporting systems and procedures. External monitoring reports shall be submitted on a semi-annual basis.

VI. GRIEVANCE REDRESS

20. The Project's grievance redress system shall be used as the mechanism for IP groups to air out complaints or grievances in the course of implementation. Community facilitators shall inform indigenous groups about this system at the start of the implementation of the Project in the municipality in a culturally appropriate manner. Staff shall ensure that meetings and consultations about the system are conducted with IP groups on the system, independently of the regular GRS orientation activities, if needed. IPs shall likewise be informed that complaints may also be registered with and by the NCIP, and included in their quarterly reporting to the National Steering Committee (NSC) or the National and Regional Project Management Team (NPMT and RPMT, respectively). Regional offices shall ensure that the NCIP will likewise disseminate this information through its staff to indigenous groups, local non-government organizations (NGO) and the press.
21. In addition, the Project will continue to maintain a grievance register, which will provide information on the number and type of grievance and complains from indigenous groups at the municipal and provincial levels, and on the way these complaints have been addressed. This information will be included in the quarterly Project reports to the National Steering Committee (NSC).
22. To the extent possible, resolution of grievances involving IP communities related to Project implementation shall be through traditional IP grievance resolution processes and systems, following of the principle of precedence of customary laws in the IPRA.

VII. INSTITUTIONALIZATION

23. The NCDDP Project adopts an institutionalization framework and strategy that seeks to integrate lessons in the implementation of CDD processes and strategies into the regular planning, budgeting, implementation, and monitoring processes, systems, and structures of the barangay and municipal LGUs. In Project areas where IPs are found, Project staff shall ensure that NCDDP participatory approaches for engaging IPs, as well as the development priorities of IP are integrated into the local development planning system of LGUs, in line with the NCDDP institutionalization framework and strategy. These can include (a) integration of key features of this safeguards framework and strategy into the LGUs governance systems; (b) establishment and maintenance of IP databases; (c) integration of ADSDPP processes into the MLGU local development planning instruments

and manuals, and; (d) facilitating review and/or development of ADSDPPs, among others.

Annex I

**Environmental and Social Management Plan (ESMP) and Mitigating Measures
for Eligible Sub-projects under the KC-NCDDP**

(_____ Barangay, Municipality of _____ Province of _____, Region _____)

NOTE: Summary of consultations (signed by community empowerment facilitator) must be attached with the following information for each consultation: (i) date of consultation; (ii) venues of consultation; (iii) who are the participants (for example: residents of the barangay, women, indigenous peoples, etc.), number of participants (number of women, number of men, number of members of ethnic minority/indigenous peoples); (iv) topics discussed; (v) issues and questions raised by participants; (v) conclusion on issues and questions raised

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
Phase 1: Planning, Development, and Pre-Implementation/Pre-Construction Phase						
1.1 In Compliance with: Govt. Policies on a) Program policies on participation of women, and Gender and Development, and; b) GOP: RA 7192 Women in Development and Nation Building;						
1.1.1						
1.1.2						
...						
1.2 In compliance with RA 8371 Indigenous Peoples Rights Act (IPRA) and NCIP AO No. 3 series 2012, and WB and ADB safeguards policies on Indigenous Peoples						
1.1.1						
1.1.2						
Notes:						
1. Describe the <u>positive</u> and/or <u>negative</u> impacts on indigenous peoples and include the						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
following information: - Types of impact ²³ and number of affected IP households and IP persons <u>for each ethnic group</u> - Severity of impacts ²⁴ - Baseline socioeconomic information on affected IP communities ²⁵						
1.3 In compliance with PD 1067 Water Code of the Philippines, regulations on easements, and guidelines on No build, No dwelling, and Multi-hazard risk areas.						
1.1.1 1.1.2 ...						
1.4 In compliance with RA 8974 and RA 7279; EO 1035 Acquisition of Private Property and latest issuances on WB and ADB safeguards policies on involuntary resettlement						
1.1.1 1.1.2 ... Note: 1. Where there are land acquisition and/or involuntary resettlement impacts, include details on: - Number of Affected Households for each category of impact or type of loss ²⁶	Note: For sub-projects with involuntary resettlement and/or land or right of way (ROW) acquisition, state amount and arrangements for compensation and other					

²³ Impacts can be NEGATIVE or POSITIVE in one or more of the following aspects: (i) customary/traditional rights of use and access to land and natural resources; (ii) socioeconomic status; (iii) cultural and communal integrity; (iv) health, education, livelihood and social security status; (v) indigenous knowledge.

²⁴ State whether or not the impacts can be reversed or mitigated and if these are permanent

²⁵ For example, include the following information on each affected indigenous group: percentage of the indigenous group in the total population; literacy/education level; main source of livelihood; poverty status, other **factors that may affect their effective participation in the Project and whether or not they benefit from the Project.**

²⁶ Example of type of loss: permanent and/or temporary loss of residential land, commercial land, productive land, etc.; total or partial loss of structures (house, fence, etc); loss of crops, trees, etc.

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
(disaggregated by ethnic group and gender of household head) - Number of Affected Persons - Severity of loss ²⁷	rehabilitation measures for <u>each type of loss</u> on land and non-land fixed assets and/or income sources and/or access to resources based on the Project Resettlement Framework and prior consultation ²⁸ with project-affected persons					
1.5 In compliance with PD 1144 Fertilizer and Pesticides Act, and ADB and WB regulations on the use of pesticides.						
1.1.1 1.1.2 ...						
1.6 In compliance with other relevant laws and regulations						
1.1.1 1.1.2 ...						
Phase 2: Implementation / Construction Phase						
2.1 Physical Environment						
2.1.1 Land a. b. ...						
2.1.2 Water Quality/Hydrology a. b. ...						
2.1.3 Air Quality a. b. ...						

²⁷ For example: (number) of households will permanently/temporarily lose a total of ____ m2 of ____ land. There are (number) of severely affected households with (number) of severely affected persons (severely affected households are those who (i) lose 10% or more of their total productive assets (e.g. productive land, income sources); and/or (ii) are physically displaced or relocated due to the project.

²⁸ This must be reflected in the summary of consultations that will be attached to the plan.

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
2.2 Biological Environment						
2.2.1 Forest and plant life a. b. ...						
2.2.2 Wildlife a. b. ...						
2.2.3 Fisheries, Aquatic life a. b. ...						
2.3 Social Environment						
2.3.1 Participation of women in paid labor and implementation management a. b. ...						
2.3.2 impacts on indigenous peoples (IP), including participation in paid labor and implementation/management of the sub-project, participatory monitoring Note: include information on the number of affected IP households and persons for each type of impact and for each ethnic group a. b. ...						
2.3.3 Safety in construction a.						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
b. ...						
2.3.4 Resettlement Impacts during construction, including access restriction, temporary impacts on livelihood Note: provide the following information: <ul style="list-style-type: none"> - Number of affected households and affected persons - Ethnicity of the affected households - Any other factors that make the affected household vulnerable²⁹ a. b. ...						
2.4 Other impacts						
a. b. ...						
Phase 3: Operation and Maintenance Phase						
3.1 Physical Environment						
3.1.1 Land						
a. b.						

