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PRESCRIBING THE GUIDELINES IN GRANTING OF FAVORABLE RECOMMENDATION FOR THE ISSUANCE OF ENVIRONMENTAL COMPLIANCE CERTIFICATE (ECC) FOR THE CONSTRUCTION, DEVELOPMENT AND OPERATION...

(DENR) GOLF COURSE CONSTRUCTION AND DEVELOPMENT COMMITTEE RESOLUTION NO. 01-97, November 05, 2002

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WHEREAS Executive Order No. 342, issued by President Fidel V. Ramos on 6 June 1996 provides that No Environmental Compliance Certificate shall be issued by the Department of Environment and Natural Resources for the construction, development and operation of golf courses unless favorably recommended by the Golf Course Construction and Development Committee (Committee);

WHEREAS the same Executive Order No. 342, empowers the Committee to adopt and promulgate standards for the construction, development, and operation of golf courses taking into consideration, among others, the protection of the environment, the conservation of natural resources, and the optimum land utilization;

WHEREAS Philippine Agenda 21 embodies the basic framework for sustainable development for the country;

WHEREFORE, the Committee hereby adopts the following requirements in securing favorable recommendation for the issuance of ECC:

SECTION 1. Standards of an Environmentally and Socially Friendly Golf Course Development Project. —

A. Siting/Location

1. It should not be located within the environmentally critical or sensitive areas, like proclaimed National Integrated Protected Areas, wetlands, and/or other areas where Protected Areas, wetlands, and/or other areas where development is prescribed by a Presidential Proclamation.

2. It should not be located in areas considered as prime agricultural land, i.e., rice production areas, and it shall not, in any manner, be in conflict with, nor contribute to the loss and reduction of the food production of the locality in relation to the national objectives. If at all possible, it should allow agricultural crops production.

3. It should not be located in areas covered by Comprehensive Agrarian Reform Law unless it has been legally converted for golf purposes.

4. It should not be located in areas where there is water shortage problem.

5. It should not be in located in areas where existing land use is incompatible with the construction and development of golf courses. It shall respect adjacent land use by granting the easement of right-of-way in appropriate locations even during the planning and throughout construction and operation phases.

6. Golf courses shall, preferably, be situated in presently degraded areas, such as landfill sites, mined areas etc.

7. It shall not result in a large scale terrain modification.

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B. Resource Use and Protection

1. There shall be minimal clearing of vegetation and a 40:60 ratio for forest/vegetation/wetlands to the golf course.

2. It shall promote biodiversity by providing adequate natural habitat enhancement, restoration, rehabilitation and refuge for affected and displaced wildlife; and creating a diverse environment such as grasslands, wetlands, mini-forests and rice paddies.

3. It shall be compatible with other resource systems and complements their protection so that there will be no negative impacts on nearby and related ecosystems.

4. It shall not unduly compete for, deplete or pollute water resources as it has an integrated water recycling system or its design of irrigation, drainage and retention system provides for efficient use of water and protection of water quality.

5. There shall be minimal modification of creeks and waterways diversion and any terrain modification should result in slope stabilization.

C. Design

1. It shall ensure social acceptability by closely working with the community from the planning, and throughout the entire development process, and by providing opportunities for public participation in the course of its operation.

2. It shall be the policy of the owners, developers and the management to protect the environment and to ensure equitable sharing of benefits to host community.

3. Its facilities and activities shall foster Filipino pride and appreciation and respect of Filipino culture and values.

4. It shall be developed and managed in conformity with the uniqueness of the natural ecosystem in which the landscape and facilities blend harmoniously with the setting and scenery.

5. It shall provide protective measures such as maintenance of buffer zones to protect high quality surface water resources or environmentally critical or sensitive areas.

D. Construction

1. Strategies shall be developed and implemented to effectively control sediment, minimize the loss of topsoil, protect water resources and reduce disruption to wildlife, and plant species designated environmental resource areas are developed and implemented.

2. Construction and turf development are scheduled to allow the most efficient progress of the work while optimizing environmental conservation and resource management.

3. Immediate revegetation of opened areas during the construction phase shall be a priority.

E. Operation and Maintenance

1. Waste Management

a) Zero-waste management for all its facilities shall be observed

b) Grass cuttings and other organic materials shall be composted for agronomic use

c) Disposal of chemical rinsate shall not increase the potential for point or non-point source pollution

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d) A system for proper disposal of other waste products, such as, used motor oil, unused solvents, etc., shall be developed/adopted.

2. Water Usage

a) Irrigation patterns shall be planned to meet the needs of the plant materials to avoid over watering.

b) Effective management of water use shall be adopted to prevent unnecessary depletion of local water resources.

c) Adoption of environmentally acceptable effluent irrigation systems shall be highly preferable.

d) Locally available environment-friendly raw materials, products and processes shall be preferred, whenever possible.

3. Fertilizers/Chemical Usage

a) Use of nutrient products and practices that reduces the potential for contamination of ground and surface water, e.g., use of slow-release fertilizers and organic products; and

b) Proper warning shall be made to inform golfers and guests about chemical applications.

4. Plant protection and maintenance

a) Principles of integrated plant management, or one that relies on a combination of common sense practices of preventing and controlling pests (e.g. weeds, diseases, insects) shall be adopted.

b) Plant materials in greens, tees and fairways that are drought-resistant and well-adapted to local environmental conditions shall be used to ensure efficient management and provide the desired playing characteristics.