²⁹ For example, socioeconomic status (the house is poor), headed by a woman or the elderly without additional means of support, etc.

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
...						
3.1.2 Water Quality/Hydrology a. b. ...						
3.1.3 Air Quality a. b. ...						
3.2 Biological Environment						
3.2.1 Forest and plant life a. b. ...						
3.2.2 Wildlife a. b. ...						
3.2.3 Fisheries, Aquatic life a. b. ...						
3.3 Social Environment						
3.3.1 Participation of women in management of O&M a. b. ...						
3.3.2 IP participation in O&M a. b. ... Notes: 1. Information to be disaggregated by ethnic group 2. Consider and state the						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
factors that may affect the households' ability to participate in O&M						
3.3.3. Participation of Households affected by involuntary resettlement in O&M a. b. ... Note: consider and state the factors that may affect the households' ability to participate in O&M						
3.3.4 Access and/or use restriction a. b. ... Note: Information to be disaggregated by ethnic group						
3.3.5 Induced activities with negative cumulative effects a. b. ... Note: Information to be disaggregated by ethnic group						
3.4 Other impacts						
a. b. ... Note: Information to be disaggregated by ethnic group						
Phase 4: Abandonment Phase						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>

Prepared by:

PPT

Date: _____

The LGU OF BRGY. _____ is confirming its willingness and commitment to implement and allocate funds for the abovementioned ESMP.

Barangay Chairperson

Date: _____

Approved and noted by:

Municipal Mayor

Date: _____

Reviewed and Endorsed to the SRPMO by: _____ Area Coordinator Date: _____	Reviewed and Endorsed to the RPMO by: _____ SRPMO Head Date: _____
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SAMPLE ONLY:

**Environmental and Social Management Plan (ESMP) and Mitigating Measures
for Eligible Sub-projects under the KC-NCDDP**

(_____ Barangay, Municipality of _____ Province of _____, Region _____)

NOTE: Summary of consultations must be attached with the following information for each consultation: (i) date of consultation; (ii) venues of consultation; (iii) who are the participants (for example: residents of the barangay, women, indigenous peoples, etc.), number of participants (number of women, number of men, number of members of ethnic minority/indigenous peoples); (iv) topics discussed; (v) issues and questions raised by participants; (v) conclusion on issues and questions raised

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
Phase 1: Planning, Development, and Pre-Implementation/ Pre-Construction Phase						
1.1 In Compliance with: Govt. Policies on a) Program policies on participation of women, and Gender and Development, and; b) GOP: RA 7192 Women in Development and Nation Building;						
	-	-				
1.2 In compliance with RA 8371 Indigenous Peoples Rights Act (IPRA) and NCIP AO No. 3 series 2012, and WB and ADB safeguards policies on Indigenous Peoples						
Lack of two-way information sharing and/or low participation of the community, particularly the marginalized sectors such as IP and women, in	- Hold consultative meetings with project beneficiaries and affected persons on the sub-project components and management plan with particular attention given to marginalized sectors such as IP	- Proof of prior coordination, consultation ³⁰ , participation in various stages of the project starting from planning activities to operation and maintenance: <ul style="list-style-type: none"> General community 	LGU/Proponent to take the lead in coordination and consultations, particularly the Municipal Social Welfare Department and the Community Relation Officers. For sub-projects with IP	<u>Both measures and monitoring to be done as follows:</u> <ul style="list-style-type: none"> During sub-project conceptualization and initial design Prior to finalization of the sub- 	Consultative meetings to be held about 3x prior to construction: P100/meeting x 50 pax/mtg x 3 meetings x 2 sectoral groupings (one general, one	

³⁰ Summary of consultations to be attached to the ESMP. Detailed minutes must be kept on file at the A/MCT office.

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
sub-project planning and activities	and women - Prior coordination and separate consultations with marginalized sectors such as IP and women's groups	<ul style="list-style-type: none"> ▪ IP groups ▪ Focused women's groups ▪ Other vulnerable groups *Proof: e.g. Attendance Sheet, Minutes of Meetings (including summary of issues raised and project response), Copy of Presentation Materials (to validate content and coverage of disclosure/ consultation)	communities, continuing coordination with NCIP required.	project design <ul style="list-style-type: none"> ▪ Prior to construction 	women) x ____ barangays = P____	
1.3 In compliance with PD 1067 Water Code of the Philippines, regulations on easements, and guidelines on No build, No dwelling, and Multi-hazard risk areas.						
	-	-				
1.4 In compliance with RA 8974 and RA 7279; EO 1035 Acquisition of Private Property and latest issuances on WB and ADB safeguards policies on involuntary resettlement						
Land or ROW acquisition, damages to fixed non-land assets (structures, crops, etc), impacts on sources of income/livelihood, impacts on access	<ul style="list-style-type: none"> - Disclosure of ADB and WB Involuntary Resettlement and compensation guidelines, e.g. market value as basis for pricing of land or crops and other properties - Prepare compensa- 	<ul style="list-style-type: none"> - Proof of screening activities carried out, including description of affected households and IP communities, if any; description of types and severity of involuntary resettlement impacts/other 	LGU to facilitate the consultations, disclosure of information and safeguards planning documents, preparation of compensation and rehabilitation	All compensation activities to be implemented prior to construction Include schedule for income restoration/ rehabilitation measures (if any)	Consultative meetings for disclosure and compensation and rehabilitation package drafting to be held about 2x prior to construction, with	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
to resources, etc	<p>tion and rehabilitation package for involuntary resettlement and land or ROW acquisition, including crop damage compensation and other impacts on land and non-land fixed assets and income sources and access to resources³¹ based on LARRF/RF and prior consultation³² with project-affected persons</p> <ul style="list-style-type: none"> - Secure proper land acquisition documentation signed by independent third-party witnesses (Deed of Donation or Quit Claim on land /other properties – to be attached to the ESMP) - Payment of compensation and rehabilitation measures in place prior to construction works 	<p>impacts on households and IP communities and baseline socioeconomic information on affected households and IP communities</p> <ul style="list-style-type: none"> - Proof (full documentation. Including attendance, minutes of meetings) of prior consultation and disclosure of ADB/WB/GOP guidelines for addressing involuntary resettlement and indigenous peoples impacts and grievance redress procedure - Proof of consultations with any affected IP groups, other vulnerable sub-groups (e.g. affected women-headed households, etc) including attendance sheets, summary of issues raised by participants and project response - Presence of com- 	<p>packages and payment of compensation/ establishment and implementation of other rehabilitation measures</p> <p>Where screening identifies IP impacts, project proponent to coordinate closely with NCIP</p> <p>(State entity responsible for internal and external monitoring and frequency of submission of monitoring reports – note that monitoring reports may be submitted even past payment of compensation depending on arrangements for income restoration and rehabilitation activities)</p>	<p>that must be in place prior to construction but have a more extended implementation period</p> <p>Include schedule of implementation of IP measures, including continuing consultation, participatory monitoring, benefit sharing mechanisms etc that must be in place prior to construction but that may have an extended implementation period</p>	<p>4 barangays (spatial approach) or sectors, including separate meetings as needed with affected IPs and other vulnerable groups:</p> <p>P100/meeting x 50 pax/mtg x 2 meetings x ___barangays or sectors = P_____</p> <p>Cost and source of funds for involuntary resettlement measures and IP planning measures, as needed, including and broken down by the following budget line items (as relevant): cost of compensation for acquired/affected assets; relocation</p>	

³¹ Particularly important for IP communities

³² To be fully documented, including attendance sheets and minutes showing issues raised by households and response of project proponent.

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
		<p>compensation and rehabilitation package tailored to specific sub-project impacts and needs of affected households, including additional measures for severely affected and vulnerable households</p> <ul style="list-style-type: none"> - Prepared supporting documentation (e.g. deeds of donation etc) - Proof of disclosure of safeguards documents (e.g compensation and rehabilitation package, IP measures, etc) - Proof that compensation payment is completed and rehabilitation measures are in place prior to displacement and before start of construction works 			<p>and transfer; income/livelihood programs; monitoring and reporting; establishment of benefit-sharing measures; contingency</p>	
<p>1.5 In compliance with PD 1144 Fertilizer and Pesticides Act, and ADB and WB regulations on the use of pesticides.</p>						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
	-	-				
1.6 In compliance with other relevant laws and regulations						
1.6.1 Entry of external workforce	Give hiring preference to qualified local community residents, particularly those who will be displaced	Proof of local residence, e.g. Community Tax Certificate (CTC) or certificate of residence issued by the Brgy. Captain	LGU to facilitate arrangements for local hiring	Prior to construction	No additional ESMP cost for hiring from the locality	
1.6.2 Possible illegal or unauthorized sourcing of construction materials	Procure construction materials from sources with valid environmental sources, i.e. for sand and gravel, from those with DENR-MGB/EMB permits; for timber resources, from those with valid DENR-FMB/EMB permits	Presence and validity of environmental permits and/or license of sources of construction materials: to be monitored prior to award to every contractor	LGU Municipal Project Office (MPO)	Every procurement activity prior to construction	No additional ESMP Cost, as this requirement is part of the Standard Operating Procedure in the GOP Procurement Guidelines	
Phase 2: Implementation / Construction Phase						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
2.1 Physical Environment						
<p>2.1.1 Land</p> <ul style="list-style-type: none"> - Destabilization of slopes and soil erosion due to earthworks - River bank erosion due to earthworks along rivers 	<ul style="list-style-type: none"> - Schedule the construction works during the relatively drier months - Implement appropriate erosion control, slope stabilization and protection measures - Vegetative stabilization of the sloping areas - Designate a Spoils Storage Area near the construction site 	<ul style="list-style-type: none"> - Presence of erosion control, slope stabilization and protection structures in the site - Absence of massive erosion induced by the construction works 	<p>Contractors to include in their bids the estimate of stabilization and erosion control measures;</p> <p>Contractors to implement and the LGUs to supervise the Contractors</p>	<p>Erosion control and stabilization measures shall be implemented simultaneously with construction works.</p>	<ul style="list-style-type: none"> - Vegetative stabilization estimate: P5,000/hectare * _____ sub-projects = P_____/ha - No additional ESMP cost for Mechanical or Engineering measures for soil erosion control and slope stabilization, as these are integrated in Sub-project design and cost for roads with critical slope. 	
<p>2.1.2 Water Quality /Hydrology</p> <p>2.1.2.1 Obstruction of natural and redirected flow of water during construction works along roads and flood control works</p>	<ul style="list-style-type: none"> - Leave enough channel for unobstructed river flow - Follow natural drainage paths when constructing road drainage canals and installing culverts 	<p>Presence of culverts properly placed along natural drainage paths</p>	<p>Contractors to implement while the LGU supervises the Contractors</p>	<p>Daily operations</p>	<p>No additional ESMP cost; Drainage and installation of culverts are integrated in the sub-project cost, being part of the standard design.</p>	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
2.1.2.2 Increase in total suspended solids, browning and turbidity of the receiving water body due to soil erosion/ increase in run-off from construction sites	<ul style="list-style-type: none"> - Same measures to control soil erosion; - Supplemental measure along the river, if needed: silt traps to minimize downstream siltation 	<ul style="list-style-type: none"> - Presence of soil erosion control measures - Temporal/Short-term browning or turbidity of the river - # public complaints received by PropONENT/ Contractor 	Contractors to implement while the LGU supervises the Contractors	Daily operations	No additional ESMP cost. Silt trap may be installed only as needed, supplemental to the soil erosion control measures. Will only need voluntary community labor or construction workers may devote certain number of hours for the task. The materials, e.g. rocks, may be sourced around the sub-project site.	
2.1.2.3 Increase in BOD load and debris in the waterbody due to improper disposal of sanitary and solid waste from the workers' base camp	<ul style="list-style-type: none"> - Provision of sanitary facilities to workers - Provision of facilities to workers to allow them to segregate, and properly dispose biodegradables from non-biodegradables. 	<ul style="list-style-type: none"> - Presence of sanitary and waste segregation/ containment facilities - No indiscriminately scattered solid waste 	Contractors to implement while the LGU supervises the Contractors	Daily operations	No additional ESMP cost if rental or construction of bunkhouse or basecamp includes the sanitary and waste disposal facilities (P5,000/ SP x _____SPs = P _____	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
2.1.2.4 Contamination by oil and grease and fuel spills from heavy equipment and storage areas	<ul style="list-style-type: none"> - Provide oil and grease traps upstream of any run-off discharge from the sub-project to the waterbodies - Provide ring canals around fuelling tanks/ motorpool/ maintenance areas - Collect used oils in containers and sell to licensed recyclers 	<ul style="list-style-type: none"> - No visible oil and grease film on waterbodies - # public complaints received by Proponent/ Contractor 	Contractors to implement while the LGU supervises the Contractors	Daily operations	Nil cost of improvised temporary ring canals around area of storage of fuel drum containers of fuel : P5,000 x ___ sub-projects = P_____	
2.1.3 Air Quality Increase in suspended dust particulates along unpaved roads, and obnoxious gas and particulate emissions and noise levels from heavy equipment operations within the vicinity of the construction and along the transport route of the heavy equipment	<ul style="list-style-type: none"> - Minimize night-time construction activities - Wet areas of dust sources to minimize discomfort to nearby residents - Control of vehicle speed to lessen suspension of road dust - Delivery equipment should be covered with tarpaulin sheets or any equivalent - Regular M&R of equipment - Contractor to present proof of compliance with emission standards as part of the annual vehicle registration process 	<ul style="list-style-type: none"> - Qualitative ambient noise levels within residential standards (based on comparative levels of sound in the natural environment) - Presence of truck cover during deliveries - Records of M&R of equipment - Records of annual registration of vehicle - # of people's complaints on disturbance caused by construction at a level disrupting their normal level of activities 	Contractors to implement while the LGU supervises the Contractors	Daily operations	Water spraying: only when needed; Expected to be nil since the households are far from the roads and the activities will only be rehabilitation	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
2.2 Biological Environment						
<p>2.2.1 Forest and plant life</p> <p>Localized tree cutting or vegetation clearing, and disturbance to wildlife</p>	<ul style="list-style-type: none"> - Prior acquisition of Tree Cutting Permit(TCP) - Compliance with conditions in secured permits - - Implementation of tree planting around the facility (at the school site) 	<ul style="list-style-type: none"> - Presence of permit - Compliance with conditions of TCP 	<ul style="list-style-type: none"> - LGU or Contractor may apply for the permits - Contractors to implement while the LGU supervises the Contractors 	Daily operations	Permit acquisition cost, about: P2,000 x _____SPs = P _____, total one-time application, including meetings and follow ups, and compliance with condition on disposition of the cut trees (e.g. may be requested by LGU from the DENR for use in the school to be constructed)	
2.2.2 Wildlife						