5. Wildlife management

a) Habitat for wildlife and aquatic species that help control pests shall be protected. Additional habitat for beneficial species shall be created whenever feasible and environmentally desirable.

6. Facility operations

a) It shall have a regular monitoring of project's environmental impacts and has a quick response system to deter negative impacts as well as enhance positive ones.

b) The golfers, the management staff and the public shall be constantly educated on the principles of environmental responsibility and on the understanding of environmentally and socially sound golf course.

c) It shall document the development of the existing environmentally sound golf course management for replication by the other golf courses.

d) It shall have policies concerning privilege access to and enjoyment of the facilities by tourists both domestic and international, with the end view of attaining objectives/goals of tourism industry.

e) It shall provide community development and training program for displaced workers and communities.

f) The environmentally responsible practices adopted for the maintenance of the golf course shall extend to all areas of the overall facility grounds.

g) Its facilities shall adopt practices and technologies that conserve natural resources, including water and energy.

h) Its facilities shall develop and initiate comprehensive program for recycling, reuse, and waste reduction.

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SECTION 2. Procedure in the Granting of a Favorable Recommendation. — The following steps, as illustrated in Annex 1*, are hereby prescribed before the Committee can favorably recommend to the DENR Secretary the issuance of an ECC as required by Executive Order No. 342.

1. Submission by the Proponent of Initial Golf Course Construction and Development Project Description to the Committee Secretariat

2. Review and Evaluation of the IPD by the Committee and its Technical Working Group.

3. Issuance of Notice to Conduct the EIS by the Committee Chairman

4. EIA Process

5. Issuance of a Final Recommendation by the Committee

SECTION 3. Initial Golf Course Construction and Development Project Description (IPD). — Before the conduct of a full blown Environmental Impact Study (EIA) proponents of golf course construction and development project shall submit to the Committee nine (9) copies of an Initial Golf Course Construction and Development Project Description which, at the least, contains the following basic items:

1. a brief description of the environment setting and receiving environment, including the primary and secondary impact areas.

2. a brief description of the project or undertaking.

3. a brief description of the environmental impact of the project or undertaking, including its socio-economic impact.

4. a brief discussion of the relationship among population, development, and the environment;

5. The proponent's corporate profile, the registered owners of the land, and the instrument to which the use is transferred to the corporation, if the registered owner has a distinct juridical personality from the proponent.

6. The following certifications:

From the Department of Environment and Natural Resources — that the land is not within the National Integrated Protected Area System (NIPAS), Environmentally Critical Areas, or other areas where development is proscribed by a Presidential Proclamation

From the Department of Agriculture — that the land is not considered as prime agricultural land

From the Department of Agrarian Reform — that the land is not covered by the Comprehensive Agrarian Reform Law or has been legally converted for golf construction and development purposes

From the Department of Tourism — that the project is accordance with the Tourism Master Plan

From the National Water Resource Board — that there is adequate water supply in the area for golf purposes.

From the Housing and Land use Regulatory Board, or From the City or Municipality who have their own Zoning Administrators and approved town plan and zoning ordinance — locational clearance

From the Regional Development Council or the NEDA Regional Director whenever required by the Committee — that the proposed golf course construction and development is consistent with the goals and priorities of the Regional Development Plan and the allocation in the Regional Physical Framework Plan.

7. Written commitment under oath by the proponent to Adhere to the policies enumerated in Section 1.

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SECTION 4. Review and Evaluation of IPD. — Upon receipt of the IPD, the Committee Secretariat shall determine the completeness of the documents submitted by the proponents. If the documents are found to be incomplete or in need of revision, the same shall be immediately returned to the proponent for completion or revision.

Within 15 days from the date of submission, the Committee shall evaluate the IPD to determine whether the project is located within allowable area or if there are major environmental, social, or political concerns that would necessitate immediate denial of the application. Should there be any question or objection by a member of the Committee, the same shall be discussed with the proponent.

SECTION 5. Issuance of the Notice to Conduct Environmental Impact Study (EIS) for the Project. — The Notice to Conduct EIS shall be issued by the Chairman after the evaluation of the Technical Working Group (TWG) indicates that the must criteria on the location have been met, and it appears that the environmental, social and political concerns are such that it can be addressed by the project.

Submission of the EIA to the EMB to initiate the Environmental Impact Assessment (EIA) Process.

SECTION 6. EIA Process. — Consistent with the mandate prescribed by Section 3b of Executive Order No. 324, the Committee, through the (TWG) shall assist in the review of the EIS in order to ascertain that the foregoing standards for the golf course design and construction have been met.

The EIS Review, however, should be limited to technical matters and not deal with the issues previously addressed by the Committee more particularly on siting/location.

SECTION 7. Issuance of Final Recommendation. — The final recommendation for the issuance of the ECC, which shall be based on the concurrence of all the members of the committee, will be forwarded to the DENR Secretary in a form of a Committee Resolution.

Should there be an objection by any of the member, a favorable endorsement, with reservation, may still be issued upon the majority vote of all the members of the Committee. Provided that the objection shall be indicated in the endorsement.

SECTION 8. Effectivity and Transitory Provisions. — These rules shall be effective immediately after its publications in at least one (1) newspaper of general circulation, and shall govern future applications. These rules shall not apply to those currently pending with the EMB, unless voluntarily invoked by the proponent.

Adopted: 22 Aug. 1997

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