<p>2.2.3 Fisheries, Aquatic life</p> <p>Temporal smothering of aquatic life due to siltation from earthworks</p>	<ul style="list-style-type: none"> - This is a residual secondary impact of increased siltation which cannot be avoided but can be lessened in gravity thru the implementation of soil erosion control measures 	<ul style="list-style-type: none"> - Presence of soil erosion control measures - No fish kills due to smothering 	<ul style="list-style-type: none"> - LGU or Contractor may apply for the permits - Contractors to implement while the LGU supervises the Contractors 	Daily operations	No additional ESMP cost. Integrated in soil erosion control measures.	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
			tors			
2.3 Social Environment						
2.3.1 Participation of women in paid labor and implementation management	-	-	-			
2.3.2 Impacts on Indigenous Peoples (IP), including participation in paid labor and implementation/management of the sub-project, participatory monitoring	-	-	-			
2.3.3 Safety in construction Increased health risk due to improper disposal or lack of facilities for management of solid waste and sewage during construction	<ul style="list-style-type: none"> - Same measures for Water Quality to provide sanitary facilities and waste management facilities for construction workers; - Inclusion of the construction worker's base-camps in the barangay defogging to eliminate disease vectors, if solid 	<ul style="list-style-type: none"> - Same parameters for Water Quality control - Proper timing and frequency of barangay defogging (when deemed necessary by the LGUs) - # public complaints received by PropONENT/ Contractor 	LGU/IA and settlers to enter into MOA on ESW Mgt	Daily operations	No additional ESMP Cost – addressed by the Water Quality measures while defogging is a standard barangay activity	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
	waste is observed to have accumulated to alarming levels					
Increased community hazards of vehicular accidents due to construction works	<ul style="list-style-type: none"> - Provide appropriate warning signs and lighting - Heavy equipment to observe traffic rules 	<ul style="list-style-type: none"> - Presence of signages and lighting - # of accidents/ near-accidents reported to the barangay - # of public complaint 	<ul style="list-style-type: none"> - Contractor's project management and self-monitoring - LGU/ Community-based monitoring 	Daily operations	Signages cost allocation: P2,000 x ____ SPs = P____ (Normally, signages are standard costs of construction works, so this measure should not be attributed as an additional ESMP Cost)	
Exposure of workers to emergency or hazards of flashfloods along river	<ul style="list-style-type: none"> - Schedule the construction works preferably during the drier months - Install early warning system to inform workers to take extra precaution during unexpected rainy periods, e.g. a barangay resident living upslope to send a message on heavy rains and possible heavy flows at the headwaters. Communication may be thru text or cell phone call or thru sending a messenger to the sub-project site. 	<ul style="list-style-type: none"> - List of designated residents upslope to provide the information or signal. - Presence of system (procedures and timing) of communication to be observed by the LGU and the contractors. 	<ul style="list-style-type: none"> - Contractor's project management and self-monitoring - LGU/ Community-based monitoring and assignment of barangay residents to provide the early warning/signal. 	Daily operations, particularly during heavy rains.	No additional ESMP Cost – This is considered barangay volunteer or counterpart task, which is expected to happen only very occasionally or even rarely, although the impacts are very serious if the measure is not installed and not effectively done.	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
<p>2.3.4 Resettlement Impacts during construction, including access restriction, temporary impacts on livelihood</p> <p>Obstruction of public access through the road rehabilitation area</p>	<ul style="list-style-type: none"> - Provide access thru the road rehabilitation site by proper scheduling of rehab works along the road and/or assigning a barangay tanod to handle traffic management of pedestrian and vehicles - Provide alternate route 	<ul style="list-style-type: none"> - Presence of alternate access route - Allocation of space along road to allow passage of pedestrians and vehicles to pass through during rehab works - Presence of barangay tanod for traffic management - Presence of heavy traffic in road approach or along the road being rehabilitated - # public complaints received by Proponent/ Contractor 	<ul style="list-style-type: none"> - Contractor's project management and self-monitoring - LGU/ Community-based monitoring and assignment of barangay tanod for traffic management 	Daily operations	No additional ESMP Cost. Bgy Tanod to be provided by the LGU	
2.4 Other Impacts						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
Phase 3: Operations and Maintenance Phase						
3.1 Physical Environment						
<p>3.1.1 Land</p> <p>Leaching of soil nutrients and changes in soil characteristics due to excessive application of irrigation water, or due to improper/excessive use of agro-chemicals</p>	<p>ISA will regulate use of irrigation water and charge water usage fees, a deterrent to excessive use of water.</p>	<p>Records on water withdrawals and distributed to the service area</p>	<p>CIS ISA to manage the imposition and collection of water usage fees</p>	<p>From the initial operation of the CIS facility</p>	<p>No Additional ESMP Cost: This is part of sub-project institutional plan</p>	
<p>3.1.2 Water Quality/Hydrology</p> <p>Reduction of downstream water supply, especially during peak season, resulting to disruption or deprivation of other water users downstream</p>	<ul style="list-style-type: none"> - Renew NWRB clearance/water permits annually - Ensure there is good upper watershed management thru coordination with the DENR or taking initiatives in forest cover protection 	<ul style="list-style-type: none"> - Presence of renewed annual permit from NWRB - Records of upper watershed status - Records of upper watershed management activities by the DENR or the LGU 	<p>ISA to apply for the permit renewal</p>	<p>Annual</p>	<p>Cost of permit renewal and coordination with the DENR annually: P5,000/yr</p>	
<p>Obstruction of water flow due to aggregation of garbage at the</p>	<ul style="list-style-type: none"> - Regular removal of debris and other waste that may obstruct water flow 	<ul style="list-style-type: none"> - Absence of accumulated garbage at the check/ control gates - List of IA members to do 	<ul style="list-style-type: none"> - IA to inventory list of volunteer members - IA to do self mgt. 	<ul style="list-style-type: none"> - Measure: Designate at the start of operation - Daily operations 	<p>No additional ESMP Cost: IA representative to be under the</p>	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
headworks or at the checkgates/ control gates of the irrigation system	- Designation of local community volunteers who will maintain the housekeeping of the irrigation distribution system	volunteer work on maintenance on solid waste management of the CIS	and monitoring	on waste mgt	volunteer program	
Obstruction of run-off along drainage canals causing the run-off to flow across the road surface, which may lead to erosion of the road	- Regular removal of debris, logs, and other materials along drainage canals so that no clogging occurs	No visible obstructions to the water flow, e.g. no debris along the water flow	OMC shall designate a barangay tanod to oversee the maintenance of the drainage canals along the road	Weekly or monthly or as the need arises, particularly after heavy rains	No additional ESMP cost: Collection of obstructions and drainage canal inspections are part of the regular job description for designated barangay personnel	
Agro-chemical contamination of surface and groundwater due to excessive or improper application of fertilizers and pesticides in the irrigation areas	- Analysis of the irrigation water near the downstream part of the service area prior to exit to natural waterways - Analysis of the groundwater within the influence of the service area - Periodic analysis of the soil to pre-empt potential soil toxicity	- Records of water and soil analysis - Compliance to Clean Water Act standards	ISA to coordinate with the DA for sampling of the CIS service area, or the ISA may also request the DENR to conduct groundwater sampling	Semi-annual or annual sampling: the controls are actually already put in place thru the regulation on the use of agro-chemicals and their application	Water and soil analysis part of DA monitoring program, or the DENR may be requested to sample exit points as part of their source monitoring Estimated budget for annual analysis: P500/sample x 4 quadrant sample areas x 3 sample	

Potential Impacts	Mitigation/ Enhancement Measures	Monitoring Parameter	Responsible Entity	Implementation Schedule	Cost and Source of Funds	Remarks
					types (surface water, groundwater and soil) x once a year: P6,000 annually/CIS	
3.1.3 Air Quality	-	-				
In Compliance with: GOP: PD 1144 Fertilizer and Pesticide Authority regulations						
Increased use of agro-chemicals (pesticides and fertilizers) due to more intensive cropping within the irrigable service area, given the availability of regular and adequate irrigation water and improved irrigation facilities	<ul style="list-style-type: none"> - Use only the agro-chemicals allowed/ cleared by the Phil Fertilizer and Pesticide Authority - Controlled and proper timing of application of agrochemicals based on an Integrated Pest and Crop Management (IPCM) Program which the ISA can formulate with the assistance of the DA - Training of the farmers on the proper selection, dosage and timing of agro-chem applications to ensure optimum absorption by the plant and soil - Introduce the use of organic fertilizer 	<ul style="list-style-type: none"> - List of FPA-cleared agro-chemicals to be used in the Mainit CIS - Presence of IPCM Program - Program for Farmers' Training and proof of attendance and demonstration of acquired skills 	_____ CIS ISA to coordinate with the DA on IPCM Training	Schedule of training depends on the ISA's continuing development program for its farmer beneficiaries (at least one training a year is proposed)	No additional ESMP cost. Training package is integrated in the Agro-Enterprise devt. module package.	
3.2 Biological Environment						

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
3.2.1 Forest and plant life	-					
3.2.2 Wildlife	-	-				
3.2.3 Fisheries, Aquatic life	-	-				
3.3 Social Environment						
3.3.1 Participation of women in management of O&M	-	-	-			
3.3.2 IP participation in management of O&M Lack of participation of the marginalized sectors such as IP and women in sub-project operation and maintenance of the sub-project	<ul style="list-style-type: none"> - Sustain IP and women's involvement thru coordination/conduct of activities and facilitation of some meetings in relation to the operation of the following: - O&M committee for access infra - Irrigators' Service Asso- 	<ul style="list-style-type: none"> - Proof* of coordination and participation of IP and women <p>* Proof: e.g. Attendance Sheet, Minutes of Meetings, Inventory of roles and tasks assumed by women</p>	<ul style="list-style-type: none"> - LGU/Proponent to take the lead in coordination and consultations, particularly the Municipal Social Welfare Department and the Community Relation Officers - ISA, BAWASA and School Board to 	Daily operations	No additional ESMP cost: Part of day-to-day management of the associations	

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
	ciation (ISA) – Barangay Waterworks and Sanitation Association (BAWASA) for PWS – School Board – Local Health Office – Local Social Welfare Office – IP Organizations – Multi-purpose Cooperative – Other people's associations	and IPs	handle the women's participation program for their women members – Coordination with NCIP for sub-projects with IP impacts – (state entity responsible for monitoring of measures to address IP impacts during Operations and maintenance)			
3.3.3 Participation of Households affected by involuntary resettlement in O&M		–				
3.3.4 Access and/or use restriction		–				
3.3.5 Induced activities with negative cumulative effects		–				
3.4 Other impacts		–				

<i>Potential Impacts</i>	<i>Mitigation/ Enhancement Measures</i>	<i>Monitoring Parameter</i>	<i>Responsible Entity</i>	<i>Implementation Schedule</i>	<i>Cost and Source of Funds</i>	<i>Remarks</i>
<p>Induce an increase in agricultural activity in previously inaccessible farm areas along the newly constructed or newly improved roads, which may cause improper land preparations resulting to damage to road drainage and shoulder</p> <p>Introduction and use of technologies that are not culturally appropriate for IPs</p>	<p>Training of Household members on proper land preparations and agricultural techniques, especially in sloping areas</p> <p>Engagement of IP facilitators and IP experts (if IP impacts are identified) in coordination with NCIP to develop mitigation measures</p>	<ul style="list-style-type: none"> - Absence of soil erosion/ accumulation in road drainage canals and shoulders - - Number of community or Committee members trained - (others, as required) 	<p>LGU to coordinate with DSWD on training, in consultation with the Sub-Project Beneficiaries</p> <p>LGU to coordinate with NCIP when IP impacts are identified</p> <p>(state entity responsible for monitoring of measures to address IP impacts during Operations and maintenance)</p>	<p>Based on the Sub-Project Implementation plan of the Ass'n/Brgy.</p>	<p>No additional ESMP cost. Training can be integrated in the cost for continuing development program of the within the CEAC process</p> <p>Mitigation measures for IP impacts expected during operations and maintenance phase to be included under Phase 1 costs</p>	
Phase 4: Abandonment Phase						
<p>No abandonment of the sub-project(s) (is)are programmed since the Operations and Maintenance Phase is considered to sustain the life and utility of the sub-projects, unless natural catastrophic events such as anomalous magnitude of earthquake or flooding destroys the facility beyond use. In this case, the engineering and design of the replacement facilities will integrate and handle the demolition of the damaged structures.</p>						

Prepared by:

PPT

Date: _____

The LGU OF BRGY. _____ is confirming its willingness and commitment to implement and allocate funds for the abovementioned ESMP.

Barangay Chairperson

Date: _____

Approved and noted by:

Municipal Mayor

Date: _____

Reviewed and Endorsed to the SRPMO by:	Reviewed and Endorsed to the RPMO by:
_____	_____
Area Coordinator	SRPMO Head
Date: _____	Date: _____

Annex J

(This is a sample of a Deed of Donation. You may freely copy and revise this form)

DEED OF DONATION

KNOW ALL MEN BY THESE PRESENTS:

That I, _____ of legal age, single / married to _____ with postal address at _____ hereinafter referred to as the DONOR, and Barangay *(name of barangay)*, Municipality of *(name of municipality)*, Province of *(name of province)*, herein represented by *(name of Barangay Chairperson)*, Barangay Chairperson, of legal age, with postal address at _____ hereinafter referred to as the DONEE, witnesseth:

That the DONOR is the registered owner of a parcel of land, more particularly described as follows:

(Insert description of property to be donated)

That the DONEE is the duly elected Barangay Chairperson *(relationship to the donor)* of the Barangay where the parcel of land of the DONOR is located.

That FOR AND IN CONSIDERATION of the DONEE's desire to contribute to the development of the Barangay and its residents, and as an act of gratitude and liberality on his part, the DONOR hereby voluntarily GIVES, TRANSFERS, and CONVEYS by way of donation, unto the said DONEE, his heirs and assigns, the above described property, together with all the improvements found thereon, free from all liens and encumbrances;

That the DONOR affirms that this donation is not made with intent to deceive his creditors, and that he has reserved for himself sufficient funds and property;

That the DONEE hereby accepts and receives this donation made, in favour of the Barangay Sub-Project Management Committee (BSPMC) of Barangay *(name of barangay)* for the implementation of *(name of subproject)*, by the DONOR, and hereby manifests his gratefulness for the latter's generosity.

IN WITNESS WHEREOF, both the DONOR & DONEE have hereunder subscribed their names this _____ day of _____ 200_ at _____, Philippines.

DONOR	DONEE
-------	-------

WITNESS

ACKNOWLEDGEMENT

Republic of the Philippines
 (_____) S.S

BEFORE ME, a notary for and in the City of Makati, personally appeared:

Name (Donee)	CTC Number 00000000	Date/Place Issued June 28, 200_ / MakatiCity
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known to me and to me known to be the same persons who executed the foregoing Deed of Donation and acknowledged to me that the same is their free and voluntary act and deed.

WITNESS MY HAND AND SEAL, on the date and place first above written.

Notary Public

Doc. No. _____;
 Page No. _____;
 Book No. _____;
 Series of 200_.

Annex K

Guidelines on the use of toxic substances (pesticides, fertilizer and termiticides)

KALAHI-CIDSS, in the implementation of its sub-projects (vertical structures, water system, roads and bridges, and environmental protection infrastructures) takes into consideration the use of chemicals in treating building materials such as woods and metals. In addition, soil treatment for eradication of termites is also considered in this aspect. The chemical treatment of water in *water system subproject* may also fall under this consideration.

LEGAL BASIS

- A. **The Philippine Constitution.** The Philippine Constitution provides for and emphasizes the importance of social protection of all Filipino workers ensuring a “just and humane terms and conditions of work” and is aligned with the principle of decent work.

- B. **Occupational Safety and Health Standards.** The Department of Labor and Employment (DOLE) issued Department Order 13 which provides for the Guidelines Governing Occupational Safety and Health in the construction industry. The implementation of Occupational Safety and Health Standards (OSHS) was promulgated and implemented to protect Filipino workers against injury, sickness, and death through safe and healthful working conditions. The Standards apply to all places of employment in the Philippines. All workplaces in which hazardous substances are handled and used, and where chemical hazards injurious to health of the workers are generated or released, are required by this order to provide engineering control measures and personal protective equipment (PPE) to reduce worker exposure to these hazards.

- C. The “**Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990**” or **RA 6969** aims to *regulate the distribution, use and disposal* of chemical substances and mixtures which includes fertilizers, pesticides and termiticides that may present unreasonable risk and/or injury to health or the environment in the subproject implementation. Means to properly manage and dispose the waste or discards from the use of such chemicals was prescribed in this law.

KALAHI-CIDSS provides the following guidelines for using toxic and hazardous chemicals as derived from the foregoing laws.

- In Project Development Workshop, *Banned and restricted pesticides in the Philippines (Annex 1)* should be considered by the concerned engineers;
- The service provider or contractor shall be required to attend an orientation seminar on the safety standards as maybe required in the implementation of the KALAHI subproject;
- The service provider should comply with the Department Administrative Order 58 series of 1998 (Annex 2);
- Concerned engineers and/or Community Facilitator (CF) should monitor that Contractors are not using chemicals listed in Banned and restricted pesticides in the Philippines;
- In cases where hazardous chemicals could be replaced by non-hazardous chemicals, then the replacement is mandatory;
- Chemical substances must be used as per manufacturers instruction and intention;
- As required by law, proper label by manufacturer shall include proper handling and use, proper storage, and proper disposal of residue and container. The contractor should follow strictly the manufacturer’s instructions. The purchase and distribution of hazardous substances or chemicals by the service provider or the contractor in KALAHI-CIDSS subproject would have to conform with the specifications as detailed in the label of the chemical product to ensure health and environment safety.

Annex K-1

LIST OF BANNED AND RESTRICTED PESTICIDES IN THE PHILIPPINES

I. Banned Pesticides in the Philippines

- | | |
|---|---------------------------------|
| 1. 2, 4, 5-T | 15. HCH/BHC |
| 2. Aldrin | 16. Heptachlor |
| 3. Azinphos Ethyl | 17. Leptophos |
| 4. Chlordane | 18. Mercuric Fungicides |
| 5. Chlorodimeform | 19. Parathion-Methyl |
| 6. Copper Aceto-Arsenic (Paris Green) | 20. Parathion-Ethyl |
| 7. DBCP | 21. 1-Naphthylthiourea (ANTU) |
| 8. DDT | 22. Nitrofen |
| 9. Dieldrin | 23. Organotin |
| 10. EDB | 24. Sodium Fluoroacetate |
| 11. Elemental Phosphorus (White & Yellow) | 25. Sodium Fluoroacetate (1801) |
| 12. Endrin | 26. Strychnine |
| 13. EPN | 27. Thallium Sulfate |
| 14. Gophacide | 28. Toxaphene |

II. Restricted Pesticides in the Philippines

DDT	All users cancelled except for malaria control purposes by the Department of Health.
Paraquat	Restricted for Institutional Use Only. Approval of use will be based on strict compliance by the imported / end-user of the requirements act for its use.
Phenamiphos	For use in Banana Plantations Only.

Entropop Methidation	
Inorganic Arsenicals (Arsenic Trioxide)	For use by FPA Accredited wood treatment and wood preserving plants only.
Lindane (Gamma / BHC)	The only allowed use to date is on pineapple plantations by soil pre-plant application.
Pentachlorophenol	For use in wood treatment only by FPA Accredited wood treatment plants and institutions.
Endosulfan	Not for use in paddy rice culture. Concentration be lowered to 5% EC or lower for other uses.
Monocrotophos	Allowed use is for beanfly control only.
Methyl Bromide Carbon Disulfide Phosphine Generating Compounds HCN Generating Materials Carbon Tetrachloride Chloroform Ethylformate	Adequate time for acration is required after treatment before commoxlities are processed into food or feed.
Aldicarb	Importation Not Allowed Except in Cases of Emergency as determined by the Authority

III. Status of POPs in the Philippines

Pesticides

Aldrin	Banned
Chlordane	Banned
DDT	Restricted All Uses cancelled except for malarial control

	purpose of the Department of Health
Dieldrin	Banned
Endrin	Banned
Heptachlor	Banned (Never Registered)
Hexachlorobenzene	Banned (Never Registered)
Mirex	Banned (Never Registered)
Toxaphene	Banned (Never Registered)

Chemicals

Dioxins	Not Regulated by the Authority
Furans	Not Regulated by the Authority
Polychlorinated Biphenyls (PCBs)	Not Regulated by the Authority
Hexabromobiphenyls	Not Regulated by the Authority
Polyromatic Hydrocarbons (PAHs)	Not Regulated by the Authority

Annex K-2

ANNEX 2 LIST OF BANNED CHEMICALS IN THE PHILIPPINES

DENR ADMINISTRATIVE ORDER
No. 58
Series of 1998

Subject : PRIORITY CHEMICALS LIST

Pursuant to Section 19, Chapter IV, Title II of DENR Administrative Order 29, the Implementing Rules and Regulations of the Republic Act 6969, the Toxic Substances, Hazardous Wastes, and Nuclear Wastes Control Act of 1990 (hereinafter, RA 6969), the Department hereby promulgates the following Priority Chemicals List (PCL):

- | | |
|--------------------------------|--------------------------------------|
| 1. 1,1,1, -Trichloroethane | 15. Ethylene Oxide |
| 2. 1,2 Diphenylhydrazine | 16. Halons |
| 3. Arsenic Compounds | 17. Hexachlorobenzene |
| 4. Asbestos | 18. Hexachloroethane |
| 5. Benzene | 19. Lead Compounds |
| 6. Beryllium Compounds | 20. Mercury Compounds |
| 7. Cadmium Compounds | 21. Mirex |
| 8. Carbon Tetrachloride | 22. Polychlorinated Biphenyls (PCBs) |
| 9. Chlorofluoro Carbons (CFCs) | 23. Phosgene |
| 10. Chloroform | 24. Pentachlorophenol |
| 11. Chlorinated Ethers | 25. Polybrominated Biphenyls (PBBs) |
| 12. Chromium Compounds | 26. Selenium |
| 13. Cyanide Compounds | 27. Tributyltin |
| 14. Ethylene Dibromide | 28. Vinyl Chloride |

Users, importers, and manufacturers of these chemicals are hereby required to comply with the following requirements:

1. Completion and submission to the Environmental Quality Division (EQD) of the Environmental Management Bureau (EMB) of a Hazardous Wastes Registration Form;
2. Completion and submission to the EQD, EMB of the PCL Biennial Report. The First Biennial Report should be submitted from September 1 to December 31, 1998. Subsequent Biennial Reports shall be submitted within fifteen (15) days from the end of each calendar year; and;
3. Registration and Biennial Reports must be in a form prescribed by the Department and accompanied with the payment of prescribed fees.

Inquiries regarding the Chemical Abstract Services (CAS) numbers of, and the list of synonyms for these priority chemicals shall be directed to Environmental Quality Division, Environmental Management Bureau 99-101 Topaz Building, Kamias Road, Quezon City.

Violations of the provisions of this Order shall result in the imposition of a fine of not less than ten thousand pesos (PhP10,000.00) but not more than fifty thousand pesos (PhP50,000.00), without prejudice to institution of criminal proceedings against said violators, in accordance with RA 6969.

This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

(Sgd.) ANTONIO H. CERILLES
Secretary

Annex L

Safeguards Processing Roadmap

Safeguards Processing	Accelerated CEAC	Standard CEAC	Tools	Key Outputs		
				IP	LARR	Environment
1. Disclosure	1.1 Municipal Orientation 1.2 Community Consultation (First Barangay Assembly)	1.1 Municipal Orientation 1.2 Community Consultation (First Barangay Assembly)	KC-NCDDP Safeguards Policies Orientation Materials	KC-NCDDP IP framework and policies are shared among the community members, the B/LGU and other stakeholders. IP concerns and issues and their implications and risks to sub-project implementation are discussed. Separate consultations are conducted with all IP tribes, in coordination with the NCIP and proceedings documented.	KC-NCDDP LARR framework and policies are shared among the community members, the B/LGU and other stakeholders. LARR concerns and issues and their implications and risks to sub-project implementation are discussed. Separate consultations are conducted with vulnerable groups as needed.	KC-NCDDP Project's Environment safeguards framework and policies are shared among the community members, the B/LGU and other stakeholders. Environment concerns and issues and their implications and risks to sub-project implementation are discussed.
2. Eligibility Screening	2.1. Consultation Meeting 2.2 Community Consultation (First Barangay Assembly)	Participatory Situation Analysis <ul style="list-style-type: none"> Barangay PSA Workshop Presentation of PSA 	Negative List	Sub-project to be proposed under KC-NCDDP support is screened against the negative list.	Sub-project to be proposed under KC-NCDDP support is screened against the negative list. Results of eligibility	Sub-project to be proposed under KC-NCDDP support is screened against the negative list. Results of eligibility

Safeguards Processing	Accelerated CEAC	Standard CEAC	Tools	Key Outputs		
				IP	LARR	Environment
		Results to the Barangay Assembly		Results of eligibility screening are presented to the Barangay Assembly.	screening are presented to the Barangay Assembly.	screening are presented to the Barangay Assembly.
3. Safeguards Screening and Classification	2.1. Consultation Meeting 2.2 Community Consultation (First Barangay Assembly)	Participatory Situation Analysis <ul style="list-style-type: none"> Barangay PSA Workshop Presentation of PSA Results to the Barangay Assembly 	Environmental and Social Safeguards Checklist	<p>Eligible sub-project to be proposed for KC-NCDDP support is screened using the ESS Checklist.</p> <p>If IP safeguards is triggered;</p> <p>Location of the possible sub-project is assessed if within an ancestral domain or if the sub-project impact area will extend to area inhabited by IPs</p> <p>If within ADs/impact area reaches IP area, members of the IP groups who will be affected (either positive or negative) by the sub-project are</p>	<p>Eligible sub-project to be proposed for KC-NCDDP support is screened using the ESS Checklist.</p> <p>If LARR safeguards is triggered;</p> <p>Location of possible sub-projects is assessed if;</p> <ul style="list-style-type: none"> Within No-build Zones Within No-dwelling Zones Within areas with significant multi-hazard risks Within safe zones <p>Ownership of proposed subproject location is determined if government</p>	<p>Eligible sub-project to be proposed for KC-NCDDP support is screened using the ESS Checklist.</p> <p>If Environmental safeguards is triggered;</p> <p>Location of possible sub-project is assessed if;</p> <ul style="list-style-type: none"> Within No-build Zones Within No-dwelling Zones, or; Within areas with significant multi-hazard risks <p>Location is determined if within environmentally critical area.</p>

Safeguards Processing	Accelerated CEAC	Standard CEAC	Tools	Key Outputs		
				IP	LARR	Environment
				identified.	or privately owned.	
4. Preparation of safeguards instruments	Project Proposal Development Workshop	Project Proposal Development Workshop	Accomplished Environmental and Social Safeguards Checklist Environmental and Social Management Plan (EMSP) template	Impacts to IP communities are determined and assessed. Proposed sub-project is reviewed against the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP). IP sections of the ESMP (IP Plan) is prepared by the PPT, with the assistance of the CEF, to ensure IPs are consulted and involved in the project development process, and their engagement is properly documented.	Construction of the proposed sub-project is assessed if will result to the following: <ul style="list-style-type: none"> • Displacement of individuals, families or businesses • Temporary or permanent loss of crops, fruit trees and other means of livelihood. LARR sections of the ESMP is prepared by the PPT, with the assistance of the CEF, to ensure project-affected persons are consulted and involved in the project development process, and their engagement is properly documented.	Negative impacts or risks to the environment to be caused by the proposed subprojects are determined and assessed. Sub-project is categorized as needing ECC or CNC based on the DENR Classification Matrix. Environment sections of the ESMP are prepared by the PPT, with the assistance of the CEF, to ensure mitigation activities are identified.

Safeguards Processing	Accelerated CEAC	Standard CEAC	Tools	Key Outputs		
				IP	LARR	Environment
				IPP is submitted to the SRPMO, RPMO, and NPMO, for review.		
	Preparation of project proposal	Preparation of project proposal	<p>Sample Certification Precondition</p> <p>Sample DOD or Usufruct Agreement</p> <p>Sample ECC or CNC</p>	<p>Consultations with IPs during the preparation of the sub-project proposal and completion of RFR documents are conducted.</p> <p>Proposed Environmental and Social Management Plan prepared reflecting section on IPs.</p> <p>Certification Precondition is secured.</p>	<p>Affected persons are informed and meaningfully consulted³³ regarding the sub-project that will be implemented.</p> <p>Legal documents such as DOD, Usufruct Agreement are filed, processed and notarized.</p> <p>Proposed Environmental and Social Management Plan prepared reflecting section on LARR.</p>	<p>Initial Environmental Examination (IEE) or Project Description (PD) prepared by the PPT, with the assistance of the CEF, and submitted to DENR-EMB Regional Office.</p> <p>ECC or CNC is secured.</p>
	MIAC Technical Review	MIAC Technical Review	Environmental and Social Management	IP safeguards instruments are presented to the	LARR safeguards instruments are presented	Environmental safeguards instruments are presented

³³ Meaningful consultation is a process that (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the project cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues. (Source: ADB SPS (2009))

Safeguards Processing	Accelerated CEAC	Standard CEAC	Tools	Key Outputs		
				IP	LARR	Environment
			Plan	MIAC for technical review.	to the MIAC for technical review.	to the MIAC for technical review.
	Barangay Assembly	Barangay Assembly	Sample BA Resolution	Community Sub-project Proposal, including ESMP, is approved. For subprojects with negative impacts to IPs, IPP approved prior to sub-project implementation. ³⁴	Community Sub-project Proposal, including ESMP, is approved. For subprojects that involve involuntary resettlement impacts, RP approved prior to sub-project implementation.	Community Sub-project Proposal, including ESMP, is approved.
5. Implementation and monitoring of safeguards compliance	Community-managed implementation of projects	Community-managed implementation of projects	Environmental and Social Management Plan	Participation of IPs in paid labor activities is ensured. Implementation of other IP measures, as described in the approved ESMP	Compensation to affected persons has been provided and rehabilitation measures are in place, and supporting legal documents (e.g. DOD, Usufruct Agreement) have been executed prior to sub-project implementation.	Mitigating and enhancement measures/activities that were reflected in the ESMP are undertaken and monitored.

³⁴ For ADB funded sub-projects, IPP and RP must be approved by ADB prior to sub-project implementation.

